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MASSDOT COMMUNITY TRANSIT GRANT PROGRAM

GRANTSPLUS+

WEB-BASED GRANT APPLICATION

STATE FISCAL YEAR 2015



Notice of Nondiscrimination Rights and Protections to Beneficiaries

Federal "Title VI/Nondiscrimination" Protections

The Massachusetts Department of Transportation (MassDOT) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of **race, color, or national origin** (including **limited English proficiency**), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, the Federal Transit Administration, or both prohibit discrimination on the basis of **age, sex, and disability**. These protected categories are contemplated within MassDOT's Title VI Programs consistent with federal interpretation and administration. Additionally, MassDOT provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with US Department of Transportation policy and guidance on federal Executive Order 13166.

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Additional Information

To request additional information regarding Title VI and related federal and state nondiscrimination obligations, please contact:

Title VI Specialist
MassDOT, Office of Diversity and Civil Rights
10 Park Plaza
Boston, MA 02116
857-368-8580
TTY: 857-368-0603
MASSDOT.CivilRights@state.ma.us

Complaint Filing

To file a complaint alleging a violation of Title VI or related federal nondiscrimination law, contact the Title VI Specialist (above) within 180 days of the alleged discriminatory conduct.

To file a complaint alleging a violation of the state's Public Accommodation Law, contact the Massachusetts Commission Against Discrimination within 300 days of the alleged discriminatory conduct at:

Massachusetts Commission Against Discrimination (MCAD)
One Ashburton Place, 6th Floor
Boston, MA 02109
617-994-6000
TTY: 617-994-6196

Translation

English: If this information is needed in another language, please contact the MassDOT Title VI Specialist at 857-368-8580.

Portuguese: Caso esta informação seja necessária em outro idioma, favor contar o Especialista em Título VI do MassDOT pelo telefone 857-368-8580.

Spanish: Si necesita esta información en otro idioma, por favor contacte al especialista de MassDOT del Título VI al 857-368-8580.

Chinese Simplified: (mainland & Singapore):

如果需要使用其它语言了解信息，请联系马萨诸塞州交通部（MassDOT）《民权法案》第六章专员，电话857-368-8580。

Chinese Traditional: (Hong Kong & Taiwan):

如果需要使用其它语言了解信息，請聯繫馬薩諸塞州交通部（MassDOT）《民權法案》第六章專員，電話857-368-8580。

Russian: Если Вам необходима данная информация на любом другом языке, пожалуйста, свяжитесь со специалистом по Титулу VI Департамента Транспорта штата Массачусетс (MassDOT) по тел: 857-368-8580.

Haitian Creole: Si yon moun vle genyen enfòmasyon sa yo nan yon lòt lang, tanpri kontakte Espesyalis MassDOT Title VI la nan nimewo 857-368-8580.

Vietnamese: Nếu quý vị cần thông tin này bằng tiếng khác, vui lòng liên hệ Chuyên viên Luật VI của MassDOT theo số điện thoại 857-368-8580.

French: Si vous avez besoin d'obtenir une copie de la présente dans une autre langue, veuillez contacter le spécialiste du Titre VI de MassDOT en composant le 857-368-8580.

Italian: Se ha bisogno di ricevere queste informazioni in un'altra lingua si prega di contattare lo Specialista MassDOT del Titolo VI al numero 857-368-8580.

Khmer: ប្រសិនបើលោកអ្នកត្រូវការរបកប្រែពីភាសានេះ សូមទាក់ទងអ្នកឯកទេសលើជំនួញកម្រិត 6 របស់ MassDot តាមរយៈលេខទូរស័ព្ទ 857-368-8580

Arabic: إن كنت بحاجة إلى هذه المعلومات بلغة أخرى، يُرجى الاتصال بأخصائي الفقرة السادسة على الهاتف 857-368-8580

To obtain information about this application, you can:

- Write to: MassDOT Rail & Transit Division, Application Questions, 10 Park Plaza, Suite 4160, Boston, MA 02116
- E-mail your questions to: Transit & Capital Analyst, Price Armstrong - price.armstrong@state.ma.us
- For an electronic version of this application or to obtain additional information, visit www.mass.gov/massdot/transit.

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Section 1: Overview

A) Overview of Application

MassDOT and its evaluation teams use a web-based grant application system for both state and federal public transportation grants. Applicants are asked to describe their project(s) and provide relevant information. Based on the information provided by the applicant, MassDOT will rate the application and determine which organizations will receive federal and state grant funding. The grant application process occurs on an annual basis.

B) Purpose and Goal of Application and Grant Programs

This web-based grant application system has replaced the previous single grant application. This web-based grant application system serves to streamline the grant application and approval process. The link to the web-based grant application system can be found on the [Community Transit Grant Program page](#) of the Rail & Transit Division.

The Federal Transit Administration (FTA) provides financial assistance to states through a number of programs to develop new transit systems and improve, maintain, and operate existing systems. The Governor of the Commonwealth of Massachusetts has designated the Massachusetts Department of Transportation (MassDOT) as the agency of authority and responsibility for administering assistance received in Massachusetts through Title 49 USC Sections 5310, 5311, and 5339 (Small-Urban & Statewide portions only) funding programs.

The Commonwealth of Massachusetts through the Rail & Transit Division (RTD) within MassDOT provides financial assistance to eligible organizations through several programs to provide a state financial match to federally funded capital, operating, and planning projects. RTD distributes financial assistance through the Mobility Assistance Program (MAP) to provide transportation services to elderly persons and persons with disabilities as defined in Chapter 637 § 13 of the Acts of 1983.

1) Federal Grants

Title 49 USC § 5310 – Enhanced Mobility of Seniors and Individuals with Disabilities Program: Revamped in MAP-21, the FTA has split the §5310 Program into “Traditional Projects” and “Expanded Projects.” This reflects the fact that the New Freedom Program was consolidated into §5310, and no longer exists as a stand-alone program.

Traditional Project goals include:

- Public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable or inappropriate. This DOES NOT include:
 - Vehicles or equipment that benefits, or is assumed to benefit, seniors or people with disabilities in addition to the general public (for example, purchasing a 40-ft. bus for regular service which seniors and individuals with disabilities may or may not use).
- This DOES include:
 - Fully accessible vehicles (MassDOT purchases the vehicles for the grant recipient; See Fully Accessible Vehicle Guide for more information.);
 - Vehicle equipment, such as communications equipment, lifts or ramps, or preventive maintenance as defined in the National Transit Database;
 - Passenger facilities, such as benches or shelters;
 - Intelligent Transportation Systems, fare box systems, computer hardware or software, or dispatch systems;
 - Mobility Management activities targeted at elderly and people with disabilities. This includes planning, promoting and providing coordinated services enhancing access to transportation opportunities.

Expanded Project goals include:

- Projects that exceed the requirements of the Americans with Disabilities Act. This DOES NOT include:
 - Fixed-route service.
- This DOES include:
 - Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
 - Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
 - The incremental cost of providing same day service;
 - The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders, but not as a reasonable modification for individual riders in an otherwise curb-to-curb system;
 - Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;

- Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA (i.e., larger than 30" x 48" and/or weighing more than 600 pounds) and labor costs of aides to help drivers assist passengers with over-sized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600 pound design load, and the acquisition of heavier-duty vehicles for paratransit and/or demand-response service;
 - Installation of additional securement locations in public buses beyond what is required by the ADA;
 - "Feeder Service" to intercity/commuter bus or rail service that is not otherwise required under ADA.
- Projects that improve access to fixed route service and decrease reliance on complementary paratransit. This could include:
 - Building an accessible path to a to a bus stop not designated as a key station that is currently inaccessible, including curbcuts, sidewalks, accessible pedestrian signals or other accessible features;
 - Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
 - Improving signage, or wayfinding technology;
 - Implementation of other technology improvements to a stop not designated as a key station that enhance accessibility for people with disabilities including Intelligent Transportation Systems (ITS).
- Projects that are alternatives to public transportation, such as:
 - Purchasing vehicles to support new accessible taxi, ride sharing, and/or vanpooling programs;
 - Supporting the administration and expenses related to new voucher programs for transportation services offered by human service providers;
 - Supporting volunteer driver and aide programs.

Title 49 USC § 5311(f) – Rural Intercity Bus Service: FTA requires the state to spend not less than 15 percent of the annual 5311 funding to develop and support intercity bus transportation, unless the Governor certifies to the U.S. Secretary of Transportation that the intercity bus service needs of the state are otherwise being met. Eligible activities under the program include:

- Planning and marketing for intercity bus transportation;
- Capital grants for construction (i.e., intercity bus shelters);
- Vehicle purchase, rehabilitation, refurbishment, and wheelchair lift retrofit;
- Equipment purchase (e.g. Intelligent Transportation Systems, wheelchair lifts, etc.);
- Operating assistance, including the provision of feeder service.

Title 49 USC § 5339 – Bus and Bus Facilities: Instituted in MAP-21 as a replacement for § 5309(b)(3), the § 5339 program is a capital-assistance only program. Eligible subrecipients include public entities and nonprofit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income. Eligible activities include:

- Purchasing, replacing, or rehabilitating buses or vans;
- Purchasing or replacing transit-related equipment, such as mobile radio units, supervisory vehicles, fare boxes, computers, and shop and garage equipment;
- Construction of bus-related facilities, such as bus maintenance and administrative facilities, transfer facilities, bus malls, transportation centers, intermodal terminals, park-and-ride stations, and passenger amenities like shelters and bus stop signs.

2) State Grants

Chapter 637 § 13 of the Acts of 1983 – Mobility Assistance Program (MAP): The Commonwealth defines the goals of MAP as “for the specific purpose of providing improved transportation services to elderly and handicapped persons.”

3) Funds Eligible for State or Local Match

Most FTA grants require a state or local match in order to receive federal funds. For a full list of grants which are available directly through FTA, please visit the FTA website: [Federal Transit Administration – Grant Programs](#), or contact the [FTA Region 1 Office](#).

Chapter 637 § 13 of the Acts of 1983 – Mobility Assistance Program (MAP): Reference the **State Grants** section of this application.

Title 23 USC § 120(j) – Transportation Development Credit (TDC): The Federal Highway Administration (FHWA) defines TDC, also known as “Toll Credits” as “the use of certain toll revenue expenditures as a credit toward the non-Federal matching share of all programs authorized by Title 23

(except for the emergency relief program) and for transit programs authorized by Chapter 53 of Title 49.” It needs to be noted that the use of toll credits does not generate any additional federal funding. Its use is merely to meet the non-federal match requirement of the federal participating cost. By using toll credits to substitute for the required non-Federal matching share on a new Federal-aid project, available Federal funds can be accessed without state capital funds and effectively be increased to 100%. However, the total cost of the project cannot exceed the total amount of federal funds.

Example: An organization requires \$500,000 for a new bus.

Traditionally: \$400,000 of Federal funds (80% share of total) + 20% non-Federal match requirement (\$100,000) = \$500,000 for a new bus.

Toll Credit: \$500,000 of Federal funds for a bus + 20% toll credit soft match (\$100,000 credit) = \$500,000 for buses

**Use of the toll credit will not provide \$600,000, but rather only \$500,000 of Federal funds. The total price of the new bus purchase cannot exceed \$500,000.*

[Chapter 161B § 23 of the General Laws – State Contract Assistance \(SCA\):](#)

The Commonwealth defines the purpose of SCA as “the Commonwealth, acting by and through the executive office for administration and finance, may enter into contract or contracts with the authorities created pursuant to this chapter providing that fifty per cent of the net cost of service of each authority shall be paid by the Commonwealth, and shall not be assessed upon the cities and towns constituting the authorities established by section two and section three.”

Local Funds: Local funds for a *Regional Transit Authority* include municipally-derived tax revenue from member municipalities, local assessments, private donations, and directly generated revenue (excludes fare revenue and other FTA identified non-eligible local funds); local funds for a *State Agency, State Authority, and Municipality* include state and local appropriations, dedicated tax revenues, private donations, and directly generated revenue, so long as the use of said funds is in accordance with the all applicable laws of the Commonwealth; and local funds for a *Private Non-Profit*, or *Private For-Profit* include private donations, and directly generated revenue.

In-Kind Contributions: In-kind contributions are donated goods and services. The value of noncash 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 match, the monetary value of the in-kind contributions must be documented. In-Kind

contributions cannot be used as a match for capital projects. Contributions can only be allowed if they fall within the scope of the project. ***All In-Kind Contributions must be listed as Local Match in your application.***

- For intercity bus service, 50% of costs on eligible connecting service which is not covered by farebox revenues may be considered In-Kind match. The same connecting service cannot be used as match for multiple feeder routes.
- To calculate match, do the following:
 - Develop a fully-allocated cost model based on a per mile or per hour basis (e.g. \$40/hour).
 - For the purposes of calculating match, FTA allows Capital Cost of Contracting percentages of 50%. Unless the applicant can prove that it is higher, we will assume that the capital cost of unsubsidized service is 50%.
 - Multiply total annual unsubsidized fully-allocated costs by the Capital Cost of Contracting. The resulting figure is the eligible match.

Example:

- Feeder Service – point A to B:
 - 2 round trips per day, 5 days per week
 - 1000 miles total @ \$15/mile (\$15,000 total operating cost)
 - \$5,000 fare box revenue (20 passengers weekly)
 - **\$10,000 in unmet operating and capital cost.**
- Connecting Private Service – point B to C:
 - 2 trips per day, 5 days per week that connect with feeder service
 - Documented fully allocated cost (operating and capital) of \$40/hour (@ 500 hours per year, \$20,000 total)
 - Capital Cost of Contracting percentage is 50%
(\$20,000 x 50% = **\$10,000 in capital costs not covered by farebox**)
- Total subsidy:
 - The FTA Section 5311(f) project is defined as service from A to C. Net project cost is \$20,000 (\$10,000 from A to B, \$10,000 from B to C)
 - **Section 5311(f) can fund \$10,000**, which supports the entire operating deficit of the feeder service, and it is matched by the capital costs \$10,000 contributed by the private operator in the B-C segment.

- Connecting service provided by a vehicle which was purchased using FTA funds is **not** eligible to use as match.

For property acquisition and relocation assistance, federal funds must not have been used to purchase any property proposed as the local matching share. The contribution-in-kind property will be valued at its current market value and when incorporated into the project will be subject to the same reporting and disposition requirements required of all project property.

Other: Other funds can include state grants that are not administered by MassDOT, corporation grants and foundation grants. ***All Other funds must be listed as Local Match in your application.***

C) Who Should Apply

The following organizations are eligible to apply and receive state and federal transportation grants. Eligible organizations have been divided in to six distinct categories. Please identify the relevant category of your particular organization.

Regional Transit Authorities: An authority as established by Chapter 161B of the General Laws of the Commonwealth of Massachusetts.

Massachusetts Bay Transportation Authority: The authority as established by Chapter 161A of the General Laws of the Commonwealth of Massachusetts.

State Agency, State Authority: A ***State Agency*** is defined as a state agency, board, bureau, department, division, section, or commission of the Commonwealth; and a ***State Authority*** is defined as a body politic and corporate constituted as a public instrumentality of the Commonwealth and established by an act of the General Court to serve an essential governmental function: provided, however, that state authority shall not include: (1) a state agency; (2) a city or town; (3) a body controlled by a city or town; or (4) a separate body politic where the governing body is elected, in whole or in part, by the general public or by representatives of member cities and towns.

Municipality: Defined as any one of the 351 cities and towns of the Commonwealth.

Private Non-Profit: An agency not organized for profit but operated exclusively for the promotion of social welfare, no part of the net earnings of which benefits any private shareholder or individual. These agencies must comply with the requirements of Section 501(c)(3) or (4) of the United States Internal Revenue Code.

Private For-Profit: An individual or association of individuals organized for the purpose of carrying on a commercial or industrial enterprise for gain, benefit, advantage, or livelihood.

Section 2: Applicant Eligibility and Project Guidelines

A) Grant Eligibility by Type of Organization

The following charts clarify which organizations are eligible to apply for federal and state grants and the maximum level of allowable funding for which an application can be submitted.

1) Maximum Award by Grant

The following chart identifies the maximum allowable per cent of funds for which an application can be submitted as part of the total cost of a project.

Federal Grants			
	Capital	Operating	Planning
§5310 – Enhanced Mobility of Seniors and Individuals with Disabilities	80% max ¹	50% max	
§5311(f) – Rural Intercity Bus Service	80% max ²	50% max	80% max
§5339 – Bus & Bus Facilities	80% max		
State Grants			
MAP	80% max ³		

¹ Projects that meet the requirements of the Americans with Disabilities Act, or the Clean Air Act, may be funded at:

- 85% for vehicles
- 90% for equipment and facilities, including bicycle facilities

² 5311(f) match is the same as above, but also includes 95% for bicycle enhancement projects

³ This will still require a minimum 20% match, which can be funded by other State Grants, local funds, or other sources including directly generated revenue (Regional Transit Authorities can use 5307 as a match, ranging from 80% - 20%).

2) Grant Eligibility

The following chart identifies which organizations are eligible to apply for specific grants.

Note: RTAs are not required to submit a web-based grant application for state matching funds in which the following federal grants are utilized: §5307, §5309, §5337, and §5339 (large urbanized areas)

Key			
Regional Transit Authorities	RTA	Massachusetts Bay Transportation Authority	MBT
Municipality	MUN	State Agency or State Authority	STA
Private Non-Profit	PNP	Private For-Profit	PFP
Federal Grants			
	Capital	Operating	Planning
§5310 – Enhanced Mobility of Seniors and Individuals with Disabilities	RTA, PNP	RTA, PNP	
§5311(f) – Rural Intercity Bus Service	PFP	PFP	STA, PFP
§5339 – Bus and Bus Facilities	RTA, PNP		
State Grants			
MAP	RTA, MUN, STA		
Funds Eligible for State or Local Match			
	§5310 (capital)	§5310 (operating)	§5311(F) (all)
MAP	RTA		
TDC			
Local Funds	RTA, PNP	RTA, PNP	STA, PFP
State Contract Assistance		RTA	
¹ In-Kind Contributions		RTA, PNP	STA, PFP
¹ Other	RTA, PNP	RTA, PNP	STA, PFP
	§5339	Other Federal Grants	² MAP
MAP		Reference federal grant circular or contact MassDOT	
TDC	RTA		
Local Funds	RTA, PNP	RTA, MBT, STA, PNP, PFP, MUN	RTA, MUN, STA
State Contract Assistance		RTA	
¹ In-Kind Contributions		RTA, MBT, STA, PNP, PFP, MUN	
¹ Other	RTA, PNP		RTA, MUN, STA

¹ In-Kind Contributions & Other must be listed as Local Match in your application.

² RTAs can use §5307 funds as a federal match.

B) Type of Project

1) Capital (Rolling Stock and Equipment)

All equipment purchased under these programs must be used to provide passenger transportation services. Examples of eligible capital projects include:

- Passenger service vehicles (buses);
- Commuter vans;
- Fully-accessible vehicles (including those beyond ADA requirements);
- Refurbishment of existing vehicles;
- Vehicle retrofit for wheelchair lifts (including those beyond ADA requirements);
- Replacement parts for passenger service vehicles;
- Communications equipment;
- Computer hardware and data systems; dispatching software;
- Other equipment such as bicycle racks and fare boxes;
- Pre-owned or used wheelchair accessible, passenger service vehicles (only if they are clearly identified on the application);
- Bus shelters, accessible features for sidewalks and facilities;
- Maintenance equipment (such as bus lifts);
- Security equipment;
- Acquisition of intelligent transportation technologies to coordinated systems such as vehicle scheduling, smart card systems, Geographic Information System (GIS) mapping, Global Positioning Systems, integrated information-telecommunications technology, and dispatching systems;
- Installation of additional securement locations in public buses beyond ADA.

2) Capital (Construction)

Construction projects involve building a transit-related facility. Examples of eligible construction projects include:

- Bus transfer stations;
- Maintenance facilities;
- Operations and administration facilities;
- Park and Ride lots;
- Accessible paths to bus stops not designated as a key station that is currently inaccessible;

- Elevators or ramps to a non-key station, not otherwise required under ADA;
- Signage or wayfinding technology;
- Bus malls, transportation centers, and intermodal terminals.

3) Operating

Operating assistance usually consists of activities and services that are directly provided or purchased by the grantee. Examples of eligible operating activities include:

- Expanded paratransit service beyond the $\frac{3}{4}$ mile required by ADA;
- Expansion of paratransit service hours beyond those provided for fixed route service;
- Paying the incremental cost of providing same day service;
- Paying the incremental cost of providing door-to-door service;
- Rural feeder bus service for the intercity bus network (including demand-response service);
- Feeder intercity and commuter service (bus or rail) for seniors and individuals with disabilities;
- Administration related to transportation voucher services offered by human service providers;
- Support for volunteer driver and aide programs.

4) Planning

Examples of eligible planning activities include:

- Mobility Management activities targeted at elderly and people with disabilities, such as:
 - The promotion, enhancement, and facilitation of access to transportation services;
 - Support for short-term management activities to plan and implement coordinated services;
 - Support of State and local coordination policy bodies and councils;
 - Operation of transportation brokerages;
 - Provision of coordination services;
 - Development and operation of one-stop transportation traveler call centers;
 - Operational planning for the acquisition of intelligent transportation technologies.
- Planning and Marketing for intercity bus services.

Section 3: Application Development & Submittal Process

A) Application Availability

Applications for state fiscal year 2015 are available beginning on Monday February 3, 2014 and can be obtained from the [MassDOT – Rail & Transit Division webpage](#).

B) Project Application Basics

The web-based grant application system requires a two-step process:

- Login to the web-based grant management system, develop your fiscal year 2015 Community Transit Grant Application and submit with any required attachments.
- Upload the Certifications, Assurances & Agreements Form, which can be found in the web-based grant system. Download this form, sign it, scan in a .pdf format and upload to the system. Once you have completed this task, you will be able to submit your application.

C) Application Due Date

All fiscal year 2014 applications must be received by RTD no later than 5 p.m. on March 3, 2014. Applicants are encouraged to submit applications before the deadline. Applications received after the deadline will not be considered. Projects awarded grants may begin upon receipt of Notice to Proceed, and must be completed within the contract period.

D) Application Training

All potential applicants should attend one of the following applicant training sessions. If you wish to apply for a grant for FY15, but are unable to attend a training session, please contact Price Armstrong, Transit & Capital Analyst at 857-368-9555. One additional web-based training session will be provided for applicants that are unable to attend one of the five scheduled sessions.

Western Mass. Training Session

Location: Pioneer Valley Planning Commission
60 Congress Street
Springfield, MA 01104
Date: Monday, February 3rd, 2014
Time: 10:00AM – 11:30AM

Central Mass. Training Session

Location: Central Massachusetts Regional Planning Commission
2 Washington Square
Union Station, 2nd Floor
Worcester, MA 01604
Date: Monday February 3rd, 2014
Time: 2:00 PM – 3:30 PM

Northeastern Mass. Training Session

Location: Northern Middlesex Council of Governments
40 Church Street, Suite 200
Lowell, MA 01852
Date: Wednesday, February 5th, 2014
Time: 10:00 AM – 11:30 AM

Boston-Area Training Session

Location: Central Transportation Planning Staff
10 Park Plaza, Suite 2150
Second Floor – State Transportation Building
Boston, MA 02116
(Attendees will need to pass through security and present ID)
Date: Wednesday, February 5th, 2014
Time: 2:00 PM – 3:30 PM

Southeastern Mass. Training Session

Location: Southeastern Regional Planning and Economic
Development District
88 Broadway
Taunton, MA 02780
Date: Thursday, February 6th, 2014
Time: 2:00 PM – 3:30 PM

E) Application Instructions, Definitions & Instructions

This subsection provides information regarding the proper procedures to follow for completing the application form, and the types of information that should be included. Not all information below applies to every program application. The

information below is provided as a reference to assist in the completion of your application.

If technical assistance is required with an application, please reference the Agency User Guides provided on the [Community Transit Grant Program page](#).

1) Useful Application Definitions & Descriptions

a) Service Definitions:

- **Fixed route** – Public transportation service on a repetitive, fixed schedule basis along a specific route with vehicles stopping for passengers along the way.
- **Route deviated service** – Public transportation service on a nonexclusive basis operating along a public way, on a fixed route (from which it may deviate from time to time) in response to a demand for service or to take a passenger to a destination, after which it returns to its fixed route.
- **Volunteer driver** – Individuals who drive vehicles in revenue service to transport passengers for the transit provider but are not employees of the transit provider and are not compensated or receive a stipend for their labor.
- **Demand Response** – Services characterized by flexible routing and scheduling of relatively small vehicles to provide door-to-door or point-to-point transportation at the passenger's request. Also referred to as para-transit or dial-a-ride service.
- **Vanpool** – A transit mode comprised of vans, small buses and other vehicles operating as a ride sharing arrangement, providing transportation to a group of individuals traveling directly between their homes and a regular destination within the same geographical area. The vehicles shall have a minimum seating capacity of seven persons, including the driver.

b) Budget Definitions:

- **Operators' Salaries and Wages** – Operators' salaries and wages for vehicle operations, vehicle maintenance, non-vehicle maintenance, and general administration functions associated only with the project for which you are applying for funding.
- **Other Salaries and Wages** – Other salaries and wages paid for vehicle operations, vehicle maintenance, non-vehicle maintenance, and

general administration functions associated only with the project for which you are applying for funding.

- **Fringe Benefits** – (i.e. vacation, sick, holiday, personal insurance plans, retirement plan, etc.). Attributable to vehicle operations, vehicle maintenance, non-vehicle maintenance, and general administration functions associated only with the project for which you are applying for funding.
- **Services** – Services expenses (management, professional or temporary labor services of personnel who are not employees of your transit agency) for vehicle operations, vehicle maintenance, non-vehicle maintenance, and general administration functions associated only with the project for which you are applying for funding.
- **Fuel and Lubricants** – Fuel and lubricants expenses for vehicle operation and vehicle maintenance functions associated only with the project for which you are applying for funding.
- **Tires and Tubes** – Tire and tube expenses for vehicle operation and vehicle maintenance functions associated only with the project for which you are applying for funding.
- **Other Materials and Supplies** – Other material and supplies (other than fuel and lubricants and tires and tubes issued from inventory or purchased for immediate consumption) for vehicle operations, vehicle maintenance, non-vehicle maintenance, and general administration functions associated only with the project for which you are applying for funding.
- **Utilities:** Payments made to various utilities for utilization of their resources (e.g. electric, gas, water, telephone, etc.) for vehicle operation and vehicle maintenance functions associated only with the project for which you are applying for funding.
- **Casualty and Liability Costs:** Cost elements covering protection of the transit agency from loss through insurance programs, compensation of other for their losses due to acts for which the transit agency is liable, and recognition of the cost of a miscellaneous category of corporate losses for vehicle maintenance, non-vehicle maintenance, and general administration functions associated only with the project for which you are applying for funding.
- **Taxes:** Federal, State, and local taxes (including Federal and State income tax, property tax, vehicle licensing and registration fees, fuel, lubricant, and electric power taxes) for taxes for vehicle operations,

vehicle maintenance, non-vehicle maintenance, and general administration functions associated only with the project for which you are applying for funding.

- **Miscellaneous Expenses:** Project expenses that cannot be attributed to any other expense category and associated only with the project for which you are applying for funding.

c) **Capital Asset Descriptions:**

If applying for a vehicle, please reference the information provided below regarding vehicle description.

How to Describe Your Vehicle: Vans generally refer to vehicles that have not been modified. If a van or minivan has been modified for ADA access but retains its overall exterior appearance, then it should be identified as an ADA-accessible van or minivan.

Cutaways (also known as minibuses) are vehicles that go through a second manufacturing process that modifies a van or truck chassis to accommodate access and/or seating capacities. Vehicles built on a van chassis are “light-duty” and vehicles built on a truck chassis are “medium-duty.”

Buses are custom-built vehicles that typically carry the greatest number of passengers. If requesting funding for a bus, it is important to identify the approximate length and whether it is a “medium-duty” bus (gross vehicle weight [gvw] under 26,000 pounds), a “heavy-duty small” bus (gvw 26,000 to 33,000 pounds), or a “heavy-duty large” bus (over 33,000 pounds).

Example:

- 35-foot, diesel, heavy-duty large bus.
- 15-passenger, gasoline, light-duty minibus.

The following information outlines MassDOT’s current policies regarding the classification of grant-funded vehicles. Please use the chart to determine the correct description for the type of vehicle you are requesting.

Minimum Service-Life Categories for Buses and Vans

Category	Typical Characteristics		Minimum Life	
	Length	Approx. GVW	Whichever Comes First	
			Years	Miles
Heavy-Duty Large Bus	35 to 48 ft and 60 ft articulated	33,000 to 40,000	12	500,000
Heavy-Duty Small Bus	28-35 ft	26,000 to 33,000	10	350,000
Medium-Duty Bus and Truck Chassis-Built Cutaway	< 35 ft	16,000 to 26,000	7	200,000
Light-Duty Mid-Sized Bus or Van Chassis-Built Cutaway	20 to 35 ft	10,000 to 16,000	7	150,000
Light-Duty Small Van Chassis Built Cutaways, and Van	< 20 ft	6,000 to 14,000	5	100,000
Specialty Vehicle not fitting in the above categories	Variable	Variable	Negotiable	Negotiable

2) Certifications, Assurances & Agreements Form ([Appendix C](#))

You are required to submit this form only once per application year. As part of the federal grant process, successful applicants will be required to demonstrate and document their ability and willingness to comply with various federal regulations and implement their proposal if funding is awarded. Applicants must supply the appropriate certifications, assurances, and agreements with their before application. MassDOT requires annual updates of certifications and assurances from current grantees. This document must be signed by the individual authorized to submit the application. The document must then be scanned and uploaded as a .pdf document.

Examples of federal and state certifications, assurances, and agreements that may be required include:

a) All Applicants and Federal Grant Applicants Only:

- Assurance of Authority of Applicant and its Representative (all federal grant applicants)
- Standard Assurances (all federal grant applicants)
- Intergovernmental Review Assurance (all federal grant applicants)
- Nondiscrimination Assurance (all federal grant applicants)
- Assurance of Nondiscrimination on the Basis of Disability (all federal grant applicants)
- Suspension and Debarment (all federal grant applicants)

- U.S. Office of Management and Budget (OMB) Assurances (all federal grant applicants)
- Protections for Private Transportation Providers (all federal grant applicants)
- Complaint Procedure Certification
- Affirmative Action/Equal Employment Opportunity

b) Grant and Organization Specific:

- Lobbying Certification (applications for \$100,000 or more)
- Procurement Compliance (applicants apply for federal funds to procure a good or service)
- Public Hearing (applicants for federally funded capital projects)
- Acquisition of Rolling Stock (applicants applying for federally funded rolling stock purchases)
- Acquisition of Capital Assets by Lease (applicants applying for federal funds to lease capital assets)
- Bus Testing (applicant applying for federally funded buses)
- Charter Service Agreement (applicants apply for federal funds to acquire or operate transit facilities and equipment)
- School Transportation Agreement (applicants applying for federal funds to acquire or operate transit facilities and equipment)
- Demand Responsive Services (applicants that currently or intend to operate demand response service)
- Alcohol Misuse and Prohibited Drug Use (all federal fund applicants)
- Resolution of Support and Verification (5310/MAP applicants only)
- Complaint Procedure (5310 applicants only)
- Private Sector Involvement Policy (5310 applicants only)
- Elderly Individuals and Individuals with Disabilities Formula Grant Program and Pilot Program (5310 applicants only)
- Intelligent Transportation Systems (applicants applying for federal funds to procure ITS systems)
- Job Access and Reverse Commute Formula Grant Program (5316 applicants only)
- New Freedom Program (5317 applicants only)
- Tribal Transit Program (5311(c)(1) applicants only)
- Transportation Infrastructure Finance and Innovation Act Projects (TIFIA applicants only)

F) How to Submit Your Application

Applications must be submitted through the web-based grant application system. MassDOT will not accept facsimiles or paper applications. MassDOT will not accept an application from any organization that has not signed and uploaded the Certifications, Assurances & Agreements Form. In the GrantsPlus+ system, the

“Submit” button will not appear until you have uploaded your signed Certifications, Assurance & Agreements Form for FY15.

Section 4: Application Review Process

A) RTD Review Timeline

Upon the receipt of all applications on March 3, RTD will check for application completion and notify any organizations that may have issues with their application(s) or if RTD requires additional information. The review process should be complete by no later than the end of March, at which point award notifications will be distributed.

B) RTD Review Process

MassDOT establishes the criteria used by evaluation team members. The criteria is distributed to all potential applicants, and used by the evaluation team members. Team members are given criteria for each program.

1) Evaluation Team

Each year, RTD establishes evaluation teams that review applications and make recommendations to MassDOT regarding project priorities. MassDOT works with the following agencies and organizations for representation on evaluation teams:

- Regional Transportation Planning Organizations/Municipal Planning Organizations
- Massachusetts Department of Public Utilities
- Massachusetts Office on Disability
- Executive Office of Elder Affairs
- Human Services Transportation Office
- MassDOT Rail & Transit staff
- MassDOT Civil Rights staff
- MBTA

C) RTD Rating Process

MassDOT provides evaluation team members with copies of project applications, evaluation instructions, materials, and evaluation criteria. A date is established for the completion of the rating process.

The final project award list is reviewed, revised as necessary, and approved by

MassDOT. MassDOT reviews the successful projects to determine the most appropriate funding source, if different from the source selected by the applicant. MassDOT reserves the right to award FTA funds to priority projects outside the competitive process.

Final awards are made after the Governor signs the state transportation budget and MassDOT has been notified of the allocation amount for the FTA programs. MassDOT may reduce funding for some projects based on evaluation team recommendations, their placement on the list of projects, and the available state and federal funds. A project budget is developed based on the prioritized list and all applicants are notified of the result of their application.

1) Equity of Distribution

This evaluation method accomplishes fair and equal treatment of all applicants. MassDOT announces the availability of the MassDOT Community Transportation Grant Application on the MassDOT Web site. In addition, an extensive distribution is made to all applicants from the prior grant cycle and those agencies, associations, and individuals listed on a mailing list of interested parties maintained by MassDOT.

If all available funds are not awarded through the competitive process or if actual project expenses are below budgets creating a potential of unspent funds, MassDOT may conduct a call for smaller projects within the federal funding cycle. MassDOT will review and award funds based on appropriate criteria.

MassDOT coordinates with Metropolitan Planning Organizations (MPO) and Regional Planning Agencies (RPA) for projects in designated transportation management areas of the state.

Section 5: Timeline, Contracts & Continuing Control

A) Application Timeline

Dates	Tasks
February 3 rd	Notice of application availability posted on Rail & Transit Division Website,
March 3 rd	Deadline for application submittal
March	Applications reviewed for “completeness” and evaluation forms and applications prepared for review committee
March	MassDOT Deputy Transit Administrator approves final Program of Projects
April	Projects inserted into proposed State Transportation Improvement Program
April	MassDOT grant recipient “start-up training session”
May	Grants submitted to FTA and applicants notified of application standing
June	Contracts prepared
June	Contracts encumbered
July	Encumbrances checked, appropriate signature obtained from MassDOT Fiscal; contracts sent to recipients for signature
July	Deadline for recipients to return executed contracts to MassDOT
July	MassDOT processes contracts, obtains Administrator’s signature and returns original executed contract to recipient and provides a Notice To Proceed

B) Contracts

If your project is awarded grant funding, your organization will be required to enter into a contract with MassDOT. A sample contract can be found in [Appendix D](#). MassDOT reserves the right to periodically amend agreements to reflect any additional requirements from the state or federal government, legal direction, change of scope, or best practices.

C) Project Start Date & Timeframe

The start date for new projects awarded grant funding for state fiscal year 2015 may begin July 1, 2014. However, these projects must stay within the approved scope and level of grant authorization awarded with this application. The agreement period will extend from July 1, 2014 through June 30, 2015, unless specifically stated otherwise in the contract.

D) Continuing Control

MassDOT is required to ensure that sub-recipients comply with all federal and state requirements related to the receipt of public transit grants. This “continuing control” requires that MassDOT personnel or MassDOT hired consultants, conduct site visits and desk reviews to monitor awarded projects and to review documents verifying compliance with program requirements. These site visits will occur on a random basis; RTD will provide notification one month prior to visit.

RTD requests that all applicable documents and policies found in the **Site Visit Checklist** are reviewed prior to submitting a community transit grant application. The **Site Visit Checklist** can be [found here](#). *In order to submit your application, your organization must have a reasonable assumption of federal and state compliance based on the documents requested in the **Site Visit Checklist**.*

1) Title VI Obligations

This guidance is provided for potential FTA grant applicants of the nondiscrimination obligations required of subrecipients that receive federal financial assistance through MassDOT. Individuals and organizations that receive funding made available by the FTA and administered through the MassDOT’s Rail and Transit Division are known as “subrecipients” of federal financial assistance. Subrecipients are required to follow applicable federal and state laws, policies, and regulations in carrying out grant purposes. One such law is Title VI of the Civil Rights Act of 1964 (Title VI). This law prohibits discrimination based on race, color, and national origin in any programs, services, and activities receiving

federal financial assistance. A grant award of any amount obligates a subrecipient to adhere to Title VI.

Subrecipients comply with Title VI by creating, implementing, and following a Title VI Program. Such a program consists of individual components that work together to prevent or prohibit discrimination. Key steps to be taken include sending/posting a Notice to Beneficiaries and putting in place complaint procedures. The scope and breadth of Title VI Programs vary depending on the nature of the program and/or the subrecipient organization.

If an FTA grant applicant receives an award of funds, MassDOT's Rail & Transit Division and the Office of Diversity and Civil Rights (ODCR) are available to assist in developing a strategy or plan to meet Title VI requirements. ODCR's Manager of Federal Programs and Title VI Specialist can be reached for assistance at Massachusetts Department of Transportation, The Office of Diversity and Civil Rights, 10 Park Plaza, Boston, MA 02116, via phone: 857-368-8580, via TTY: 857-368-0603, or via fax: 857-368-0602, Email: MASSDOT.CivilRights@state.ma.us.

The MassDOT Notice to Subrecipients can be found in [Appendix A](#) and the FTA Title VI Program Checklist can be found in [Appendix B](#). These documents will help to clarify the civil rights obligations potential FTA grantees must meet in receiving federal financial assistance.

For additional information, please reference the website of the [MassDOT Office of Diversity and Civil Rights \(ODCR\)](#).

2) Disadvantaged Business Enterprise (DBE) Obligations

All recipients of Federal Transit Administration funds from MassDOT must comply with the DBE program in accordance with Title 49 Code of Federal Regulations (CFR) Part 26. All subrecipients must agree with the following requirements:

a) Non-discrimination clause in contracting

Each agreement between MassDOT and any subrecipient or between a subrecipient and a contractor, must include the following assurance verbatim *"The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award of the administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination*

of this contract or such other remedy as the recipient deems appropriate.” (49 CFR Part 26.13)

b) Payment to subcontractors

The DBE regulations require that all subcontractors be paid within ten (10) days of payment to the prime for work completed by the subcontractor in accordance with 49 CFR Part 26.29. The program must provide appropriate means to enforce the requirements of this section.

c) Reporting DBE Participation

All subrecipients must submit a completed Awards/Commitments spreadsheet and an Actual Payments spreadsheet twice yearly to MassDOT. The timeliness of the report is set out accordingly:

Data for October 1 to March 31 must be submitted to MassDot by April 15th. Data for April 1 to September 30th must be submitted to MassDot by October 15th.

These reporting requirements will be submitted through a form to be provided to each subrecipient from ODCR. MassDOT is in the process of developing this form in the GrantsPlus+ system, and will notify each subrecipient upon completion of this development process.

d) Additional reporting requirements

Active Contract Database: Subrecipients will work with MassDOT to develop, maintain and update a database with all active contracts in relation to federally funded grant awards. The database will include grant number, total value of grant, contracts awarded under grant, date awarded, value of contracts, name of contractor awarded, DBE goal if any, DBE commitment by prime, DBE contractor or subcontractor, Amount of dollars paid to prime and to DBE subcontractors.

Bidder's List: Subrecipients will be required to create and maintain a bidders list consisting of information about all DBE and non-DBE firms that bid or quote or seek work on federally funded contracts. Information to include: firm's name, firm's contact information, firm's status (whether DBE or non-DBE), age of firm, and the annual gross receipts (by category) of the firm.

The forms required to submit information for the active contract database and bidder's list will be provided to each subrecipient from ODCR. MassDOT is in the process of developing this form in the GrantsPlus+ system, and will notify each subrecipient upon completion of this development process.

E) Start-Up Training Session

RTD will hold a start-up training session for all subrecipient organizations. The start-up meeting will be organized by the Transit & Capital Analyst and scheduled in June after grant award announcements (target date for awards is April 4th). The agenda for this session will include a discussion of the continuing control of all subrecipients by RTD to ensure compliance with all federal and state requirements. The session will also include information related to the Title VI and Disadvantaged Business Enterprise (DBE) program requirements as outlined above. The session will include such personnel as MassDOT's Title VI Specialist, the Manager of FTA Programs, and the Title VI Coordinator of the Office of Diversity and Civil Rights.

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Appendix A: Title VI and Nondiscrimination Notice

The Massachusetts Department of Transportation (MassDOT) adheres to the federal policy that no person in the United States shall, on the grounds of race, color, national origin, or income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which MassDOT receives federal financial assistance, as required by Title VI of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (P.L. 100.259), and federal Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

MassDOT hereby gives notice to all subrecipients, contractors, subcontractors, and consultants (sometimes referred to collectively as “subrecipient(s)”) receiving federal financial assistance through MassDOT from the Federal Transit Administration (FTA) and/or Federal Highway Administration (FHWA) that subrecipients must comply with MassDOT’s Title VI program requirements that prohibit discrimination on the basis of race, color, national origin, or income.

MassDOT will ensure that any entity (including but not limited to subrecipients, contractors, subcontractors, and consultants) entering into a contract with the Department, shall adhere to the principles established under this Notice for compliance with Title VI in performance of its contractual obligations. Moreover, each subrecipient shall not discriminate on the grounds of race, color, national origin, or income in their selection and retention of first-tier subcontractors, and first-tier subcontractors shall not discriminate in their selection and retention of second-tier subcontractors, including those who supply materials and lease equipment. Each subrecipient shall be required to ensure that any party it retains or otherwise engages to work or contribute to a federally-aided project or activity acts in compliance with Title VI.

Subrecipients shall not discriminate in their employment practices in connection with any projects funded by the FTA and/or the FHWA, and are hereby put on notice that such behavior could violate both Title VI and Title VII, codified as Subchapter VI of Chapter 21 of 42 U.S.C. § 2000e, et seq., which prohibits discrimination by covered employers.

In all solicitations by competitive bidding or negotiation made by a subrecipient for contract work, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the subrecipient of the Title VI obligations under the contract relative to nondiscrimination on the grounds of race, color, national origin, or income.

The subrecipient shall provide all information and reports required by the Title VI regulations or directives issued pursuant thereto, and shall permit access to its

books, records, accounts and other sources of information, and its facilities as may be determined by MassDOT, FHWA, or FTA to be pertinent to ascertain compliance with such regulations, orders, and instructions. Where any information required of a sub-recipient is in the exclusive possession of another who fails or refuses to furnish this information, the subrecipient shall so certify to MassDOT, FTA, or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information.

In the event of a subrecipient's non-compliance with nondiscrimination provisions of the contract, MassDOT shall impose such contract sanctions as it, FTA, and/or FHWA may determine to be appropriate, including, but not limited to:

- Withholding of payments to the subrecipient under the contract until the contractor complies, and/or
- Cancellation, termination, or suspension under the contract, in whole or in part.

The subrecipient shall include Title VI contract provisions in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Title VI regulations or directives issued pursuant thereto. The subrecipient shall take such action with respect to any subcontract or procurement as MassDOT, FTA, or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. However, in the event a subrecipient becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of this direction, the subrecipient may request MassDOT to enter into such litigation to protect the interests of MassDOT. Additionally, the subrecipient may request the United States to enter into such litigation to protect the interests of the United States.

MassDOT also upholds the Massachusetts Public Accommodation Law, M.G.L. c 272 §§92a, 98, 98a, and the Governor's Executive Order 526, section 4 which provide that access to programs, services and benefits be provided without regard to religious creed, sexual orientation, gender identity, veteran's status and/or ancestry, along with the bases previously referenced.

Any person, subrecipient, or contractor who believes that they have been subjected to an unlawful discriminatory practice under Title VI and/or another nondiscrimination provision has a right to file a formal complaint within one hundred eighty (180) days following the alleged discriminatory action. Any such complaint must be filed in writing or in person with MassDOT's Office of Diversity and Civil Rights, Title VI Coordinator, 10 Park Plaza, Boston, MA 02116, or by phone through the Office of Diversity and Civil Rights at (857) 368-8580, or (857) 368-0603 (TTY), or via e-mail to MassDOT.civilrights@state.ma.us. The Title VI Coordinator may be reached to obtain additional information, including copies of essential documents about Title VI requirements or complaint processes.

Appendix B: Title VI Program Checklist

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Subrecipients shall submit the information below to their primary recipient (the entity from whom the subrecipient receives funds directly), on a schedule to be determined by the primary recipient.

A) General Requirements (Chapter III)

All recipients must submit:

- Title VI Notice to the Public, including a list of locations where the notice is posted
- Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- Title VI Complaint Form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOT's, the appropriate governing entity is

the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.

- Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

B) Requirements of Transit Providers (Chapter IV)

All Fixed Route Transit Providers must submit:

- All requirements set out in Chapter III (General Requirements)
- Service standards
 - Vehicle load for each mode
 - Vehicle headway for each mode
 - On time performance for each mode
 - Service availability for each mode
- Service policies
 - Transit Amenities for each mode
 - Vehicle Assignment for each mode

Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- A description of the public engagement process for setting the "major service change policy," disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI

Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

C) Requirements of States (Chapter V)

States must submit:

- All requirements set out in Chapter III (General Requirements)
- The requirements set out in Chapter IV (Transit Provider) if the State is a provider of fixed route public transportation
- Demographic profile of the State
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the State's transportation system investments that identifies and addresses any disparate impacts
- A description of the Statewide planning process that identifies the transportation needs of minority populations
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance
- Description of the procedures the agency uses to provide assistance to potential subrecipients, including efforts to assist applicants that would serve predominantly minority populations

D) Requirements of MPOs (Chapter VI)

Metropolitan Planning Organizations and other planning entities must submit:

- All requirements set out in Chapter III (General Requirements)
- The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation
- Demographic profile of the metropolitan area
- A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the MPO's transportation system investments that identifies and addresses any disparate impacts
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance (if requested)
- Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested)

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Appendix C: Certifications, Assurances & Agreements Form

Please sign and upload this before submitting your grant application. For any questions contact: Transit and Capital Analyst, Price Armstrong: 857-368-9555. This document must be signed by the individual authorized to submit the application.

MassDOT requests each Applicant to read each certification and assurance carefully.

This form must be completed by one of the following options:

- An Applicant may select a single certification (that covers sections 1 – 38) that will cover all the programs for which it will submit an application (Option A); or
- An applicant may select and certify all sections that apply to only the programs for which it will submit an application (Option B).

*Note - **Option A:*** MassDOT and the applicant understand and agree that not every provision of these certifications and assurances will apply to every Applicant or every project for which FTA provides Federal financial assistance through a Grant Agreement or Cooperative Agreement. The type of project and the section of the statute authorizing Federal financial assistance for the project will determine which provisions apply. The terms of these certifications and assurances reflect applicable requirements of FTA's enabling legislation currently in effect.

Option A: ☐ (*You are NOT required to certify each individual section, 1 – 38*)

Option B: ☐ (*You ARE required to certify each applicable section, 1 – 38*)

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

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

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.

Name and title of person certifying application:

Signature of person certifying application:

Date of submittal:

1) Assurance of Authority of the Applicant (All federal grant applicants)

☐ I affirm this certification, assurance, or agreement.

The authorized representative of the applicant, who signs these Certifications, Assurances, and Agreements affirm that they may undertake the following activities, in compliance with applicable State, local, or Indian tribal laws and regulations, and the Applicant's by-laws or internal rules:

1. Execute and file its application for Federal funds,
2. Execute and file its Certifications, Assurances, and Agreements binding its compliance,
3. Execute Grant Agreements or Cooperative Agreements, or both, with FTA,
4. Comply with applicable Federal laws and regulations, and
5. Follow applicable Federal guidance.

2) Standard Assurances (All federal grant applicants)

☐ I affirm this certification, assurance, or agreement.

The applicant assures that it understands and agrees to the following:

1. The Applicant will comply with all applicable Federal statutes and regulations to carry out any FTA funded Project,
2. The Applicant is under a continuing obligation to comply with the terms and conditions of the FTA Grant Agreement or Cooperative Agreement for its Project, including the FTA Master Agreement incorporated by reference and made part of the latest amendment to the Grant Agreement or Cooperative Agreement,
3. The Applicant recognizes that Federal laws and regulations may be modified from time to time and those modifications may affect Project implementation,
4. The Applicant understands that Presidential executive orders and Federal guidance, including Federal policies and program guidance, may be issued concerning matters affecting the Applicant or its Project,
5. The Applicant agrees that the most recent Federal laws, regulations, and guidance will apply to its Project, unless FTA determines otherwise in writing,
6. In light of recent FTA legislation applicable to FTA and except as FTA determines otherwise in writing, the Applicant agrees that requirements for FTA programs may vary depending on the fiscal year for which the funding for those programs was appropriated:
 - a. In some instances, FTA has determined that Federal statutory or regulatory program and eligibility requirements for FY 2012 or a specific previous fiscal year will apply to:
 - (1) New grants and cooperative agreements, and
 - (2) New amendments to grants and cooperative agreements that:
 - (a) Have been awarded Federal funds made available or appropriated for FY 2012 or the previous fiscal year, or
 - (b) May be awarded Federal funds appropriated for FY 2012 or the previous fiscal year, but
 - b. In other instances, FTA has determined that MAP-21 will apply to the Federal funds made available or appropriated for FY 2012 or a previous fiscal year, and
 - c. For all FTA funded Projects, the following MAP-21 cross-cutting requirements supersede conflicting provisions of previous Federal law and regulations:
 - (1) Metropolitan and Statewide Planning,
 - (2) Environmental Review Process,
 - (3) Agency Safety Plans,

- (4) Transit Asset Management Provisions (and Asset Inventory and Condition Reporting),
- (5) Costs Incurred by Providers of Public Transportation by Vanpool,
- (6) Revenue Bonds as Local Match,
- (7) Debt Service Reserve,
- (8) Government's Share of Cost of Vehicles, Vehicle-Equipment, and Facilities for ADA and Clean Air Act Compliance,
- (9) Private Sector Participation,
- (10) Bus Testing,
- (11) Buy America,
- (12) Corridor Preservation,
- (13) Rail Car Procurements,
- (14) Veterans Preference/Employment,
- (15) Alcohol and Controlled Substance Testing, and
- (16) Other provisions as FTA may determine.

3) Intergovernmental Review Assurance (All federal grant applicants)

☐ I affirm this certification, assurance, or agreement.

Except if the Applicant is an Indian tribal government seeking assistance authorized by 49 U.S.C. 5311(c)(1), the Applicant assures that to facilitate compliance with U.S. Department of Transportation (U.S. DOT) regulations, "Intergovernmental Review of Department of Transportation Programs and Activities," 49 CFR part 17, it has submitted or will submit each application for Federal funding to the appropriate State and local agencies for intergovernmental review, as required by those regulations.

4) Nondiscrimination Assurance (All federal grant applicants)

☐ I affirm this certification, assurance, or agreement.

The Applicant assures that:

1. The Applicant will comply with the following laws and regulations so that no person in the United States will be denied the benefits of, or otherwise be subjected to discrimination in any U.S. DOT or FTA funded program or activity (particularly in the level and quality of transportation services and transportation-related benefits on the basis of race, color, national origin, religion, sex, disability, or age:
 - a. Federal transit laws, specifically 49 U.S.C. 5332, as amended by MAP-21 (prohibiting discrimination on the basis of race, color, religion, national

- origin, sex, disability, or age, and in employment or business opportunity),
 - b. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d,
 - c. The Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, *et seq.*,
 - d. The Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*,
 - e. U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964," 49 CFR part 21,
 - f. U.S. DOT regulations, specifically 49 CFR parts 27, 37, 38, and 39, and
 - g. Any other applicable Federal statutes that may be signed into law or Federal regulations that may be promulgated,
2. The Applicant will comply with Federal guidance implementing Federal nondiscrimination laws and regulations, except to the extent FTA determines otherwise in writing,
 3. As required by 49 CFR 21.7:
 - a. The Applicant will comply with 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR part 21 in the manner:
 - (1) It conducts each Project,
 - (2) It undertakes property acquisitions, and
 - (3) It operates its Project facilities, including:
 - (a) Its entire facilities, and
 - (b) Its facilities operated in connection with its Project,
 - b. This assurance applies to the Applicant's entire Project and to all parts of its facilities, including the facilities it operates to implement its Project,
 - c. The Applicant will promptly take the necessary actions to carry out this assurance, including:
 - (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 the Applicant transfers FTA funded real property, structures, or improvements to another party, any deeds and instruments recording that transfer will contain a covenant running with the land assuring nondiscrimination:
 - (1) While the property is used for the purpose that the Federal funding is extended, and
 - (2) While the property is used for another purpose involving the provision of similar services or benefits,
 - 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, and
 - (3) This assurance,

- f. The Applicant will make any changes in its Title VI implementing procedures as U.S. DOT or FTA may request to comply with:
 - (1) Title VI of the Civil Rights Act, 42 U.S.C. 2000d,
 - (2) U.S. DOT regulations, 49 CFR part 21, and
 - (3) Federal transit laws, 49 U.S.C. 5332, as amended by MAP-21,
- g. The Applicant will comply with Federal guidance issued to implement Federal nondiscrimination requirements, except as FTA determines otherwise in writing,
- h. The Applicant will extend the requirements of 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR part 21 to each Third Party Participant, including:
 - (1) Any Subrecipient,
 - (2) Any Transferee,
 - (3) Any Third Party Contractor or Subcontractor at any tier,
 - (4) Any Successor in Interest,
 - (5) Any Lessee, or
 - (6) Any other Third Party Participant in its Project,
- i. The Applicant will include adequate provisions to extend the requirements of 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR part 21 to each third party agreement, including:
 - (1) Each subagreement,
 - (2) Each property transfer agreement,
 - (3) Each third party contract or subcontract at any tier,
 - (4) Each lease, or
 - (5) Each participation agreement, and
- j. The assurances you have made will remain in effect as long as:
 - (1) Federal funding is extended to the Applicant's Project,
 - (2) The Applicant's Project property is used for a purpose for which the Federal funding is extended,
 - (3) The Applicant's Project property is used for a purpose involving the provision of similar services or benefits, or
 - (4) The Applicant retains ownership or possession of its Project property, and
- 4. As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR part 27, specifically 49 CFR 27.9, and consistent with 49 U.S.C. 5307(c)(1)(D)(iii), as amended by MAP-21, your assure that:
 - a. The Applicant will comply with the following prohibitions against discrimination on the basis of disability, which are a condition of approval or extension of any FTA funding awarded to:
 - (1) Construct any facility,
 - (2) Obtain any rolling stock or other equipment,
 - (3) Undertake studies,
 - (4) Conduct research, or

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

5) Suspension and Debarment (All federal grant applicants)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies that:

1. The Applicant will comply and facilitate compliance with U.S. DOT regulations, "Nonprocurement Suspension and Debarment," 2 CFR part 1200, which adopts and supplements the provisions of U.S. Office of Management and Budget (U.S. OMB) "Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," 2 CFR part 180,
2. To the best of your knowledge and belief, the Applicant's 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. The Applicant's management has not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for:
 - (1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction,
 - (2) Violation of any Federal or State antitrust statute, or
 - (3) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property,
 - c. The Applicant 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 Section 1.b of this Certification,

- d. The Applicant 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, the Applicant receives any information that contradicts the statements of subparagraphs 2.a – 2.d above, your Applicant will promptly provide that information to FTA,
- f. The Applicant will treat each lower tier contract or lower tier subcontract under its Project as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR part 180 if it:
 - (1) Equals or exceeds \$25,000,
 - (2) Is for audit services, or
 - (3) Requires the consent of a Federal official, and
- g. The Applicant will require that each covered lower tier contractor and subcontractor:
 - (1) Comply and facilitate compliance with the Federal requirements of 2 CFR parts 180 and 1200, and
 - (2) Assure that each lower tier participant in its Project is not presently declared by any Federal department or agency to be:
 - (a) Debarred from participation in your Applicant's federally funded Project,
 - (b) Suspended from participation in your Applicant's federally funded Project,
 - (c) Proposed for debarment from participation in your Applicant's federally funded Project,
 - (d) Declared ineligible to participate in your Applicant's federally funded Project,
 - (e) Voluntarily excluded from participation in your Applicant's federally funded Project, or
 - (f) Disqualified from participation in your Applicant's federally funded Project, and
- 3. The Applicant will provide a written explanation as indicated on its Signature Page or a page attached in FTA's TEAM-Web if it or any of its principals, including any of its first tier Subrecipients or any of its Third Party Participants at a lower tier, is unable to certify compliance with to the preceding statements in this Certification 01.E.

6) U.S. Office of Management and Budget (OMB) Assurances (All federal grant applicants)

☐ I affirm this certification, assurance, or agreement.

Consistent with U.S. OMB assurances set forth in SF-424B and SF-424D, the Applicant assures that, with respect to itself or its project, the Applicant:

1. *Administrative Activities.* On behalf of your Applicant, you assure that:
 - a. For every project described in any application your Applicant submits, your Applicant has adequate resources to properly plan, manage, and complete its Project, including:
 - (1) The legal authority to apply for Federal funding,
 - (2) The institutional capability,
 - (3) The managerial capability, and
 - (4) The financial capability (including funds sufficient to pay the non-Federal share of Project cost),
 - b. The Applicant will give limited access and the right to examine Project-related materials, including, but not limited to:
 - (1) FTA,
 - (2) The Comptroller General of the United States, and
 - (3) If appropriate, the State, through any authorized representative,
 - c. The Applicant will establish a proper accounting system in accordance with generally accepted accounting standards or FTA guidance, and
 - d. The Applicant will establish safeguards to prohibit employees from using their positions for a purpose that results in:
 - (1) A personal or organizational conflict of interest, or personal gain, or
 - (2) The appearance of a personal or organizational conflict of interest or personal gain.
2. *Project Specifics.* On behalf of your Applicant, you assure that:
 - a. Following receipt of an FTA award, your Applicant will begin and complete Project work within the time periods that apply,
 - b. For FTA funded construction Projects:
 - (1) The Applicant will comply with FTA provisions concerning the drafting, review, and approval of construction plans and specifications,
 - (2) The Applicant will, to the extent practicable, provide and maintain competent and adequate engineering supervision at the construction site to assure that the completed work conforms with the approved plans and specifications,
 - (3) The Applicant will include a covenant to assure nondiscrimination during the useful life of its Project in its title to federally funded real property,
 - (4) To the extent FTA requires, the Applicant will record the Federal interest in the title to FTA funded real property or interests in real property, and
 - (5) To the extent practicable, absent permission and instructions from FTA, the Applicant will not alter the site of the FTA funded construction Project or facilities by:
 - (a) Disposing of the underlying real property or other interest in the site and facilities,

- (b) Modifying the use of the underlying real property or other interest in the site and facilities, or
 - (c) Changing the terms of the underlying real property title or other interest in the site and facilities, and
 - c. The Applicant will furnish progress reports and other information as FTA or the State may require.
- 3. Statutory and Regulatory requirements. The Applicant assures that:
 - a. The Applicant will comply with all Federal statutes relating to nondiscrimination that apply, including, but not limited to:
 - (1) The prohibitions against discrimination on the basis of race, color, or national origin, as provided in Title VI of the Civil Rights Act, 42 U.S.C. 2000d,
 - (2) The prohibitions against discrimination on the basis of sex, as provided in:
 - (a) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 – 1683, and 1685 – 1687, and
 - (b) U.S. DOT regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25,
 - (3) The prohibitions against discrimination on the basis of age in federally funded programs, as provided in the Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 – 6107,
 - (4) The prohibitions against discrimination on the basis of disability in federally funded programs, as provided in section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794,
 - (5) The prohibitions against discrimination on the basis of disability, as provided in the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*
 - (6) The prohibitions against discrimination in the sale, rental, or financing of housing, as provided in Title VIII of the Civil Rights Act, 42 U.S.C. 3601 *et seq.*,
 - (7) The prohibitions against discrimination on the basis of drug abuse, as provided in the Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. 1101 *et seq.*,
 - (8) The prohibitions against discrimination on the basis of alcohol abuse, as provided in the Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, as amended, 42 U.S.C. 4541 *et seq.*,
 - (9) The confidentiality requirements for the records of alcohol and drug abuse patients, as provided in the Public Health Service Act, as amended, 42 U.S.C. 290dd – 290dd-2, and
 - (10) The nondiscrimination provisions of any other statute(s) that may apply to its Project,
 - b. As provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Relocation Act), 42 U.S.C. 4601 *et seq.*, and the MAP-21 amendment to 49 U.S.C.

5323(b), regardless of whether Federal funding has been provided for any of the real property acquired for Project purposes, the Applicant will provide for fair and equitable treatment of displaced persons or persons whose property is acquired as a result of federally funded programs, and:

- (1) The Applicant has the necessary legal authority under State and local laws and regulations to comply with:
 - (a) The Uniform Relocation Act. 42 U.S.C. 4601 *et seq.*, as specified by 42 U.S.C. 4630 and 4655, and
 - (b) U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR part 24, specifically 49 CFR 24.4, and
- (2) The Applicant has complied with or will comply with the Uniform Relocation Act and implementing U.S. DOT regulations, because:
 - (a) The Applicant will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24,
 - (b) As required by 42 U.S.C. 4622, 4623, and 4624, and 49 CFR part 24, the Applicant will provide fair and reasonable relocation payments and assistance for displacement, resulting from any FTA funded Project, of:
 - 1 Families and individuals, and
 - 2 Partnerships, corporations, or associations,
 - (c) As provided by 42 U.S.C. 4625 and 49 CFR part 24, the Applicant will provide relocation assistance programs offering the services described in the U.S. DOT regulations to such displaced:
 - 1 Families and individuals, and
 - 2 Partnerships, corporations, or associations,
 - (d) As required by 42 U.S.C. 4625(c)(3), within a reasonable time before displacement, the Applicant will make available comparable replacement dwellings to families and individuals,
 - (e) The Applicant 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) The Applicant will be guided by the real property acquisition policies of 42 U.S.C. 4651 and 4652 to the greatest extent practicable under State law,
 - (g) The Applicant will pay or reimburse property owners for their necessary expenses as specified in 42 U.S.C. 4653 and 4654, understanding that FTA will provide Federal funding

- for its eligible costs of providing payments for those expenses, as required by 42 U.S.C. 4631,
- (h) The Applicant will execute the necessary implementing amendments to third party contracts and subagreements financed with FTA funding,
- (i) The Applicant will execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement these assurances,
- (j) The Applicant will incorporate these assurances by reference into and make them a part of any third party contract or subagreement, or any amendments thereto, relating to any FTA funded Project involving relocation or land acquisition, and
- (k) The Applicant will provide in any affected document that these relocation and land acquisition provisions must supersede any conflicting provisions,
- c. To the extent practicable, the Applicant 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. The Applicant will, to the extent practicable, comply with the protections for human subjects involved in research, development, and related activities supported by Federal funding of:
 - (1) The National Research Act, as amended, 42 U.S.C. 289 *et seq.*, and
 - (2) U.S. DOT regulations, "Protection of Human Subjects," 49 CFR part 11,
- e. The Applicant will, to the extent practicable, comply with the labor standards and protections for federally funded Projects of:
 - (1) The Davis-Bacon Act, as amended, 40 U.S.C. 3141 – 3144, 3146, and 3147,
 - (2) Sections 1 and 2 of the Copeland "Anti-Kickback" Act, as amended, 18 U.S.C. 874, and 40 U.S.C. 3145, respectively, and
 - (3) The Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701 *et seq.*,
- f. The Applicant will, to the extent practicable, comply with any applicable environmental standards that may be prescribed to implement Federal laws and executive orders, including, but not limited to:
 - (1) Following the institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 – 4335 and Executive Order No. 11514, as amended, 42 U.S.C. 4321 note,
 - (2) Following the notification of violating facilities provisions of Executive Order No. 11738, 42 U.S.C. 7606 note,
 - (3) Following the protection of wetlands provisions of Executive Order No. 11990, 42 U.S.C. 4321 note,

- (4) Following the evaluation of flood hazards in floodplains provisions of Executive Order No. 11988, 42 U.S.C. 4321 note,
- (5) Complying with the assurance of Project consistency with the approved State management program developed pursuant to the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 – 1465,
- (6) Complying with the Conformity of Federal Actions to State (Clean Air) Implementation Plans requirements under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401 – 7671q,
- (7) Complying with the protections for underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300f – 300j-6,
- (8) Complying with the protections for endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 – 1544,
- (9) Complying with the environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, State, or local significance or any land from a historic site of national, State, or local significance to be used in a transportation Project as required by 49 U.S.C. 303(b) and 303(c),
- (10) Complying with the protection of the components of the national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271 – 1287, and
- (11) Complying with and facilitating compliance with:
 - (a) Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f,
 - (b) The Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469 – 469c, and
 - (c) Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note,
- g. To the extent practicable, complying with the following Federal requirements for the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities supported by Federal funding:
 - (1) The Animal Welfare Act, as amended, 7 U.S.C. 2131 *et seq.*, and
 - (2) U.S. Department of Agriculture regulations, “Animal Welfare,” 9 CFR subchapter A, parts 1, 2, 3, and 4,
- h. To the extent practicable, obtaining a certificate of compliance with the seismic design and construction requirements of U.S. DOT regulations, “Seismic Safety,” 49 CFR part 41, specifically 49 CFR 41.117(d), before accepting delivery of any FTA funded building,
- i. To the extent practicable, complying with, and assuring its Subrecipients located in special flood hazard areas comply with, section

102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), by:

- (1) Participating in the Federal flood insurance program, and
 - (2) Purchasing flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more,
- j. To the extent practicable, complying with:
- (1) The Hatch Act, 5 U.S.C. 1501 – 1508, 7324 – 7326, which limits the political activities of State and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds, including a Federal loan, grant agreement, or cooperative agreement, and
 - (2) 49 U.S.C. 5323(l)(2), as amended by MAP-21, and 23 U.S.C. 142(g), which provide an exception from Hatch Act restrictions for a nonsupervisory employee of a public transportation system (or of any other agency or entity performing related functions) receiving FTA funding made available or authorized for 49 U.S.C. chapter 53 and 23 U.S.C. 142(a)(2) to whom the Hatch Act does not otherwise apply,
- k. Performing the financial and compliance audits as required by the:
- (1) Single Audit Act Amendments of 1996, 31 U.S.C. 7501 *et seq.*,
 - (2) U.S. OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," Revised, and
 - (3) Most recent applicable U.S. OMB A-133 Compliance Supplement provisions for the U.S. DOT, and
- l. To the extent practicable, complying with all the provisions of all other Federal laws or regulations that apply, and follow Federal guidance governing your Applicant and its Project, except to the extent that FTA has expressly approved otherwise in writing.

7) Lobbying Certification (Applicants applying for more than \$100,000 in federal Assistance to include the value of capital assets)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies 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 the Applicant's requests:
 - (1) For \$100,000 or more in Federal funding for a grant or cooperative agreement, and
 - (2) For \$150,000 or more in Federal funding for a loan, line of credit, or loan guarantee, and
 - b. Your Certification applies to the lobbying activities of:

- (1) The Applicant,
 - (2) The Applicant's Principals, and
 - (3) The Applicant's 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 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, and
 - (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. The Applicant will submit a complete OMB Standard Form-LLL, "Disclosure of Lobbying Activities (Rev. 7-97)," consistent with its instructions, if any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence:
 - (1) An officer or employee of any Federal agency regarding the award of a:
 - (a) Federal grant or cooperative agreement, or
 - (b) Federal loan, line of credit, loan guarantee, or loan insurance, and
 - (2) A Member of Congress, an employee of a member of Congress, or an officer or employee of Congress regarding the award of a:
 - (a) Federal grant or cooperative agreement, or
 - (b) Federal loan, line of credit, loan guarantee, or loan insurance, and
 - c. The Applicant will include the language of this Certification in the award documents for all subawards at all tiers, including, but not limited to:
 - (1) Subcontracts,
 - (2) Subgrants,
 - (3) Subagreements, and
 - (4) Third party contracts under a:
 - (a) Federal grant or cooperative agreement, or
 - (b) Federal loan, line of credit, loan guarantee, or loan insurance,
- 3. The Applicant understands that:
 - a. This Certification is a material representation of fact that the Federal government relies on, and
 - b. The Applicant must submit this Certification before the Federal government may award funding 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, and
- 4. The Applicant also understands that any person who does not file a required Certification will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

8) Private Sector Protections (Applicants applying for federal capital or operating funds)

☐ I affirm this certification, assurance, or agreement.

To facilitate FTA's ability to make the findings required by 49 U.S.C. 5323(a)(1), the Applicant assures that:

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

9) Charter Service Agreement (Applicants applying for federal funds to acquire or operate transit facilities and equipment, unless applicant qualifies for an exemption under federal law)

☐ I affirm this certification, assurance, or agreement.

As required by 49 U.S.C. 5323(d) and (g) and FTA regulations, "Charter Service," 49 CFR part 604, specifically 49 CFR 604.4, the Applicant, is entering into the following Charter Service Agreement:

- 1. General Requirements. FTA's "Charter Service" regulations apply as follows:
 - a. FTA's Charter Service regulations restrict transportation by charter service using facilities and equipment acquired by FTA recipients for transportation Projects with Federal funding derived from:

- (1) Federal transit laws, 49 U.S.C. chapter 53, or
 - (2) 23 U.S.C. 133 or 142,
- b. FTA's charter service restrictions extend to:
 - (1) The Applicant, when it becomes a recipient of Federal funding authorized for or made available for:
 - (a) Federal transit laws, 49 U.S.C. chapter 53, or
 - (b) 23 U.S.C. 133 or 142,
 - (2) Any Third Party Participant that receives Federal funding derived from:
 - (a) Federal transit laws, 49 U.S.C. chapter 53, or
 - (b) 23 U.S.C. 133 or 142,
- 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 the Applicant's Project,
- d. The Applicant agree that neither it nor any governmental authority or publicly owned operator that receives FTA funding made available or authorized for your Applicant's Project will engage in charter service operations, except as permitted under:
 - (1) Federal transit laws, specifically 49 U.S.C. 5323(d) and (g),
 - (2) FTA regulations, "Charter Service," 49 CFR part 604, to the extent consistent with 49 U.S.C. 5323(d) and (g),
 - (3) Any other Federal Charter Service regulations, or
 - (4) Federal guidance, except as FTA determines otherwise in writing,
- e. The Applicant agree that the latest Charter Service Agreement it has selected in its latest annual Certifications and Assurances is incorporated by reference in and made part of the underlying Agreement accompanying an award of FTA funding, and
- f. The Applicant agrees that:
 - (1) FTA may require corrective measures or impose remedies on it or any governmental authority or publicly owned operator that receives FTA funding made available or authorized for its Project that has engaged in a pattern of violations of FTA's Charter Service regulations by:
 - (a) Conducting charter operations prohibited by Federal transit laws and FTA's Charter Service regulations, or
 - (b) Otherwise violating your Applicant's Charter Service Agreement it has elected in its latest annual Certifications and Assurances, and
 - (2) These corrective measures and remedies may include:
 - (a) Barring the Applicant or any Third Party Participant operating public transportation under the Project that has provided prohibited charter service from receiving FTA funds,

- (b) Withholding an amount of Federal funds as provided by Appendix D to FTA's Charter Service regulations, or
 - (c) Any other appropriate remedy that may apply, and
- 2. Exceptions. Apart from exceptions to the charter service 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 the Applicant seeking funding made available or appropriated for 49 U.S.C. 5307 to be used for Job Access and Reverse Commute (JARC) activities that would have been eligible for assistance under repealed 49 U.S.C. 5316 in effect in FY 2012 or a previous fiscal year, provided that the Applicant uses that FTA funding for program purposes only,
 - b. FTA's Charter Service restrictions do not apply to the Applicant seeking funding made available or appropriated for 49 U.S.C. 5310 to be used for New Freedom activities that would have been eligible for assistance under repealed 49 U.S.C. 5317 in effect in FY 2012 or a previous fiscal year, provided the Applicant uses that FTA funding for program purposes only, and
 - c. An Applicant for assistance under 49 U.S.C. chapter 53 will not be determined to have violated the FTA Charter Service regulations if that recipient provides a private intercity or charter transportation operator reasonable access to that recipient's federally funded public transportation facilities, including intermodal facilities, park and ride lots, and bus-only highway lanes as specified in 49 U.S.C. 5323(r), as amended by MAP-21.

10) School Bus Agreement (Applicants applying for federal funds to acquire or operate transit facilities and equipment, unless applicant qualifies for an exemption under federal law)

☐ I affirm this certification, assurance, or agreement.

As required by 49 U.S.C. 5323(f) and (g), as amended by MAP-21, and FTA regulations, "School Bus Operations," 49 CFR part 605, to the extent consistent with 49 U.S.C. 5323(f) and (g), as amended by MAP-21, the Applicant enters into the following School Bus Agreement:

- 1. FTA's "School Bus Operations" regulations restrict school bus operations (as defined in the FTA regulations) using facilities and equipment acquired with Federal funding derived from:
 - a. Federal transit laws, 49 U.S.C. chapter 53, or
 - b. 23 U.S.C. 133 or 142,
- 2. FTA's school bus operations restrictions extend to:

- a. The Applicant, when it becomes a recipient of Federal funding made available or authorized for:
 - (1) Federal transit laws, 49 U.S.C. chapter 53, or
 - (2) 23 U.S.C. 133 or 142,
 - b. Any Third Party Participant that receives Federal funding derived from:
 - (1) Federal transit laws, 49 U.S.C. chapter 53, or
 - (2) 23 U.S.C. 133 or 142,
3. A Third Party Participant includes any:
 - a. Subrecipient at any tier,
 - b. Lessee,
 - c. Third Party Contractor or Subcontractor at any tier, and
 - d. Other Third Party Participant in the Project,
4. The Applicant agrees, and will obtain the agreement of any Third Party Participant involved in your Applicant's Project, that it will not engage in school bus operations in competition with private operators of school buses, except as permitted under:
 - a. Federal transit laws, specifically 49 U.S.C. 5323(f) and (g), as amended by MAP-21,
 - b. FTA regulations, "School Bus Operations," 49 CFR Part 605, to the extent consistent with 49 U.S.C. 5323(f) and (g), as amended by MAP-21,
 - c. Any other Federal School Bus regulations, or
 - d. Federal guidance, except as FTA determines otherwise in writing,
5. The Applicant agree that the latest School Bus Agreement you have selected on its behalf in FTA's latest annual Certifications and Assurances is incorporated by reference in and made part of the underlying Agreement accompanying an award of FTA funding, and
6. The Applicant agree that FTA will bar your Applicant or any Third Party Participant that has violated this School Bus Agreement from receiving Federal transit funding in an amount FTA considers appropriate.

11) Procurement and Procurement System (Applicants applying for federal funds to procure goods or services)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies that all procurements and procurement systems will comply with all Federal laws and regulations in accordance with applicable Federal guidance, except to the extent FTA has approved otherwise in writing.

12) Rolling Stock Reviews (Applicants applying for federal funds for rolling stock to use in revenue service)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies that in procuring revenue service rolling stock for use in revenue service:

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

13) Bus Testing (Applicants applying for federal funds to purchase new bus models)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies that:

1. Because the MAP-21 cross-cutting requirement "Bus Testing" applies to all acquisitions of new buses and new bus models that require bus testing, the Applicant will comply with:
 - a. 49 U.S.C. 5318, as amended by MAP-21, and
 - b. FTA regulations, "Bus Testing," 49 CFR part 665, to the extent these regulations are consistent with 49 U.S.C. 5318, as amended by MAP-21,
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. The Applicant will not spend any Federal funds appropriated under 49 U.S.C. chapter 53 to acquire that bus until:
 - (1) The bus has been tested at FTA's bus testing facility, and
 - (2) It has received a copy of the test report prepared on that new bus model, and
 - b. The Applicant will not authorize final acceptance of the bus until:
 - (1) The bus has been tested at FTA's bus testing facility,
 - (2) It has received a copy of the test report prepared on that new bus model,
3. The Applicant will ensure that the bus that is tested has met the performance standards consistent with those regulations, including:
 - a. Performance standards for:
 - (1) Maintainability,
 - (2) Reliability,
 - (3) Performance (including braking performance),
 - (4) Structural integrity,
 - (5) Fuel economy,

- (6) Emissions, and
 - (7) Noise, and
 - b. Minimum safety performance standards established under 49 U.S.C. 5329, as amended by MAP-21, and
- 4. After FTA has issued regulations authorized by 49 U.S.C. 5318(e)(2), as amended by MAP-21, your Applicant will ensure that the bus that is tested has received a passing aggregate test score under the "Pass/Fail" standard established under 49 U.S.C. 5318(e)(2), as amended by MAP-21.

14) Demand Responsive Service (A public entity applying for federal funds to acquire a vehicle for demand responsive service that is not accessible)

☐ I affirm this certification, assurance, or agreement.

As required by U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," 49 CFR part 37, specifically 49 CFR 37.77(d), the Applicant certifies that:

- 1. The Applicant offers public transportation services equivalent in level and quality of service to:
 - a. Individuals with disabilities, including individuals who use wheelchairs, and
 - b. Individuals without disabilities, and
- 2. Viewed in its entirety, your Applicant's 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.

15) Intelligent Transportation Systems (Applicants applying for federal funds to procure ITS systems or projects in support of ITS systems)

☐ I affirm this certification, assurance, or agreement.

The Applicant assures that:

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

16) Interest and Financing Costs (Applicants that intend to reimburse interest or other financing costs for Projects funded by the Urbanized Area Formula Program)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies that:

1. The Applicant will not seek reimbursement for interest or other financing costs unless:
 - a. It is eligible to receive Federal funding for those costs, and
 - b. Its records demonstrate that it has shown reasonable diligence in seeking the most favorable financing terms, to the extent FTA may require, and
2. The Applicant will comply with the same favorable financing cost provisions for:
 - a. Urbanized Area Formula Projects funded by MAP-21 or previous FTA enabling legislation,
 - b. Projects under Full Funding Grant Agreements funded by MAP-21 or previous FTA enabling legislation,
 - c. Projects with Early Systems Work Agreements funded by MAP-21 or previous FTA enabling legislation,
 - d. Fixed Guideway Capital Investment Projects funded by previous FTA enabling legislation,
 - e. State of Good Repair Projects funded by MAP-21,
 - f. Bus and Bus Facilities Projects funded by MAP-21, and
 - g. Low or No Emission Vehicle Development Projects funded by MAP-21.

17) Acquisition of Capital Assets by Lease (All federal fund applicants acquiring capital assets through a lease)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies and assures that, as required by FTA regulations, “Capital Leases,” 49 CFR part 639, specifically 49 CFR 639.15(b)(1) and 49 CFR 639.21, if the Applicant acquires any capital asset through a lease financed with Federal funding authorized under 49 U.S.C. chapter 53:

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

18) Transit Asset Management Plan (All applicants that are a direct recipient of federal funds)

☐ I affirm this certification, assurance, or agreement.

The Applicant will comply, and each Subrecipient will:

1. Follow Federal guidance issued that implements transit asset management system provisions of 49 U.S.C. 5326, as amended by MAP-21, except as FTA determines otherwise in writing, and
2. Comply with the final Federal regulations that implement the transit asset management system required by 49 U.S.C. 5326, as amended by MAP-21, after those regulations have been issued as required by 49 U.S.C. 5326(e), as amended by MAP-21.

19) Public Transportation Agency Safety Plan (All federal fund applicants that operate a public transportation system)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies that:

1. Follow Federal guidance issued that implements the safety plan provisions of 49 U.S.C. § 5329(a) – (d), as amended by MAP-21, except as FTA determines otherwise in writing, and
2. Comply with the final Federal regulations that implement the safety plan requirements of 49 U.S.C. § 5329(a) – (d), as amended by MAP-21, after

within one year after FTA has issued that plan as required by 49 U.S.C. 5329(b), as amended by MAP-21.

20) Alcohol and Controlled Substances Testing (All federal fund applicants that are required to comply with alcohol and controlled substance testing requirements)

☐ I affirm this certification, assurance, or agreement.

As required by 49 U.S.C. 5331, as amended by MAP-21, and FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," specifically 49 CFR part 655, subpart I, the Applicant certifies that:

1. The Applicant has established and implemented:
 - a. An alcohol misuse testing program, and
 - b. A controlled substance testing program,
2. The Applicant has complied with 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, as amended by MAP-21, and
3. Further, should the Applicant reside in a State that permits marijuana use for medical or recreational purposes, the Applicant has complied or will comply with the Federal controlled substance testing requirements of 49 CFR part 655.

21) Bus and Bus Facilities Formula Grants Program (All applicants applying for federal 5339 formula funds)

☐ I affirm this certification, assurance, or agreement.

The following Certification for Bus and Bus Facilities Formula Grants Program funding are required by 49 U.S.C. 5339(b), as amended by MAP-21, which states that "The requirements of section 5307 apply to recipients of grants made under this section." Therefore, except as FTA determines otherwise in writing, the Applicant, certifies that:

1. The Applicant has or will have the:
 - a. Legal capacity to carry out its proposed Projects,
 - b. Financial capacity to carry out its proposed Projects,
 - c. Technical capacity to carry out its proposed Projects,
 - d. Necessary capacity to carry out the safety aspects of its proposed Projects, and
 - e. Necessary capacity to carry out the security aspects of its proposed Projects,
2. The Applicant has or will have satisfactory continuing control over the use of Project equipment and facilities,

3. The Applicant will maintain its Project equipment and facilities adequately,
4. The Applicant will ensure that when, during non-peak hours for transportation using or involving a facility or equipment of a Project financed under 49 U.S.C.5339, as amended by MAP-21, 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 other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
 - c. Any individual presenting a Medicare card issued to himself or herself pursuant to title II of the Social Security Act (42 U.S.C. 401 *et seq.*), or
 - d. Any individual presenting a Medicare card issued to himself or herself pursuant to title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
5. When carrying out a procurement under 49 U.S.C.5339, as amended by MAP-21, the Applicant will comply with the:
 - a. General provisions for FTA programs of 49 U.S.C. 5323, as amended by MAP-21, and
 - b. Third party procurement requirements of 49 U.S.C. 5325, as amended by MAP-21,
6. The Applicant has complied with or will comply with 49 U.S.C. 5307(b), as amended by MAP-21, because it:
 - a. Has made or will make available to the public information on amounts of its funding available to it under 49 U.S.C. 5339,
 - b. Has developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,
 - c. Has published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Program of Projects and its performance as an Applicant or Recipient,
 - d. Has provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,
 - e. Has ensured or will ensure that the proposed Program of Projects provide for coordination of transportation services funded by U.S. DOT under 49 U.S.C. 5336 with federally funded transportation services supported by United States Government sources other than U.S. DOT,
 - f. Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final Program of Projects, and
 - g. Has made or will make the final Program of Projects available to the public,

7. As required by 49 U.S.C. 5307(d), as amended by MAP-21, the Applicant:
 - a. Has or will have the amount of funds required for the local share,
 - b. Will provide the local share funds from approved non-Federal sources except if otherwise authorized by law, and
 - c. Will provide the local share funds when needed,
8. The Applicant will comply with:
 - a. The Metropolitan Planning requirements of 49 U.S.C. 5303, as amended by MAP-21, and
 - b. The State Planning requirements of 49 U.S.C. 5304, as amended by MAP-21,
9. The Applicant has a locally developed process to solicit and consider public comment before:
 - a. Raising a fare, or
 - b. Implementing a major reduction of public transportation, and
10. The Applicant will comply with requirements for Public Transportation Agency Safety Plan requirements of 49 U.S.C. 5329, as amended by MAP-21.

22) Job Access and Reverse Commute (JARC) Formula Grant Program (All applicants applying for federal 5316 funds)

☐ I affirm this certification, assurance, or agreement.

1. The following Certification for the Urbanized Area Formula Grants Program are required by former 49 U.S.C. 5316 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead. Therefore, except as FTA determines otherwise in writing, the Applicant certifies that:
 - a. The Applicant will make awards of JARC funding on a competitive basis following:
 - (1) An areawide solicitation in cooperation with the appropriate metropolitan planning organization for applications for funding in compliance with former 49 U.S.C. 5316, and
 - (2) A statewide solicitation for applications for JARC funding in compliance with former 49 U.S.C. 5316,
 - b. Any allocations to Subrecipients of JARC funding authorized by former 49 U.S.C. 5316 will be distributed on a fair and equitable basis,
 - c. As required by former 49 U.S.C. 5316:
 - (1) The projects your Applicant has selected or will select for funding made available or appropriated for that program were derived from a public transit-human services transportation plan that has been:
 - (a) Locally developed, and

- (b) Coordinated,
- (2) That locally developed, coordinated plan was produced through a process that included:
 - (a) Representatives of public, private, and nonprofit transportation providers,
 - (b) Representatives of public, private, and nonprofit human services providers, and
 - (c) Participation by the public,
- d. Before your Applicant transfers funds to a project funded by former 49 U.S.C. 5336, that project has been or will have been coordinated with private nonprofit providers of services,
- e. Before using funds apportioned for projects serving an area other than that for which funding was apportioned under former 49 U.S.C. 5316:
 - (1) The State's chief executive officer, or his or her designee, will have certified that all the JARC program objectives of former 49 U.S.C. 5316 are being met in the area from which the funding would be derived, and
 - (2) If the State has a statewide program for meeting the JARC program objectives of former 49 U.S.C. 5316, the funds can be used for projects anywhere in the State, and
- f. The requirements of former 49 U.S.C. 5307 will apply to the JARC Program, authorized by former 49 U.S.C. 5316, and
- 2. The following Certifications for the JARC Program are required by former 49 U.S.C. 5307(d)(1) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead. Therefore, except as FTA determines otherwise in writing, the Applicant certifies that:
 - a. The Applicant has or will have, and will require each Subrecipient to have:
 - (1) The legal capacity to carry out its proposed Projects,
 - (2) The financial capacity to carry out its proposed Projects,
 - (3) The technical capacity to carry out its proposed Projects,
 - (4) The necessary capacity to carry out the safety aspects of its proposed Projects, and
 - (5) The necessary capacity to carry out the security aspects of its proposed Projects,
 - b. The Applicant has or will have, and will require each Subrecipient to have satisfactory continuing control over the use of Project equipment and facilities,
 - c. The Applicant will maintain, and will require each Subrecipient to maintain, its Project equipment and facilities adequately,
 - d. The Applicant will ensure, and will require each Subrecipient to ensure, that for transportation using or involving a facility or equipment of a Project financed under former 49 U.S.C. 5307 in effect in FY 2012 or a previous fiscal year, the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:

- (1) Any elderly individual,
 - (2) Any handicapped individual, as described in 49 CFR part 27,
 - (3) Any individual presenting a Medicare card issued to himself or herself pursuant to title II of the Social Security Act (42 U.S.C. 401 *et seq.*), or
 - (4) Any individual presenting a Medicare card issued to himself or herself pursuant to title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
- e. When carrying out a procurement under former 49 U.S.C. 5307 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross cutting requirements that apply instead, the Applicant will, and will require each Subrecipient to:
- (1) Use competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a), and
 - (2) Not use exclusionary or discriminatory specifications in its procurements, as required by 49 U.S.C. 5323(h),
- f. The Applicant has complied or will comply with, and will require each Subrecipient to comply with, former 49 U.S.C. 5307(c) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 requirements that apply instead:
- (1) For a capital project that will substantially affect a community or the public transportation service of a community, the Applicant:
 - (a) Has provided an adequate opportunity for public review and comment on its Project,
 - (b) After providing notice, has held a public hearing on the project if the project affects significant economic, social, or environmental interests,
 - (c) Has considered the economic, social, and environmental effects of the project, and
 - (d) Has found that the project is consistent with official plans for developing the community,
 - (2) The notice of a hearing the Applicant published:
 - (a) Included a concise description of the proposed project, and
 - (b) Was published in a newspaper of general circulation in the geographic area the project will serve, and
 - (3) The Applicant's application for a capital grant that will substantially affect a community, or the public transportation service of a community under former 49 U.S.C. chapter 53 in effect in FY 2012 or a previous fiscal year for a capital project described in paragraph (1) will include the following:
 - (a) A Certification that the applicant has complied with the requirements of 49 U.S.C. 5323(b)(1)(C), as amended by MAP-21, and
 - (b) In the environmental record for the project, evidence that your Applicant has complied with the requirements of 49 U.S.C. 5323(b)(1)(C).

- g. The Applicant:
 - (1) Has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the local share by former 49 U.S.C. 5307(e) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross cutting requirements that apply instead,
 - (2) Will provide and, as necessary, will require each Subrecipient to provide, the local share funds from approved non-Federal sources except as permitted by former 49 U.S.C. 5307(e) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead, and
 - (3) Will provide and, as necessary, will provide the local share funds when needed,
- h. The Applicant has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5301, 5303, and 5304, as amended by MAP-21,
- i. The Applicant has or will have, and will require each Subrecipient to have a locally developed process to solicit and consider public comment before:
 - (1) Raising a fare, or
 - (2) Implementing a major reduction of public transportation, and
- j. To the extent applicable, as required by the MAP-21 cross-cutting requirement, "Agency Safety Plans," your Applicant will comply with and, as necessary, will require each Subrecipient to comply with its Public Transportation Agency Safety Plan, as required by 49 U.S.C. 5329, as amended by MAP-21.

23) Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (5310 Applicants)

☐ I affirm this certification, assurance, or agreement.

- 1. The following Certification for the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program are required by 49 U.S.C. 5310, as amended by MAP-21. Therefore, except as FTA determines otherwise in writing, the Applicant certifies that:
 - a. The Applicant certifies they are:
 - (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 services authorized

- under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program,
- b. The Applicant will comply with the following Project selection and planning requirements:
 - (1) The Projects the Applicant has selected or will select for funding made available or appropriated for 49 U.S.C. 5310, as amended by MAP-21, are included in a public transit-human services transportation plan that has been:
 - (a) Locally developed, and
 - (b) Coordinated,
 - (2) That 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; and
 - (3) To the maximum extent feasible, the services funded by 49 U.S.C. 5310, as amended by MAP-21, will be coordinated with transportation services funded by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services,
 - c. As required by 49 U.S.C. 5310(e)(2)(B), as amended by MAP-21, your Applicant certifies that if it allocates funds received under 49 U.S.C. 5310, as amended by MAP-21, to Subrecipients, it will have allocated those funds on a fair and equitable basis,
 - d. The Applicant will transfer a facility or equipment financed with funding made available or appropriated for a grant under 49 U.S.C. 5310, as amended by MAP-21, to any other recipient eligible to receive assistance under 49 U.S.C. chapter 53, as amended by MAP-21, only if:
 - (1) The recipient in possession of 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, as amended by MAP-21, and
 - e. The requirements of 49 U.S.C. 5307, as amended by MAP-21, as determined by FTA, will apply to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities, authorized by 49 U.S.C. 5310, as amended by MAP-21, and
2. FTA has determined certain requirements of 49 U.S.C. 5307, as amended by MAP-21, to be appropriate for which some require Certifications. Therefore, as specified under 49 U.S.C. 5307(c)(1), as amended by MAP-21, the Applicant certifies that:

- a. The Applicant has or will have, and will require each Subrecipient to have, the:
 - (1) Legal capacity to carry out its proposed Projects,
 - (2) Financial capacity to carry out its proposed Projects,
 - (3) Technical capacity to carry out its proposed Projects,
 - (4) Necessary capacity to carry out the safety aspects of its proposed Projects, and
 - (5) Necessary capacity to carry out the security aspects of its proposed Projects,
- b. The Applicant has or will have, and will require each Subrecipient to have, satisfactory continuing control over the use of Project equipment and facilities,
- c. The Applicant will maintain, and will require each Subrecipient to maintain its Project equipment and facilities adequately,
- d. When carrying out a procurement under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, the Applicant will, and will require each Subrecipient to:
 - (1) Comply with the general provisions for FTA programs of 49 U.S.C. 5323, as amended by MAP-21, and
 - (2) Comply with the third party procurement requirements of 49 U.S.C. 5325, as amended by MAP-21,
- e. The Applicant:
 - (1) Has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the local share by 49 U.S.C. 5307(d), as amended by MAP-21,
 - (2) Will provide and, as necessary, will require each Subrecipient to provide the local share funds from approved non-Federal sources, except as permitted by 49 U.S.C. 5307(d), as amended by MAP-21, and
 - (3) Will provide and, as necessary, will require each Subrecipient to provide the local share funds when needed,
- f. The Applicant has complied or will comply with, and will require each Subrecipient to comply with:
 - (1) The Metropolitan Planning requirements of 49 U.S.C. 5303, as amended by MAP-21, and
 - (2) The State Planning requirements of 49 U.S.C. 5304, as amended by MAP-21, and
- g. To the extent applicable, the Applicant will comply with, and require its Subrecipients to comply with the requirements for a Public Transportation Agency Safety Plan provided by 49 U.S.C. 5329(d), as amended by MAP-21, to the extent FTA so requires.

24) Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program (5310 Applicants)

☐ I affirm this certification, assurance, or agreement.

1. The following Certification for the Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program are required by former 49 U.S.C. 5310 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead. Therefore, except as FTA determines otherwise in writing, the Applicant certifies that:
 - a. The Applicant certifies they are:
 - (1) A private nonprofit organization, if the public transportation service that would undertake public transportation capital projects planned, designed, and carried out to meet the special needs of elderly individuals and individuals with disabilities is:
 - (a) Unavailable,
 - (b) Insufficient, or
 - (c) Inappropriate,
 - (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:
 - 1 There are not any nonprofit organizations readily available in the area to provide public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities, and
 - 2 When public transportation is:
 - a Insufficient,
 - b Inappropriate, or
 - c Unavailable,
 - b. The Projects the Applicant has selected or will select for funding made available or appropriated for former 49 U.S.C. 5310 are included in a public transit-human services transportation plan that has been:
 - (1) Locally developed, and
 - (2) Coordinated,
 - c. That public transit-human services transportation plan was developed and approved through a process that included participation by:
 - (1) Elderly Individuals,
 - (2) Individuals with disabilities,
 - (3) Representatives of public, private, and nonprofit transportation providers,
 - (4) Representatives of human services providers, and
 - (5) Other members of the public,
 - d. To the maximum extent feasible, the services funded will be coordinated with transportation services funded by other Federal departments and agencies, including any transportation activities

- carried out by a recipient of a grant from the Department of Health and Human Services,
- e. If the Applicant allocates funds received under former 49 U.S.C. 5310 to Subrecipients, the Applicant will have allocated those funds on a fair and equitable basis,
 - f. The Program of Projects your State Applicant has submitted or will submit contains or will contain an assurance that the Program provides for the maximum feasible coordination of transportation services funded by former 49 U.S.C. 5310 with transportation services funded by other Government sources, and
 - g. The Applicant will comply with the requirements of former 49 U.S.C. 5307 that FTA determined will apply to the former Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program,
2. The following Certification for the Special Needs of Elderly Individuals and Individuals with Disabilities Program are required by former 49 U.S.C. 5307(d)(1) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead. Therefore, except as FTA determines otherwise in writing, the Applicant certifies that:
- a. The Applicant has or will have the:
 - (1) Legal capacity to carry out its proposed Projects,
 - (2) Financial capacity to carry out its proposed Projects,
 - (3) Technical capacity to carry out its proposed Projects,
 - (4) Necessary capacity to carry out the safety aspects of its proposed Projects, and
 - (5) Necessary capacity to carry out the security aspects of its proposed Projects,
 - b. The Applicant has or will have satisfactory continuing control over the use of Project equipment and facilities,
 - c. The Applicant will maintain its Project equipment and facilities adequately,
 - d. When carrying out a procurement under former 49 U.S.C. 5307 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross cutting requirements that apply instead, the Applicant will, and will require each Subrecipient to, do the following:
 - (1) Use competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a),
 - (2) Not use exclusionary or discriminatory specifications in its procurements, as required by 49 U.S.C. 5323(h),
 - (3) As provided by the MAP-21 cross-cutting requirement, "Buy America," comply with 49 U.S.C. 5323(j), as amended by MAP-21,
 - (4) Comply with applicable pre-award and post-delivery requirements of 49 U.S.C. 5323(m),

- (5) As provided by MAP-21 cross cutting requirement, "Rail Car Procurement," comply with the railcar option restrictions of 49 U.S.C. 5325(e), as amended by MAP-21, and
- (6) As required by the MAP-21 cross-cutting requirement, "Veterans Preference/Employment," comply with 49 U.S.C. 5325(k), as amended by MAP-21,
- e. The Applicant:
 - (1) Has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the local share by former 49 U.S.C. 5307(e) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross cutting requirements that apply instead,
 - (2) Will provide and, as necessary, will require each Subrecipient to provide the local share funds from approved non-Federal sources except as permitted by former 49 U.S.C. 5307(e) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead, and
 - (3) Will provide and, as necessary, will require each Subrecipient to provide the local share funds when needed,
- f. The Applicant has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5301, 5303, and 5304, as amended by MAP-21, and
- g. To the extent applicable, as required by the MAP-21 cross-cutting requirement, "Agency Safety Plans," your State Applicant will comply with and, as necessary, will require each Subrecipient to comply with, its Public Transportation Agency Safety Plan, as required by 49 U.S.C. 5329, as amended by MAP-21.

25) New Freedom Program (5317 applicants)

☐ I affirm this certification, assurance, or agreement.

- 1. The following Certification for the New Freedom Program is required by former 49 U.S.C. 5317 in effect in FY 2012 or a previous fiscal year. Therefore, except as FTA determines otherwise in writing, the Applicant certifies that:
 - a. The Applicant will make awards of New Freedom funding on a competitive basis after conducting:
 - (1) An areawide solicitation in cooperation with the appropriate metropolitan planning organization for applications for funding in compliance with former 49 U.S.C. 5317, or
 - (2) A statewide solicitation for applications for New Freedom funding in compliance with former 49 U.S.C. 5317,

- b. Any allocations to Subrecipients of New Freedom funding authorized by former 49 U.S.C. 5317 will be distributed on a fair and equitable basis,
 - c. The Applicant will comply with the following Project selection and planning requirements:
 - (1) The projects your Applicant has selected or will select for funding made available or appropriated for that program were derived from a public transit-human services transportation plan that has been:
 - (a) Locally developed, and
 - (b) Coordinated,
 - (2) That locally developed and coordinated plan was produced through a process that included:
 - (a) Representatives of public, private, and nonprofit transportation providers,
 - (b) Representatives of public, private, and nonprofit human services providers, and
 - (c) Participation by the public,
 - d. Before the Applicant transfers funds to a project funded by former 49 U.S.C. 5311(c), former 49 U.S.C. 5336, or both:
 - (1) The funding to be transferred may be made available only to projects eligible for funding made available or appropriated for former 49 U.S.C. 5317, and
 - (2) The Applicant will have consulted with responsible local officials and publicly owned operators of public transportation in each area for which the amount to be transferred was originally awarded,
 - e. The Applicant may transfer funds to another Subrecipient only if it has consulted with responsible local officials and publicly owned operators of public transportation in each area for which the amount originally was awarded, as provided by former 49 U.S.C. 5317, and
 - f. The requirements of former 49 U.S.C. 5307, as determined by FTA, will apply to the New Freedom Program, authorized by former 49 U.S.C. 5317, and
2. The following Certification for the New Freedom Program is required by former 49 U.S.C. 5307(d)(1) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead. Therefore, except as FTA determines otherwise in writing, the Applicant certifies that:
- a. The Applicant has or will have, and will require each Subrecipient to have, the:
 - (1) Legal capacity to carry out its proposed Projects,
 - (2) Financial capacity to carry out its proposed Projects,
 - (3) Technical capacity to carry out its proposed Projects,
 - (4) Necessary capacity to carry out the safety aspects of its proposed Projects, and

- (5) Necessary capacity to carry out the security aspects of its proposed Projects,
- b. The Applicant has or will have, and will require each Subrecipient to have, satisfactory continuing control over the use of Project equipment and facilities,
- c. The Applicant will maintain, and will require each Subrecipient to maintain, its Project equipment and facilities adequately,
- d. When carrying out a procurement under former 49 U.S.C. 5317 in effect in FY 2012 or a previous fiscal year superseded by MAP-21 cross cutting requirements that apply, the Applicant will, and will require each Subrecipient to do the following:
 - (1) Use competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a),
 - (2) Not use exclusionary or discriminatory specifications in its procurements, as required by 49 U.S.C. 5323(h),
 - (3) As provided by the MAP-21 cross-cutting requirement, "Buy America," the Applicant will comply with 49 U.S.C. 5323(j), as amended by MAP-21,
 - (4) Comply with applicable pre-award and post-delivery requirements of 49 U.S.C. 5323(m),
 - (5) As provided by MAP-21 cross cutting requirement, "Rail Car Procurement," comply with the railcar option restrictions of 49 U.S.C. 5325(e), as amended by MAP-21, and
 - (6) As required by the MAP-21 cross-cutting requirement, "Veterans Preference/Employment," comply with 49 U.S.C. 5325(k), as amended by MAP-21,
- e. The Applicant:
 - (1) Has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the local share required by former 49 U.S.C. 5317(g) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross cutting requirements that may apply instead,
 - (2) Will provide and, as necessary, will require each Subrecipient to provide, the local share funds from approved non-Federal sources except as permitted by former 49 U.S.C. 5317(g) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead, and
 - (3) Will provide and, as necessary, will require each Subrecipient to provide, the local share funds when needed,
- f. The Applicant has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5301, 5303, and 5304, as amended by MAP-21, and
- g. To the extent applicable, as required by the MAP-21 cross-cutting requirement, "Agency Safety Plans," the Applicant will comply with and, as necessary, will require each Subrecipient to comply with, its

26) Formula Grants for Rural Areas Program (5311 & 5311(f) applicants)

Public Transportation Agency Safety Plan, as required by 49 U.S.C. 5329, as amended by MAP-21.

☐ I affirm this certification, assurance, or agreement.

The following Certification applies to each Applicant for funding made available or appropriated for the Rural Areas Formula Project authorized by 49 U.S.C. 5311(b), as amended by MAP-21. The Applicant certifies and assures that:

1. The Applicant has or will have the:
 - a. Legal capacity to carry out its proposed Projects,
 - b. Financial capacity to carry out its proposed Projects,
 - c. Technical capacity to carry out its proposed Projects,
 - d. Necessary capacity to carry out the safety aspects of its proposed Projects, and
 - e. Necessary capacity to carry out the security aspects of its proposed Projects,
2. The Applicant has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. The Applicant's Project equipment and facilities will be adequately maintained,
4. The Applicant's program has provided for a fair distribution of Federal funding made available or appropriated for 49 U.S.C. 5311(b), as amended by MAP-21 within the State, including Indian reservations,
5. The Applicant's program provides or will provide the maximum feasible coordination of public transportation service funded by 49 U.S.C. 5311(b), as amended by MAP-21, with transportation service funded by other Federal sources,
6. The Applicant's Projects in its Formula Grants for Rural Areas Program are included in:
 - a. The Statewide Transportation Improvement Program, and
 - b. To the extent applicable, a Metropolitan Transportation Improvement Program,
7. The Applicant has or will have the amount of funds required for the local share, as required by 49 U.S.C. 5311(g), as amended by MAP-21, and
 - a. Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
 - b. Will provide the local share funds when needed,
8. The Applicant may transfer a facility or equipment acquired using a grant under 49 U.S.C. 5311(b) to any other recipient eligible to receive assistance under 49 U.S.C. chapter 53, if:
 - a. The recipient in possession of 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, as amended by MAP-21, and

9. Each fiscal year:
 - a. The State will spend at least fifteen (15) percent of its 49 U.S.C. 5311 funding available that fiscal year to develop and support intercity bus transportation within the State, with eligible activities, including:
 - (1) Planning and marketing for intercity bus transportation,
 - (2) Capital grants for intercity bus facilities,
 - (3) Joint-use facilities,
 - (4) Operating grants through purchase-of-service agreements, user-side subsidies, and demonstration Projects, and
 - (5) Coordinating rural connections between small public transportation operations and intercity bus carriers, or
 - b. The State will provide to the Federal Transit Administrator a Certification of 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.

27) Low or No Emission Vehicle Deployment (5312(d)(5) recipients)

☐ I affirm this certification, assurance, or agreement.

The following Certification for Low or No Emission Vehicle Deployment Program funding made available or appropriated for MAP-21 is required by 49 U.S.C. 5312(d)(5)(C) and by 49 U.S.C. 5307(c)(1), as amended by MAP-21. Therefore, except as FTA determines otherwise in writing, the Applicant certifies that:

1. The Applicant has or will have the:
 - a. Legal capacity to carry out its proposed Projects,
 - b. Financial capacity to carry out its proposed Projects,
 - c. Technical capacity to carry out its proposed Projects,
 - d. Necessary capacity to carry out the safety aspects of its proposed Projects, and
 - e. Necessary capacity to carry out the security aspects of its proposed Projects,
2. The Applicant has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. The Applicant will maintain its Project equipment and facilities adequately,
4. The Applicant will ensure that, during non-peak hours, for transportation using or involving a facility or equipment funded for its Project, the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:
 - a. Any senior,
 - b. Any individual who, because of illness, injury, age, a congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or who has semi-ambulatory capability), and cannot use a public transportation

- service or a public transportation facility effectively without special facilities, special planning, or special design,
- c. Any individual presenting a Medicare card issued to himself or herself pursuant to title II of the Social Security Act (42 U.S.C. 401 *et seq.*), or
- d. Any individual presenting a Medicare card issued to himself or herself pursuant to title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
- 5. When carrying out a procurement under this Program, the Applicant will comply with the:
 - a. General provisions for FTA programs of 49 U.S.C. 5323, and
 - b. Third party procurement requirements of 49 U.S.C. 5325,
- 6. The Applicant:
 - a. Has informed or will inform the public of the amounts of its funding available under this Program,
 - b. Has developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,
 - c. Has published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Projects and its performance as an Applicant,
 - d. Has provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,
 - e. Has assured or will assure that the proposed Program of Projects provide for coordination of transportation services with federally funded transportation services supported by United States Government sources other than U.S. DOT,
 - f. 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. Has made or will make the final list of Projects available to the public,
- 7. The Applicant:
 - a. Has or will have the amount of funds required for the local share,
 - b. Will provide the local share funds from approved non-Federal sources, except if otherwise authorized by law, and
 - c. Will provide the local share funds when needed,
- 8. The Applicant will comply with:
 - a. The Metropolitan Planning requirements of 49 U.S.C. 5303, as amended by MAP-21, and
 - b. The State Planning requirements of 49 U.S.C. 5304, as amended by MAP-21,
- 9. The Applicant has a locally developed process to solicit and consider public comment before:
 - a. Raising a fare, or
 - b. Implementing a major reduction of public transportation, and
- 10. The Applicant will comply with its Public Transportation Agency Safety Plan as required by 49 U.S.C. 5329, as amended by MAP-21.

28) State Safety Oversight Grant Program (5329(e)(6) applicants)

☐ I affirm this certification, assurance, or agreement.

The Applicant assures that it will comply with the requirements of those Certifications and Assurances FTA determines will apply to an Applicant for funding made available or appropriated for the State Safety Oversight Program, as required by 49 U.S.C. 5329(e)(6), as amended by MAP-21.

29) Public Transportation Emergency Relief Program (5324 applicants)

☐ I affirm this certification, assurance, or agreement.

As required by 49 U.S.C. 5324(d)(1), as amended by MAP-21, the Applicant assures that it will comply with the requirements of the Certifications and Assurances as FTA determines will apply to an Applicant for funding made available or appropriated for the Public Transportation Emergency Relief Program.

30) Expedited Project Delivery Pilot Program (Expedited Project Delivery Pilot Program applicants)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies that, in addition to other Certifications and Assurances required in connection with its application for funding, the Applicant's existing public transportation system is in a state of good repair, as required by section 20008(b)(5)(D) of MAP-21.

31) Transportation Infrastructure Finance and Innovation Act (TIFIA) Program (TIFIA applicants)

☐ I affirm this certification, assurance, or agreement.

The Applicant certifies and assures that as required by 49 U.S.C. 5323(o), as amended by MAP-21, your Applicant certifies 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 support or financing under 23 U.S.C. 601 – 609, as amended by MAP-21.

1. To comply with 49 U.S.C. 5307, specifically 49 U.S.C. 5307(d)(1), the Applicant certifies that:
 - a. The Applicant has or will have the:
 - (1) Legal capacity to carry out its proposed Projects,
 - (2) Financial capacity to carry out its proposed Projects,
 - (3) Technical capacity to carry out its proposed Projects,
 - (4) Necessary capacity to carry out the safety aspects of its proposed Projects, and
 - (5) Necessary capacity to carry out the security aspects of its proposed Projects,
 - b. The Applicant has or will have satisfactory continuing control over the use of Project equipment and facilities,
 - c. The Applicant will maintain its Project equipment and facilities adequately,
 - d. The Applicant will ensure that when, during non-peak hours for transportation using or involving a facility or equipment of a TIFIA-financed Project, a fare that is not more than fifty (50) percent of the peak hour fare will be charged to the following individuals:
 - (1) A senior,
 - (2) An individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
 - (3) An individual presenting a Medicare card issued to himself or herself pursuant to title II of the Social Security Act (42 U.S.C. 401 *et seq.*), or
 - (4) An individual presenting a Medicare card issued to himself or herself pursuant to title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
 - e. When carrying out a TIFIA-funded procurement, the Applicant will comply with:
 - (1) 49 U.S.C. 5323, and
 - (2) 49 U.S.C. 5325,
 - f. The Applicant has complied with or will comply with 49 U.S.C. 5307(b), as amended by MAP-21, because it:
 - (1) Has made or will make available to the public information on amounts of its TIFIA funding request(s),
 - (2) Has developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,
 - (3) Has published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local

- elected officials will have an opportunity to examine and submit comments on the proposed Program of Projects and its performance as an Applicant or Recipient,
- (4) Has provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,
 - (5) Has ensured or will ensure that the proposed Program of Projects provide for coordination of transportation services funded by U.S. DOT under TIFIA with federally funded transportation services supported by United States Government sources other than U.S. DOT,
 - (6) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final Program of Projects, and
 - (7) Has made or will make the final Program of Projects available to the public,
- g. The Applicant:
 - (1) Has or will have at least (twenty) 20 percent of the TIFIA net project costs required for the local share,
 - (2) Will provide the local share funds from approved non-Federal sources, and
 - (3) Will provide the local share funds when needed,
 - h. The Applicant will comply with:
 - (1) The Metropolitan Planning requirements of 49 U.S.C. 5303, as amended by MAP-21, and
 - (2) The State Planning requirements of 49 U.S.C. 5304, as amended by MAP-21,
 - i. The Applicant has a locally developed process to solicit and consider public comment before:
 - (1) Raising a fare, or
 - (2) Implementing a major reduction of public transportation, and
 - j. The Applicant will comply with the 49 U.S.C. 5329(d) requirements for a Public Transportation Agency Safety Plan, and
2. To comply with the interest and financing costs restrictions of 49 U.S.C. chapter 53, the Applicant agrees that it will not seek reimbursement for interest and other financing costs incurred in connection with its Project that must be in compliance with those requirements unless:

32) State Infrastructure Banks (SIB) Program (SIB applicants)

☐ I affirm this certification, assurance, or agreement.

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

1. The Applicant will comply with the following applicable Federal laws establishing the various SIB programs since 1995:
 - a. 23 U.S.C. 610, as amended by MAP-21,
 - b. 23 U.S.C. 610 or its predecessor before MAP-21 was signed into law,
 - c. Section 1511 of TEA-21, 23 U.S.C. 181 note, or
 - d. Section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 181,
2. The Applicant will comply with or follow the Cooperative Agreement establishing the State's SIB program between:
 - a. The Applicant and FHWA, FRA, and FTA, or
 - b. The Applicant and FHWA and FTA,
3. The Applicant will comply with or follow the Grant Agreement that provides FTA funding for the SIB and is between your Applicant and FTA including the FTA Master Agreement, which is incorporated by reference into the Grant Agreement, except that any provision of the FTA Master Agreement incorporated by reference into that Grant Agreement will not apply if it conflicts with any provision of:
 - a. 23 U.S.C. 610, as amended by MAP-21,
 - b. 23 U.S.C. 610 or its predecessor before MAP-21 was signed into law,
 - c. Section 1511 of TEA-21, 23 U.S.C. 181 note, or section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 181 note,
 - d. Federal guidance pertaining to the SIB Program,
 - e. The Cooperative Agreement establishing the State's SIB Program, or
 - f. The FTA Grant Agreement,
4. As required by 49 U.S.C. 5323(o), Federal transit laws, specifically 49 U.S.C. 5307, 49 U.S.C. 5309, and 49 U.S.C. 5337, as amended by MAP-21, apply to any Project under 49 U.S.C. chapter 53 that receives SIB support or financing under 23 U.S.C. 610 (or any support from 23 U.S.C. 601 – 609),
5. As required by 49 U.S.C. 5323(o) and 49 U.S.C. 5307(d)(1):
 - a. The Applicant has or will have the:
 - (1) Legal capacity to carry out its proposed Projects,
 - (2) Financial capacity to carry out its proposed Projects,
 - (3) Technical capacity to carry out its proposed Projects,
 - (4) Necessary capacity to carry out the safety aspects of its proposed Projects, and
 - (5) Necessary capacity to carry out the security aspects of its proposed Projects,
 - b. The Applicant has or will have satisfactory continuing control over the use of Project equipment and facilities,
 - c. The Applicant will maintain its Project equipment and facilities adequately,
 - d. The Applicant will ensure that when, during non-peak hours for transportation using or involving a facility or equipment of a SIB-financed Project, a fare that is not more than fifty (50) percent of the peak hour fare will be charged to the following individuals:

- (1) A senior,
- (2) An individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
- (3) An individual presenting a Medicare card issued to himself or herself pursuant to title II of the Social Security Act (42 U.S.C. 401 *et seq.*), or
- (4) An individual presenting a Medicare card issued to himself or herself pursuant to title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
- e. When carrying out a procurement under a SIB-financed Project, your Applicant will comply with the:
 - (1) General provisions for FTA programs of 49 U.S.C. 5323, and
 - (2) Third party procurement requirements of 49 U.S.C. 5325,
- f. The Applicant has complied with or will comply with 49 U.S.C. 5307(b), as amended by MAP-21, because it:
 - (1) Has made or will make available to the public information on amounts of its funding requested under the SIB program,
 - (2) Has developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,
 - (3) Has published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Program of Projects and its performance as an Applicant or Recipient,
 - (4) Has provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,
 - (5) Has ensured or will ensure that the proposed Program of Projects provide for coordination of transportation services funded by U.S. DOT under 49 U.S.C. 5336 and the SIB Program with federally funded transportation services supported by United States Government sources other than U.S. DOT,
 - (6) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final Program of Projects, and
 - (7) Has made or will make the final Program of Projects available to the public,
- g. The Applicant:
 - (1) Has or will have the amount of funds required for the local share by the SIB Program, but not less than twenty-five (25) percent of each capitalization grant,

- (2) Will provide the local share funds from approved non-Federal sources, and
 - (3) Will provide the local share funds when needed,
- h. The Applicant will comply with the:
 - (1) The Metropolitan Planning requirements of 49 U.S.C. 5303, as amended by MAP-21, and
 - (2) The State Planning requirements of 49 U.S.C. 5304, as amended by MAP-21,
- i. The Applicant has a locally developed process to solicit and consider public comment before:
 - (1) Raising a fare, or
 - (2) Implementing a major reduction of public transportation, and
- j. As required by 49 U.S.C. 5307(c)(1)(L), it will comply with the 49 U.S.C. 5329(d) requirements for a Public Transportation Agency Safety Plan, and
- 6. As required by 49 U.S.C. chapter 53, your Applicant certifies that it will not seek reimbursement for interest and other financing costs incurred in connection with its Project unless:
 - a. It is eligible to receive Federal funding for those expenses, and
 - b. Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.
- 7. To comply with the requirements of 49 U.S.C. 5337(a)(4), your Applicant agrees that it will adopt a transit asset management plan that complies with 49 U.S.C. 5326(d).

33) Complaint Procedure Certification (All applicants)

☐ I affirm this certification, assurance, or agreement.

- 1. A complaint procedure has been/will be established for the benefit of any person using or affected by the service for which the application is made. The procedure will include a right to appeal adverse resolutions to the Deputy Rail and Transit Administrator, Massachusetts Department of Transportation.
- 2. A copy of the complaint procedure has been/will be made available to any person requesting the same. Summary notice of the procedure will be posted at the principal facility of the service to be funded through this application.

34) Affirmative Action/Equal Employment Opportunity (All applicants)

☐ I affirm this certification, assurance, or agreement.

The applicant certifies that it has an active Affirmative Action/Equal Employment Opportunity Policy.

35) Resolution of Support and Verification (5310/MAP applicants only)

☐ I affirm this certification, assurance, or agreement.

I certify that my organization is aware of the provisions of Title 49 U.S.C. 5310 (Section 5310) reauthorized by Moving Ahead for Progress in the 21st Century (MAP-21) of 2013, and the Mobility Assistance Program authorized by M.G.L. Chapter 637 of the Acts of 1983, as amended by M.G.L. Chapter 33 of the Acts of 1991, under which funding is provided and hereby authorize the applicant to file an application with the Commonwealth of Massachusetts, Massachusetts Department of Transportation (MassDOT) on behalf of the applying authorities cash match for the equipment, the necessary insurance coverage as will be required under an agreement between MassDOT and the applying authority, agrees to comply with all Federal and State program requirements to carry out the project as described in this application.

36) Complaint Procedure (5310/MAP applicants only)

☐ I affirm this certification, assurance, or agreement.

In the event that a complaint is received by the agency, the following process will be followed:

1. A letter will be sent to the private provider acknowledging receipt of the complaint and requesting additional information about the nature of the complaint.
2. Upon receipt of the specific information about the complaint, the private provider will be apprised of this complaint procedure and any rights or appeals available under this procedure. This meeting shall take place no later than thirty (30) days following the receipt of specific complaint information requested in (a) above.
3. Should the complaint be unable to be resolved at the local level, a letter will be sent to the Statewide Mobility Manager at the Massachusetts Department of Transportation (MassDOT). This letter will describe the

complaint, and shall have attached any correspondence from or to the private provider relative to the complaint.

4. It is understood that within thirty (30) days of the receipt of a letter and all appropriate documentation, MassDOT will hold a meeting with the private provider, representatives of the Section 5310/MAP agency, the Statewide Mobility Manager, and MassDOT's staff person responsible for private sector participation to attempt to resolve the complaint.

37) Private Sector Involvement Policy (5310/MAP applicants only)

☐ I affirm this certification, assurance, or agreement.

The applicant organization hereby adopts the following policy to promote the involvement of private for-profit transit and para-transit operators in the provision of Section 5310/MAP supported transportation services.

1. **Review of Existing Services.** At least once each year, during the development of the agency's transportation budget and service plan, services will be reviewed to determine if they can be more efficiently provided by the private sector. This review will consider the present cost of providing transportation service, available rates from private for-profit operators, the experience and capabilities of private for-profit operators and other factors relevant to the agency's transportation service.
2. **Consultation with Private Sector Providers.** For-profit transit and para-transit operators will be encouraged to participate in any advisory committees or planning groups which the agency oversees. The views and capabilities of private sector providers in the area will also be sought in the development of any new transportation services.
3. **Barriers to Private Participation.** If, in attempting to promote the involvement of the private sector, state or local impediments to competition by private providers is discovered, the agency agrees to bring these barriers to the attention of appropriate public officials and to encourage adjustments to regulations or existing service requirements in order to permit private carriers to participate in the program.
4. **Complaint Procedure.** The agency agrees to designate one staff person and at least one member of its Board of Directors who will be involved in reviewing and resolving conflicts and complaints from private transportation providers.

Documentation. Public records will be maintained that document complaints received, meetings held to resolve complaints, and other procedures and efforts

made to obtain private sector participation, and the rationale used in making decisions.

38) Disadvantaged Business Enterprise (DBE) (All federal grant applicants, excluding those solely applying for rolling stock that is to be purchased by MassDOT)

☐ I affirm this certification, assurance, or agreement.

1. All sub-recipients must follow the requirements of 49 CFR 26 and must submit a DBE Implementation Plan to MassDOT.
2. MassDOT will ensure sub-recipients comply with all DBE requirements.
3. ***Non-discrimination clauses in contracting*** – Each contract a sub-recipient signs with a contractor must include a non-discrimination assurance as required by 49 CFR 26.13. (must be included in contract between sub-recipient and contractor)
4. ***Prompt payment procedures to subcontractors*** – All subcontractors must be paid within 30 days of payments to the prime for work completed by subcontractors as stipulated by 49 CFR 26.29. (must be included in contract between sub-recipient and contractor)

Appendix D: Sample MassDOT Contract

This form is jointly issued and published by the [Executive Office for Administration and Finance \(ANF\)](#), the [Office of the Comptroller \(CTR\)](#) and the [Operational Services Division \(OSD\)](#) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under [Guidance For Vendors - Forms](#) or www.mass.gov/osd under [OSD Forms](#).

CONTRACTOR LEGAL NAME: (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: MMARS Department Code:	
Legal Address: (W-9, W-4,T&C):		Business Mailing Address:	
Contract Manager:		Billing Address (if different):	
E-Mail:		Contract Manager:	
Phone:	Fax:	E-Mail:	
Contractor Vendor Code:		Phone:	Fax:
Vendor Code Address ID (e.g. "AD001"): AD . (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s):	
		RFR/Procurement or Other ID Number:	
<p align="center">NEW CONTRACT</p> <p>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</p> <p><input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department)</p> <p><input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget)</p> <p><input type="checkbox"/> Department Procurement (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation)</p> <p><input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget)</p> <p><input type="checkbox"/> Contract Employee (Attach <u>Employment Status Form</u>, scope, budget)</p> <p><input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)</p>		<p align="center">CONTRACT AMENDMENT</p> <p>Enter Current Contract End Date <i>Prior</i> to Amendment: , 20 .</p> <p>Enter Amendment Amount: \$. (or "no change")</p> <p>AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.)</p> <p><input type="checkbox"/> Amendment to Scope or Budget (Attach updated scope and budget)</p> <p><input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget)</p> <p><input type="checkbox"/> Contract Employee (Attach any updates to scope or budget)</p> <p><input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification and updated scope and budget)</p>	
<p>The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract.</p> <p><input type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services</p>			

Appendix E: List of Regional Planning Agencies

Berkshire Regional Planning Commission

1 Fenn Street, Suite 201
Pittsfield, Massachusetts 01201 - 6229
Nathaniel Karns, Executive Director
Cletus Kus, Transportation Program Manager
Phone: (413) 442 - 1521
Fax: (413) 442 - 1523
Website: www.BerkshirePlanning.org
Email: nkarns@berkshireplanning.org
ckus@berkshireplanning.org

Cape Cod Commission

P O Box 226
Barnstable, Massachusetts 02630
Paul Niedzwiecki, Executive Director
Glenn Cannon, Transportation Program Manager
Phone: (508) 362 - 3828
Fax: (508) 362 - 3136
Website: www.capecodcommission.org
www.gocapecod.org
Email: pniedzwiecki@capecodcommission.org
gcannon@capecodcommission.org

Central Massachusetts Regional Planning Commission

2 Washington Square – Union Station
Worcester, Massachusetts 01604 – 4016
Lawrence Adams, Executive Director
Mary Ellen Blunt, Transportation Program Manager
Phone: (508) 756 – 7717
Fax: (508) 792 – 6818
Website: www.cmrpc.org
Email: ladams@cmrpc.org
mblunt@cmrpc.org

Franklin Regional Council of Governments

Court House
425 Main Street
Greenfield, Massachusetts 01301
Linda Dunlavy, Executive Director
Maureen Mullaney, Transportation Program Manager
Phone: (413) 774 - 1194 (MM), (413) 774 – 3167 (LD)
Fax: (413) 774 – 1195
Website: www.frcog.org
Email: lindad@frcog.org
trans@frcog.org

Martha's Vineyard Commission

P O Box 1447
Oak Bluffs, Massachusetts 02557
Mark London, Executive Director
Priscilla Leclerc, Senior Transportation Planner Phone: (508) 693 – 3453
Fax: (508) 693 – 7894
Website: www.mvcommission.org
Email: London@mvcommission.org
Leclerc@mvcommission.org

Merrimack Valley Planning Commission

160 Main Street
Haverhill, Massachusetts 01830
Dennis DiZoglio, Executive Director
Anthony Komornick, Transportation Program Manager
Phone: (978) 374 – 0519
Fax: (978) 372 – 4890
Website: www.mvpc.org
Email: ddizoglio@mvpc.org
akomornick@mvpc.org

Metropolitan Area Planning Council

60 Temple Place
Boston, Massachusetts 02111
Marc Draisen, Executive Director
Eric Bourassa, Transportation Program Manager
Phone: (617) 451 – 2770
Fax: (617) 482 – 7185
Website: www.mapc.org
Email: mdraisen@mapc.org
ebourassa@mapc.org

Montachusett Regional Planning Commission

1427R Water Street
Fitchburg, Massachusetts 01420
Glenn Eaton, Executive Director
Brad Harris, Transportation Program Manager
Phone: (978) 345 – 7376
Fax: (978) 345 – 2490
Website: www.mrpc.org
Email: geaton@mrpc.org
bharris@mrpc.org

Nantucket Planning and Economic Development Commission

2 Fairgrounds Road
Nantucket, Massachusetts 02554
Andrew Vorce, AICP, Executive Director
Michael Burns, AICP, Transportation Program Manager
Phone: (508) 228 – 7237
Fax: (508) 228 – 7236
Website: http://www.nantucket-ma.gov/Pages/NantucketMA_Planning/npedc

Email: avorce@nantucket-ma.gov
mburns@nantucket-ma.gov

Northern Middlesex Council of Governments

40 Church Street - #200
Lowell, Massachusetts 01852
Beverly Woods, Executive Director
Justin Howard, Transportation Program Manager
Phone: (978) 454 – 8021
Fax: (978) 454 – 8023
Website: www.nmcog.org
Email: bwoods@nmcog.org
jhoward@nmcog.org

Pioneer Valley Planning Commission

60 Congress Street
Springfield, Massachusetts 01104-3419
Timothy Brennan, Executive Director
Dana Roscoe, Transportation Program Manager
Phone: (413) 781 – 6045
Fax: (415) 732 – 2593
Website: www.pvpc.org
Email: tbrennan@pvpc.org
droscoe@pvpc.org

Old Colony Planning Council

70 School Street
Brockton Massachusetts 02301
Pasquale Ciaramella, Executive Director
Charles Kilmer, Transportation Program Manager
Phone: (508) 583 – 1833
Fax: (508) 559 – 8768
Website: www.ocpcrpa.org
Email: pciaramella@ocpcrpa.org
ckilmer@ocpcrpa.org

Southeastern Regional Planning and Economic Development District

88 Broadway

Taunton, Massachusetts 02780

Stephen Smith, Executive Director

Paul Mission, Transportation Program Manager

Phone: (508) 824 – 1367

Fax: (508) 823 – 1803

Website: www.srpedd.org

Email: ssmith@srpedd.org

pmision@srpedd.org