

**Application for CY 2012
Federal Capital Assistance
Under 49 U.S.C. § 5311 –
(Section 5311 Program)
for
Small Urban and Rural
Public Transit Systems**



**2012
APPLICATION BOOKLET**

**Wisconsin Department of Transportation
Issued August 2011
<http://www.dot.wisconsin.gov/localgov/transit/ruralsmall.htm>**

ALTERNATIVE ACCESSIBLE FORMATS OF THIS DOCUMENT WILL BE PROVIDED UPON REQUEST

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PART I - INTRODUCTION

The Federal Transit Act, as amended, authorizes a program of Federal financial aid for operating assistance and capital grant projects for public transportation programs in rural and small urban areas. Known as the Section 5311 program, it is designed to enhance access of people in non-urbanized areas (i.e., areas with a population of less than 50,000) for purposes such as health care, shopping, education, recreation, public service, and employment, by encouraging the maintenance, development, improvement, and use of public transportation services. Most public transportation services in non-urbanized areas are potentially eligible for Federal aids under Section 5311.

In Wisconsin, the Department of Transportation (WisDOT) has been designated by the Governor as the state agency responsible for administering the Section 5311 program. WisDOT administers the Section 5311 program by state administrative code, Trans 6 – Rural and Small Urban Area Public Transportation Assistance Program. You can view Wis. Admin. Code Trans 6 online at: <http://www.legis.state.wi.us/rsb/code/trans/trans006.pdf>.

This booklet describes application information required for all 2012 capital grants under the Section 5311 program. The instructions contained herein have been prepared to ensure conformity with federal and state laws and regulations.

This booklet reflects some changes from previous versions:

- Agencies no longer have to send copies of the application to regional offices of WisDOT.
- The wording of the sample lease has been changed to prohibit the use of state and Federal operating funds to pay the local share of capital purchases.
- Redundant certifications and assurances have been removed.
- Contact information for regional planning commissions, area agencies on aging and the Wisconsin Department of Health Services has been updated.

APPLICATIONS MUST BE SUBMITTED TO THE BUREAU OF TRANSIT, LOCAL ROADS, RAILROADS AND HARBORS BY OCTOBER 15, 2011.

AN OPPORTUNITY FOR A PUBLIC HEARING MUST BE PUBLICIZED PRIOR TO SUBMISSION OF THE APPLICATION (see Exhibit H)

There is a separate **operating assistance** application for transit systems wishing to apply for federal (“Section 5311 program”) and/or State (“85.20 program”) operating assistance. This application is available electronically at: <http://www.dot.wisconsin.gov/localgov/transit/ruralsmall.htm>. Operating assistance applications are also due on October 15, 2011.

Statement of Non-Discrimination

It is the policy of the Wisconsin Department of Transportation (WisDOT) to ensure full compliance with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities.

Title VI and related statutes require that no person in the United States shall, on the grounds of race, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

Any person who believes that, in the course of business with a WisDOT program or service, he or she or any specific class of persons or entity has been subject to discrimination or retaliation prohibited by any of the federal or state Civil Rights statutes or common law principles, based upon race, color, national origin, sex, age or disability, may file a complaint. For more information, please see the WisDOT web site at <http://www.dot.wisconsin.gov/business/civilrights/complaint.htm>

or contact the WisDOT Title VI Officer, Wisconsin Department of Transportation, Civil Rights Compliance, 4802 Sheboygan Avenue, Room 451, PO Box 4765, Madison, WI 53707, 608-266-0208

PART II - CAPITAL GRANT PROGRAM INFORMATION

A. PROGRAM OBJECTIVES

The Section 5311 capital grant program is designed to assist providers of public transportation in small urban and rural areas in their acquisition of capital equipment and facilities. Such capital projects must fulfill the goals of the Section 5311 program: to enhance access of people in non-urbanized areas for purposes such as health care, shopping, education, recreation, public service, and employment by encouraging maintenance, development, improvement, and use of public transportation services.

B. ELIGIBLE APPLICANTS

Eligible applicants for Section 5311 capital grants are:

- (1) Counties, municipalities or towns, or agencies thereof; or
- (2) Transit or transportation commissions or authorities and public corporations established by law or by interstate compact to provide mass transportation services and facilities; or,
- (3) Two or more of any such bodies acting jointly under s. 66.30 Wis. Stats.; or,
- (4) Native American tribes.

If more than one public body financially participates in the project, only one body should submit the application on behalf of all participating bodies. Title to any capital equipment provided under Section 5311 **MUST** reside with a public body.

C. ELIGIBLE PROJECTS

Capital grant projects under the Section 5311 program are eligible for funding if the service the capital equipment or facilities are to be used for meets the following criteria:

1. The project must be for passenger transportation service in a non-urbanized area. Examples of eligible projects include:
 - Service intended to transport rural residents to a small urban or urbanized area.
 - Service intended to transport passengers around the rural area.
 - Service intended to transport passengers within a small urban area (under 50,000 in population).
 - Service between urbanized areas which serves at least one stop outside an urbanized area.
 - NOTE: Service intended to transport urbanized area residents to the rural area is not eligible for Section 5311 assistance.
2. The applicant must have the necessary authority to provide the transportation service for which the capital equipment will be used.
3. The project may be an entire public transit system, or an individual route or route segment.
4. The transportation service must be open to the general public. Service provided exclusively for a

particular subgroup of the general public (e.g., elderly, disabled, schoolchildren) is not eligible for 5311 funding.

5. The transportation service must be provided on a regular and continuing basis.
6. Fares must be collected for the transportation service in accordance with established tariff schedules.
7. The transportation service may be provided by bus, rail, shared-ride taxi, or other conveyance.
8. A public body must hold title to any capital equipment provided under the application.
9. Capital equipment provided may not be used to provide charter or sightseeing services unless private operators are not willing and able to provide charter or sightseeing services.
10. Capital equipment provided may not be used to engage in school bus operations exclusively for the transportation of students and school personnel in competition with private school bus operators. Vehicles must remain open to the public at all times and be clearly marked for public use.
11. The applicant for the project must provide assurances that the local share of the project funding is available.
12. The applicant must provide assurances that the project meets all requirements described in the various exhibits under the application procedures.
13. Capital equipment is defined as items which have an initial cost of at least \$1,000 and have an expected useful life exceeding one year. Combining several items of a similar nature to reach the \$1,000 threshold is not permitted under this application.
14. Leased buildings, vehicles, or equipment should be included as costs in the 5311 Operating Assistance grant in Exhibit F under "Leases and Rentals." All assets with an original cost of less than \$1,000 should not be capitalized. Items of less than \$1,000 should be expensed at the time of purchase.

D. ADA REQUIREMENTS

The Americans with Disabilities Act generally requires that vehicles purchased after August 25, 1990 be accessible. An applicant must purchase accessible vehicles or certify that the system, when viewed in its entirety, provides equivalent service to persons with disabilities. (See Attachment K-11).

E. PROJECT FUNDING

Regular Funding Option

Capital project funding is shared by the Federal government and the applicant. Section 5311 funds are the Federal share, while all remaining funds are considered the local share. The local

share may be provided by unrestricted funds from other Federal programs or sources other than Federal funds. Grant year passenger revenues must be applied to operating expenses, and may not be used as part of the local share.

The Federal share (Section 5311) of the project costs shall not exceed 80%, except that the Federal share of vehicle-related equipment required by the Clean Air Act or the Americans with Disabilities Act of 1990 may be funded at 90% of the net project cost of such equipment. To request that your capital projects be funded with 5311 funding, please fill out the 5311 Capital Request, Spreadsheet A.

It is the responsibility of the applicant to provide for the local share. No Section 5311 capital funds will be granted without local share. Applicants must ensure that the requisite amount of local share is available, and should do so by attaching a portion of the municipality's budget request which includes the requested 5311 Capital item as part of the municipal budget, or providing similar documentation such as a formal resolution from the City or County Council. *A third-party transit contractor who receives payments from a 5311 Operating Assistance grant recipient cannot contribute to the local share of a 5311 Capital item intended for that same grant recipient.*

F. OTHER PROGRAM INFORMATION

1. Equipment Ownership and Disposal - All capital equipment provided with Section 5311 grants must be titled to a public body or its agency. The equipment may not be transferred or sold without the written approval of WisDOT.
2. Insurance - Federal and state interest in equipment requires that the grant recipient obtain property damage insurance covering 100% of the market value of the equipment, facility or vehicle(s) purchased with this grant.
3. Financial Records - The applicant must also maintain financial records as required by WisDOT, which shall be subject to audit.
4. Maintenance Requirements - All Federally-funded capital equipment and facilities must be maintained in good operating order. Federal maintenance requirements include adherence to manufacturer's recommended maintenance schedules, use of specific maintenance schedules, documentation of maintenance activities, and proper maintenance of ADA-related equipment. The Federal Transit Administration also requires a written maintenance plan. WisDOT shall conduct reviews of each applicable maintenance program for transit systems with Federally-funded equipment and facilities, and will evaluate the written maintenance plan and records as part of this process.

PART III - PROGRAM PROCESS AND SCHEDULE

Applicants who wish to participate in the 2012 capital grant program under Section 5311 must prepare a completed application as described in Part IV of this booklet.

One original and four copies of the application, including Attachment A should be prepared:

- * The original hard copy of the application should be sent to the Bureau of Transit, Local Roads, Railroads and Harbors (BTLR) as follows:
Wisconsin Department of Transportation
Bureau of Transit, Local Roads, Railroads and Harbors
PO Box 7913
Madison WI 53707-7913
Attn: 5311 Program Manager
- * An electronic copy of Attachment A should be sent to Ian Ritz at ian.ritz@dot.wi.gov.
- * One copy should be sent to the appropriate Regional Office of the Office of Strategic Finance, Wisconsin Department of Health Services for review and comment (see Appendix A).
- * One copy should be sent to the appropriate Area Agency on Aging for review and comment (see Appendix B).
- * One copy should be sent to the appropriate regional planning commission for review and comment (see Appendix C).
- * One copy should be retained by the applicant.

THE DEADLINE FOR SUBMITTAL OF THE APPLICATION TO WisDOT AND OUTSIDE REVIEW AGENCIES IS OCTOBER 15, 2011.

WisDOT will review the applications upon receipt. The Department reserves the right to reject applications for the following reasons:

- (a) The proposed project is not consistent with the intent of the Section 5311 program;
- (b) Lack of Federal funds;
- (c) Incomplete application; or,
- (d) The proposed project is not effective and efficient when compared to projects of a similar type.

WisDOT will also give due consideration to the comments of the outside review agencies. These agencies have 45 days from the time of submittal of the application to BTLR to respond.

WisDOT will forward a statewide Section 5311 grant application to the Federal Transit Administration (FTA) for its approval in 2012. Simultaneously, the Department will forward the grant application to the U.S. Department of Labor for their review of the labor protection provisions.

Upon FTA's approval of the application WisDOT will notify all applicants and execute a contract for fulfilling the provisions of the grant. **Applicants should not proceed with the purchase of capital equipment until a grant agreement between WisDOT and the applicant has been executed. Any capital items purchased prior to the execution or term of a grant agreement, may not be eligible for reimbursement.**

PART IV - APPLICATION FORMAT

All applicants for capital grants under Section 5311 must complete and submit the following information to the Wisconsin Department of Transportation by October 15, 2011.

Application Contents and Checklist:

Letters of Transmittal

- Original Letter to BTLRH
- Copy of letter to Wisconsin Department of Health Services
- Copy of letter to Area Agency on Aging
- Copy of letter to Regional Planning Commission, if necessary.

Exhibit A - Project Description, Justification, and Financing

- Including Attachment A

Exhibit B - Public Transportation System Description – only required if the specific applicant is not applying for 5311 operating funds for 2012.

Exhibit C - 2012 Vehicle Descriptions – An aid to recipients providing estimated types and costs of vehicles available under the 2012 WisDOT vehicle contract.

Exhibit D - Vehicle Lease – only required if applicant will lease vehicles or other capital equipment to an entity outside of applicant.

Exhibit E - Project Coordination – not required if applicant has submitted this exhibit as part of application for 5311 operating funds for 2012.

Exhibit F - Public Involvement

- Including Exhibits F-1 and F-2

Exhibit G - Use of Project Equipment and Facilities

Exhibit K - Federal Assurances and Certifications

Exhibit P- Labor Protections

Please note: there are no Exhibits H, I, J, L, M, N or O.

The following pages detail the information required in each exhibit. If you have any questions, please contact Ian Ritz, Bureau of Transit, Local Roads, Railroads and Harbors (BTLR) at the Wisconsin Department of Transportation (WisDOT) at BTLR, (608) 267-6680 or ian.ritz@dot.wi.gov.

LETTERS OF TRANSMITTAL

Having completed all of the required exhibits, the applicant must forward the application to the Bureau of Transit, Local Roads, Railroads and Harbors and the required review agencies. Three types of letters of transmittal will be required. Copies of each of the transmittal letters should be included in the application. The content of each letter is described below:

Letter to the Bureau of Transit, Local Roads, Railroads and Harbors

1. Name of applicant.
2. The total amount of the capital grant.
3. A brief description of the capital equipment requested under the grant.
4. Name of public body which will hold title to the capital equipment.
5. A statement and documentation assuring that the local share is available.
6. A statement assuring that the information contained in the application is true and correct.
7. Name of contact person for further information.

The letter should be signed by the chief elected or administrative officer of the organization or public body. An example of the letter follows.

Letter to the Regional Planning Commission

1. Name of applicant.
2. A request that your regional planning commission review of the project and that comments be forwarded to the Bureau of Transit, Local Roads, Railroads and Harbors - Public & Specialized Transit Section with a copy to the applicant. If no regional planning commission exists, this letter does not need to be sent.
3. An indication of which other agencies have review copies of the application.
4. A statement that this procedure applies for Section 5311 applications.
5. Name of the contact person for further information.

The letter should be signed by the chief elected or administrative officer of the organization or public body. An example of this letter is found in Appendix C.

Letters to the Review Agencies

1. Name of applicant.
2. A request that the agency review the application and forward the comments to the Bureau of Transit, Local Roads, Railroads and Harbors - Public & Specialized Transit Section - with a copy to the applicant.
3. The name of a contact person for further information.

The letter should be signed by the chief elected or administrative officer of the organization or public body. Examples of these types of letters are found in Appendix A and B.

Example Letter to the Bureau of Transit, Local Roads, Railroads and Harbors

(Date)

Section 5311 Program Manager
Bureau of Transit, Local Roads, Railroads and Harbors
Wisconsin Department of Transportation
Public & Specialized Transit Section
P. O. Box 7913
Madison, WI 53707-7913

Greetings:

The (Name of Applicant) hereby requests a capital grant of \$_____ under Section 5311 of the Federal Transit Act, to assist in the financing of the capital equipment described below:

(List of Capital Equipment)

Ownership of the equipment purchased with this grant will be entitled to
(Name of Public Body).

Insert one of the following paragraphs as appropriate:

The applicant assures that the local share of funding for this project is available. We understand that the applicant is responsible for the local share, and has committed to contributing the local share by (give example, such as budget line item or Common Council resolution).

The applicant represents that the information submitted to the Wisconsin Department of Transportation as part of this application is true and correct.

If you need further information, please contact (Name of Contact Person) at (Telephone Number).

Sincerely,

(Name and Title of the Chief Elected or Administrative Officer of Applicant)

EXHIBIT A - PROJECT DESCRIPTION, JUSTIFICATION, AND FINANCING

1. Project Description

This exhibit should include a list of the facilities and equipment requested under the application, a description of each, and the quantity requested. Reimbursement will be made for no more than the quantity indicated.

Equipment to be purchased under a capital grant must exceed \$1,000 in total cost. Items under \$1,000 are regarded as expense items and should be part of an operating grant application. Capital applications that combine several unrelated items to reach the \$1,000 threshold will be rejected.

If a two-way communication system is part of the project, the applicant is responsible for determining what equipment is needed to produce a workable system. The determination should be accomplished prior to the application and should include the equipment specifications and estimated costs.

Construction projects should reflect estimated construction costs. Land which will be used as an in-kind contribution toward the local share should be listed as a separate item. If land is used as in-kind match, it must be valued at an approved appraised value. A general site plan including floor space usage must be submitted with any facility construction application.

Architect/engineer fees should be shown as a separate item.

2. Transit System Description

This exhibit must describe the public transportation service for which this capital equipment will be used.

3. Project Justification

The exhibit must address why the capital improvement is needed to provide the intended service. The exhibit should address the project's impact upon maintaining or increasing ridership both immediately (within one year) and in the longer term (2-4 years). Any service level changes as a result of the project, and their effects on those dependent on public transportation, should be identified. Include such information as hours of operation, routes, passengers served, total population of service area, as well as the benefits of the service and capital equipment.

ATTACHMENT “A”
ITEMIZED EQUIPMENT LIST AND BUDGET
Regular 5311 Capital Request Spreadsheet

Attachment A is in Microsoft Excel format as an attachment to this application. It functions as a tool for the applicant to itemize desired capital purchases, estimate costs per capital unit, and calculate total local share.

Please note that the spreadsheets accommodates WisDOT’s database, and all capital items are now named according to Federal standards. Each capital item also has an Activity Line Item (ALI) code that will automatically populate the spreadsheet once a capital item is selected. In order to enter a capital item, as noted on the spreadsheet, hit the “select” button and choose the item your system wants to procure.

This itemized capital request for 2012 should match the list specified in Exhibit J of your 2012 operating assistance application.

5311 Capital Project funding

Capital project funding is shared by the Federal government and the applicant. Section 5311 funds are the Federal share, while all remaining funds are considered the local share. The local share may be provided by unrestricted funds from other Federal programs or sources other than Federal funds. Grant year passenger revenues must be applied to operating expenses, and may *not* be used as part of the local share.

The Federal share (Section 5311) of the project costs shall not exceed 80%, except that the Federal share of vehicle-related equipment required by the Clean Air Act or the Americans with Disabilities Act of 1990 may be funded at 90% of the net project cost of such equipment. It is the responsibility of the applicant to provide for the local share, and to document the commitment of local share. No Section 5311 capital funds will be granted without local share. To request that your capital projects be funded with regular 5311 funding, fill out the Regular 5311 Capital Request, Spreadsheet A.

EXHIBIT B - PUBLIC TRANSPORTATION SYSTEM DESCRIPTION

IF THE APPLICANT IS APPLYING FOR 2012 SECTION 5311 OPERATING ASSISTANCE FUNDS, ATTACHMENT B NEED NOT BE COMPLETED.

This exhibit should provide a current description of the public transportation provider that will utilize the capital equipment described in this application. Include such information as the ownership of the transit provider, a roster of the current rolling stock including such information as quantity, manufacturer, year of manufacture, model numbers, capacity, and condition.

This exhibit should also describe the current service provided. Include such information as routes, mileage, hours, headways, fares, ridership history, and population in the service area.

All other providers of mass transportation in the applicant's service area must be identified, along with a brief description of the service characteristics of each. Include such items as type of service (fixed-route, demand- responsive, etc.), routes, hours of operation, and fares.

ATTACHMENT B

IF THE APPLICANT HAS APPLIED FOR 2012 SECTION 5311 OPERATING ASSISTANCE FUNDS, ATTACHMENT B NEED NOT BE COMPLETED.

2012 Capital Applicant _____

Projected 2012

1. OPERATING EXPENSES

A.	Labor	\$ _____
B.	Fringe Benefits	\$ _____
C.	Services	\$ _____
D.	Materials and Supplies	\$ _____
E.	Utilities	\$ _____
F.	Casualty and Liability Costs	\$ _____
G.	Taxes	\$ _____
H.	Purchased Transportation Service	\$ _____
I.	Miscellaneous Expenses	\$ _____
J.	Leases and Rentals	\$ _____
	TOTAL	\$ _____

2. OPERATING REVENUES

A.	Passenger Revenue	\$ _____
B.	Freight Revenue	\$ _____
C.	Station Revenue	\$ _____
	TOTAL	\$ _____

3. OPERATING DEFICIT

A.	TOTAL OPERATING EXPENSES	\$ _____
B.	TOTAL OPERATING REVENUE	\$ _____
	TOTAL OPERATING DEFICIT	\$ _____

EXHIBIT C - 2012 VEHICLE DESCRIPTIONS

The following list the types of vehicles which will be likely be available on the Wisconsin Department of Transportation's state vehicle contract. This list should be used by 5311 applicants when filling out their application for capital funding for CY 2012. Vehicles will be purchased with standardized specifications.

The above vehicle descriptions are based on information available in late summer of 2011. Because of changes in available equipment, prices and the changing needs of recipients, the vehicles which will be bid on later in 2011 may differ from this list, and prices may also change. We will notify applicants of the finalized prices and selection of vehicles as soon as it is available.

Vehicles are currently available in the following types:

- Mini-Van – This is a five passenger minivan equipped with taxi package. It is not an accessible vehicle, and is primarily used by shared-ride taxi systems. It should not be the only vehicle in a fleet supported by state and federal transit funds.
- Mini-Van (Rear and Side Loading) - with lowered floor conversion and an access ramp, seating up to 4 ambulatory passengers and having 1 wheelchair position.
- Mini-bus, Non-accessible - narrow body mini-bus with entry door, seating approximately 12 ambulatory passengers [12/0]. Available with diesel or gas power. (Note: diesel may be available.)
- Mini-bus, Accessible - mini-bus with entry door and wheelchair lift, seating up to 7 ambulatory passengers, and having 1 wheelchair securement position. [7/1]. Available with dual wheels or single rear wheels and with conventional or fiberglass bodies. Available with diesel or gasoline power. (Note: diesel may be available.)
- Medium bus, Accessible - seating up to 10 ambulatory passengers with 2 wheelchair positions [10/2]. Ambulatory seating for up to 6 additional passengers is available on fold-away seats used when wheelchair securements are not in use. Available in conventional and fiberglass body construction with gas, diesel and hybrid power available. (Note: diesel may not be available.)
- Large size bus, Accessible - seating approximately 20 ambulatory passengers and 2 passengers using wheelchairs [20/2], plus up to 6 additional seated passengers on fold-away seats when wheelchair securements are not in use. Available with conventional or fiberglass body and with diesel or hybrid power. (Note: diesel may not be available.)



Lowered-floor Mini Van



Mini bus, accessible



Medium Bus	Large Bus
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	Vehicle Type	Seating	Gas/Diesel Hybrid	Estimated Cost
	Mini-Van, Non-accessible	5/0	Gas	\$25,920
	Mini-Van (Rear- and Side-Loading), Lowered Floor with Ramp	4/1	Gas	\$38,340
	Mini-Bus, Non-accessible	12/0	Gas	\$41,040
		12/0	Diesel	\$48,276
	Mini-Bus, Accessible, dual wheels	7/1	Gas	\$44,280
		7/1	Diesel	\$51,300
	Mini-Bus, Accessible, single rear wheels	7/1	Gas	\$44,280
	Medium Bus, Accessible	10/2	Gas	\$54,000
		10/2	Diesel	\$61,020
		10/2	Hybrid	\$112,320
	Large Bus, Accessible	20/2	Diesel	\$85,320

NOTE: The estimated costs show the full cost of the vehicles, including ADA modifications.

EXHIBIT D - VEHICLE LEASE

If the applicant local public body intends to lease any vehicles applied for to a contracted service provider (e.g., a private provider, a unit of government other than applicant), a draft lease agreement must be submitted with this application. A sample lease agreement is shown below. While the draft agreement need not be identical to the sample, it must contain the basic provisions shown in the sample.

SAMPLE VEHICLE LEASE

WHEREAS, the City of _____ purchased a vehicle with a grant from the "Section 5311" Program of the Federal Transit Administration (FTA); and

WHEREAS, it is proposed that said vehicle be leased from the City of _____ by _____ located in the City of _____, Wisconsin, and operated by said Lessee under the terms of certain licenses granted by the City and its agreement to provide _____ service dated _____, 20____, copies of which documents are attached hereto and incorporated herein by reference.

NOW, THEREFORE, it is agreed by and between the City of _____, as Lessor and _____ as Lessee, as follows:

The Lessor shall and does hereby lease the following vehicle to the Lessee for a period of ____ year(s), commencing _____, 20____,

Year	Make	Model	VIN Number
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on the following terms and conditions:

1. Lessee shall lease said vehicle and operate the same in accordance with its authority to operate _____ service in the City of _____ and surrounding area pursuant to the licenses and agreement set forth therein, copies of which are attached hereto and incorporated herein by reference.
2. Title to the vehicle shall be in the name of the City of _____ with _____ named on the registration as Lessee. The Lessee may not sublease this vehicle.
3. The vehicle shall only be used by the Lessee for the purpose of providing public transit service in accordance with its operating assistance contract referred to above.
4. Lessee shall not be charged more than \$1 for use of municipal vehicles or other equipment. **No Section 5311 operating assistance funds nor state operating assistance funds can be used for lease payments on vehicles purchased with 5311 Capital Assistance.**
5. The Lessee shall immediately notify the City if the vehicle is no longer used in the provision of _____ service. The Lessee shall also keep satisfactory records with regard to the use of the equipment and submit to the City upon request such information

as may be required by the City to assure compliance.

6. The Lessee shall perform preventive maintenance on the vehicle and any Americans with Disabilities Act- accessibility equipment at a level no less than the manufacturer's recommended specifications. The vehicle shall be maintained in accordance with the maintenance plan filed with WisDOT.
7. The Lessee shall make the vehicle available to the Wisconsin Department of Transportation (Department) and the City upon demand for the purpose of an annual verification or other inspections deemed necessary by the Department or City.
8. A certificate of insurance for each of the following coverages shall be filed with the City Clerk prior to any operation of said vehicle:
 - (a) the vehicle shall be insured for damage or loss from fire, theft, collision, and shall contain a comprehensive damage provision.
 - (b) the vehicle shall be insured for liability for personal injury and property damage for not less than \$1,000,000 combined single limit policy. The City shall be named co-insured.
 - (c) the collision insurance shall provide for a deductible of not more than \$250.
 - (d) the Lessor shall be named as an additional insured on the liability policy and all other policies shall contain a provision providing for loss to be payable to the Lessor as its interest may appear.
9. In the event of a default on the part of the Lessee in the payment of its lease required hereunder, or by its failure to perform any of its other obligations under this agreement, the Lessor may, at its option, declare this lease terminated and may take immediate possession of the vehicle leased hereunder, without notice.

This agreement shall extend to and be binding upon the parties hereto and their respective successors and assigns.

Lessor _____

Lessee _____

By _____
Name Title

By _____
Name Title

Attest _____
Name Title

EXHIBIT E - PROJECT COORDINATION

IF THE APPLICANT HAS APPLIED FOR 2012 SECTION 5311 OPERATING ASSISTANCE FUNDS, EXHIBIT E NEED NOT BE COMPLETED.

Planning for the use of Section 5311 federal aids should go hand-in-hand with coordination between different organizations that provide transportation services.

This exhibit describes project coordination accomplished with other providers of transportation in the service area and the applicant's efforts to maximize the integration of existing funding sources with funds being applied for under the Section 5311 program. The following items must be included in this exhibit:

1. A list of all other providers of transportation operating in the service area. (Include taxicab systems, inter-city bus operators, and any public or private paratransit system serving the elderly and/or disabled.)
2. A description of efforts that have been made to coordinate with any of the above listed transportation providers. Efforts may include transfer arrangements, coordination of routes to avoid unnecessary duplication of service, coordination of fare structure, etc.
3. A description of efforts made to coordinate with social service agencies in the service area, particularly with those agencies providing services (non-transportation) to low income, elderly, or disabled clientele, and capable of purchasing transportation services. Efforts might include purchase-of-service agreements, establishing routes and schedules based on the transportation needs of agency clients, providing front-door service to the agencies and to traffic generators frequented by their clients (e.g., senior citizen centers, nursing homes, clinics), providing schedules, route maps and other information aids.
4. Identification of any transportation coordinating committees on which you serve. List all members (agencies) that are a part of this committee.

EXHIBIT F - PUBLIC INVOLVEMENT

Title 49 U.S.C. 5323(b) requires applicants:

- (1) to provide an adequate opportunity for public review and comment for a capital project that will substantially affect a community or the public transportation services of a community;
- (2) to provide notice and hold a public hearing on the project if the project affects significant economic, social, or environmental interests;
- (3) to consider the economic, social, and environmental effects of the project; and
- (4) to find that the project is consistent with official plans for developing the community.

The applicant for a capital grant must offer an opportunity for a public hearing on the proposed project **that will substantially affect a community, or the public transportation service of a community**. Examples of such projects include, *but are not limited to*, an increase in fares, a decrease or increase in service hours or routes, virtually any capital building projects, etc. This hearing is to give parties with significant social, economic, or environmental interests an adequate opportunity to publicly present their views on the proposed project.

The applicant shall publish notice of an opportunity for interested persons or organizations to request a public hearing in newspapers of general circulation in the locality, including newspapers oriented to the minority community. This notice shall be advertised at least once, and at least 30 days prior to the hearing date.

The public notice must include a description of the capital project. Attachment F-1 is a sample public notice. The project description for a construction grant must describe: (A) NUMBER OF PERSONS, FAMILIES, OR BUSINESSES DISPLACED BY THIS PROJECT and (B) THE ENVIROMENTAL IMPACT UPON THE SERVICE AREA BY THIS PROJECT.

In addition, a copy of the public notice must be sent to all other providers of "public transportation" in the service area. The term "public transportation" means any transportation by bus, rail, or other conveyance that provides either general or special service to the general public on a regular and continuing basis. "Public transportation" does not include the following: (1) school bus, sightseeing, or charter service; (2) exclusive ride taxi service; and (3) service to individuals or groups which excludes use by the general public.

This exhibit must contain:

- 1) A certified copy of the published notice.
- 2) If a hearing was requested, this exhibit must also contain:
 - A certified transcript of the hearing.
 - A certified copy of the published notice of hearing.
 - A list of public transportation providers and community organizations – including those serving low income and minority individuals – to whom hearing notices were sent.
 - Certification of Public Hearing. (Sample certification is shown in Attachment F-2.)
 - Process used to address the comments received at the hearing.

ATTACHMENT F-1

PUBLIC NOTICE

Notice is hereby given that _____ is applying to the Wisconsin Department of Transportation for a grant in the amount of \$ _____ under Section 5311 of SAFETEA-LU, as amended.

PROGRAM OF PROJECTS

Project Description:

- (1) _____
- (2) _____
- (3) _____
- (4) _____

Project Type: Capital

TOTAL PROGRAMMED: \$ _____

TOTAL FUNDS REQUESTED: \$ _____

Copies of the detailed program of projects are available for public inspection at the offices. Upon written request from interested persons or organizations received prior to _____, the _____ will give public notice of and hold a public hearing on this application. Requests should be addressed to _____.

Notice is further given that the proposed Program of Projects, as shown above, will be the final Program of Projects if no changes are required.

ATTACHMENT F-2

Certification of Public Hearing

 (Applicant) HEREBY CERTIFIES THAT, in the development of this application for mass transportation capital grant under Section 5311 of SAFETEA-LU, as amended, it:

1. Has afforded adequate opportunity for public hearings pursuant to adequate prior notice, and has held such hearings, in accordance with the rules and regulations pertinent to the Section 5311 program.
2. Has considered the economic and social effects of this proposed project and its impact on the environment.
3. Has found that this proposed project is consistent with official plans for the comprehensive development of the urban area.

(Chief Elected or Administrative Official)

By _____

Date _____

EXHIBIT G - USE OF PROJECT EQUIPMENT AND FACILITIES

The applicant must assure that the capital equipment and facilities provided under the grant will be owned by a public body and used in a manner consistent with the public transportation service described in Exhibit A of this application. Further, the applicant must assure that it has or will have, by the time of delivery, sufficient funds to operate and maintain the capital equipment or vehicles financed with Federal assistance. The applicant must also assure that it has sufficient insurance coverage to protect the Federal interest in the vehicles, facilities and equipment being purchased under this grant. The applicant should submit a use assurance statement similar to the one shown below.

USE ASSURANCE STATEMENT

The capital improvements comprising this project will be owned by (name of public body) and are being obtained for use in the provision of the public transportation services described in Exhibit A. The capital improvements will be managed by (name of transit system). It is understood that the grant agreement will contain provisions to insure the continuation of such use during the usable life of the project facilities and that, in the event such facilities are sold or otherwise devoted to another use during their useful life, the (name of public body) may be required to refund a proportionate share of the Federal grant based on the sale proceeds or the market value of the facilities.

Further, the (applicant) assures that it has or will have, by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment financed with Federal assistance awarded for its project. The (applicant) also assures that it has sufficient insurance coverage to protect the Federal interest in the vehicles, equipment or facilities being purchased through this grant.

Name of Applicant: _____

Date: _____

By: _____
(Chief Elected or Administrative Official)

EXHIBIT K - FEDERAL ASSURANCES AND CERTIFICATIONS

This exhibit must contain the following assurances and certifications signed by the legally authorized representative of the applicant: Samples of these required certifications, assurances for 2012 are to be downloaded from the WisDOT web site at <http://www.dot.wisconsin.gov/localgov/transit/ruralsmall.htm>

Exhibit K	Federal Certifications and Assurances
K-1	Standard Assurances
K-2	Nondiscrimination Assurance (<i>includes separate Title VI form</i>)
K-3	Compliance with FTA EEO Policy and Requirements
K-4	Assurance of Nondiscrimination on the basis of disability
K-5	Disadvantaged Business Enterprise (DBE) Assurances
K-5(a)	Disadvantaged Business Enterprise (DBE) Contracting Opportunities
K-6	Lobbying
K-7	Debarment, Suspension, and Other Exclusions
K-8	Protections for Private Transportation Providers
K-9	Charter Service Agreement
K-10	School Transportation Agreement
K-11	Demand Responsive Service
K-12	Intelligent Transportation Systems
K-13	Procurement Compliance
K-14	Public Hearing
K-15	Pre-Award and Post-Delivery Reviews
K-16	Acquisition of Capital Assets by Lease
K-17	Bus Testing
K-18	Buy America

Exhibit P Labor Protection

P-1 Assurance of Compliance with Special Section 5333(b), formerly Section 13 (c), Warranty.

APPENDICES

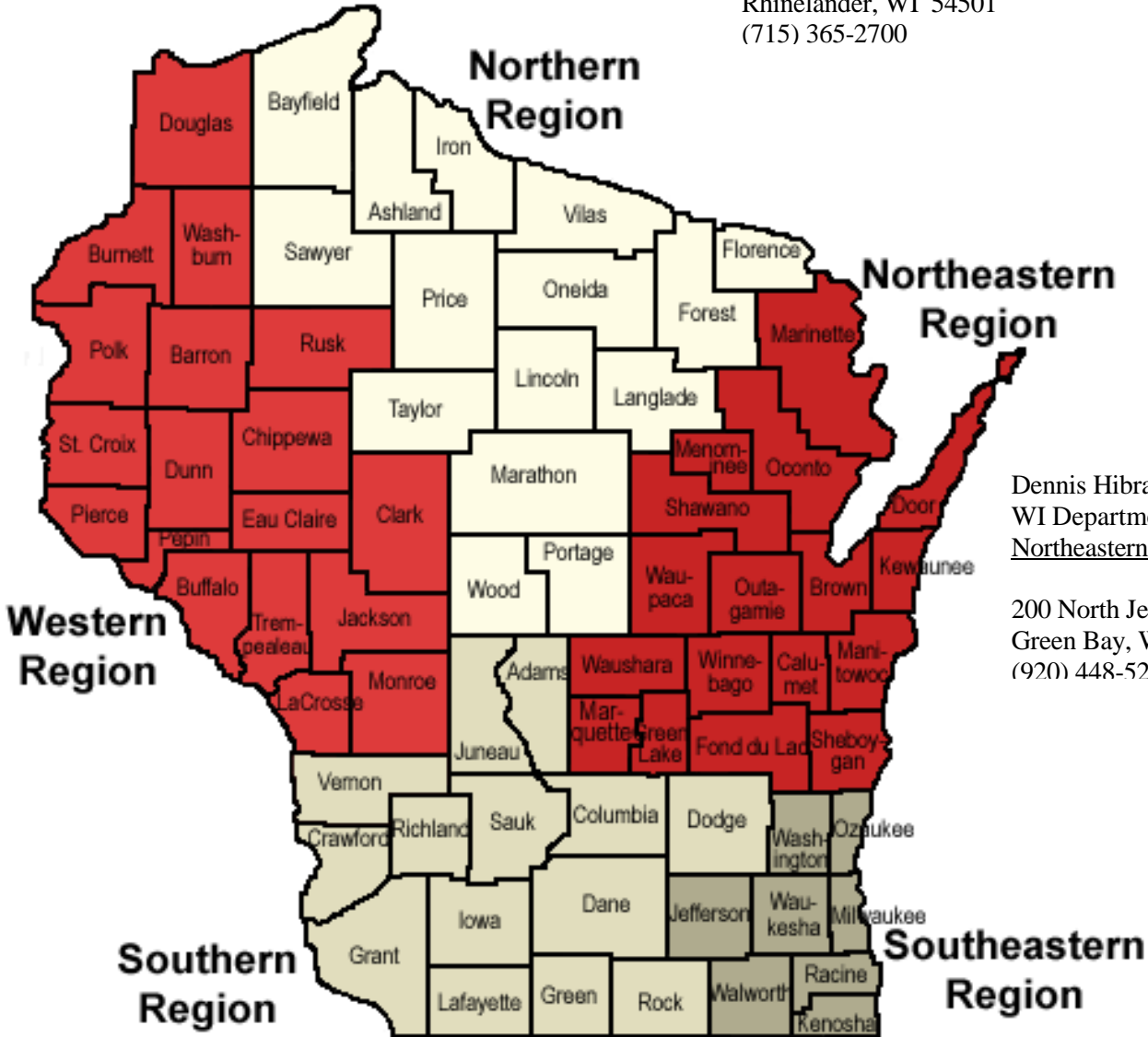
APPENDIX A – Wisconsin Department of Health Services

Elizabeth Giese, Regional Director
 WI Department of Health Services
Western Region

610 Gibson St.
 Eau Claire, WI 54701
 (715) 836-5362

Vacant, Regional Director
 WI Department of Health Services
Northern Region

2187 North Stevens, Suite C
 Rhinelander, WI 54501
 (715) 365-2700



Dennis Hibray, Regional Director
 WI Department of Health Services
Northeastern Region

200 North Jefferson, Suite 411
 Green Bay, WI 54301-5191
 (920) 448-5223

Mary Young, Regional Director
 WI Department of Health Services
Southern Region

1 West Wilson Street, Rm 118
 PO Box 7850 Madison, WI 53704
 (608) 261-3500

Robert L. Harris, Regional Director
 WI Department of Health Services
Southeastern Region

819 N. 6th Street, Room 609-A
 Milwaukee, WI 53203-1697
 (414) 227-4860

(Date)

(Addressee)

(See Appendix A)

Dear _____:

In accordance with Chapter TRANS 6, Wis. Adm. Code, (Name of Applicant) hereby submits for your agency's review this application for a capital grant under Section 5311 of the Federal Transit Act, as amended.

Please forward any comments to Ian Ritz, the Section 5311 Program Manager, Bureau of Transit, Local Roads, Railroads and Harbors at the Wisconsin Department of Transportation at ian.ritz@dot.wi.gov prior to December 1, 2011. In addition, please forward a copy of your review comments to (Name and contact information for applicant's contact person.).

If you need further information, please contact (Name and contact information for applicant's contact person).

Sincerely,

(Name and Title of the Chief Elected or Administrative Officer of Applicant)

APPENDIX B - AREA AGENCIES ON AGING

Dane County Area Agency on Aging

Barbara Thoni
Executive Director
2322 S. Park Street # A
Madison, WI 53713

Milwaukee County Area Agency on Aging

Stephaine Sue Stein
Director
310 W. Wisconsin Ave. #5W
Milwaukee, WI 53203

Greater Wisconsin Agency on Aging Resources – all other counties

Bob Kellerman
Executive Director
1414 MacArthur Road, Suite A
Madison, WI 53714

(Date)

(Addressee)
(See Appendix B)

Dear _____:

In accordance with Chapter TRANS 6, Wis. Adm. Code, (Name of Applicant) hereby submits for your agency's review this application for a capital grant under Section 5311 of the Federal Transit Act, as amended.

Please forward any comments to Ian Ritz, the Section 5311 Program Manager, Bureau of Transit, Local Roads, Railroads and Harbors at the Wisconsin Department of Transportation at ian.ritz@dot.wi.gov prior to December 1, 2011. In addition, please forward a copy of your review comments to (Name and contact information for applicant's contact person.).

If you need further information, please contact (Name and contact information for applicant's contact person).

Sincerely,

(Name and Title of the Chief Elected or Administrative Officer of Applicant)

Appendix C – Regional Planning Commissions

Bay-Lake Regional Planning Commission

(Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Oconto, Sheboygan counties)

Richard Heath, Interim Director

441 South Jackson Street

Green Bay, WI 54301

East Central Wisconsin Regional Planning Commission

(Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara, Winnebago counties)

Eric Fowle, Director

400 Ahnaip Street, Suite 100

Menasha, WI 54952-3100

Mississippi River Regional Planning Commission

(Buffalo, Crawford, Jackson, La Crosse, Monroe, Pepin, Pierce, Trempealeau, Vernon counties)

Gregory Flogstad, Director

1707 Main Street, Suite 240

La Crosse, WI 54601

North Central Wisconsin Regional Planning Commission

(Adams, Forest, Juneau, Langlade, Lincoln, Marathon, Oneida, Portage, Vilas, Wood counties)

Dennis Lawrence, Director

210 McClellan Street, Suite 210

Wausau, WI 54403

Northwest Regional Planning Commission

(Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Washburn, Taylor counties)

Myron Schuster, Director

1400 South River Street

Spooner, WI 54801

Southeastern Wisconsin Regional Planning Commission

(Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, Waukesha counties)

Ken Yunker, Director

W239 N1812 Rockwood Drive

P.O. Box 1607

Waukesha, WI 53188

Southwestern Wisconsin Regional Planning Commission

(Grant, Green, Iowa, Lafayette, Richland counties)

Larry Ward, Director

One University Plaza, Room 719

Platteville, WI 53818

West Central Wisconsin Regional Planning Commission

(Barron, Chippewa, Clark, Dunn, Eau Claire, Polk, St. Croix counties)

Jay Tappen, Director

800 Wisconsin Street, Mailbox #9

Eau Claire, WI 54703-3606

No Commission with the authority to address issues related to Section 5311 Capital Assistance is designated for Columbia, Dane, Dodge, Jefferson, Rock, Sauk counties. No letter should be sent.

Sample Letter to the Regional Planning Commission

(Date)

(Addressee)

(See Appendix C – Regional Planning Commission)

Dear _____:

In accordance with Federal and State regulations, (Name of Applicant) hereby submits this copy of a capital grant under Section 5311 of SAFETEA-LU, for the purposes of providing your staff the opportunity to review the proposed transportation project.

Copies of this information have also been sent to the appropriate:

1. Wisconsin Department of Health Services, Area Administrator
2. Area Agency on Aging

Please note we are requesting you to initiate an intergovernmental review in accordance with Presidential Executive Order E.O. 12372 and implementing regulations at 49 CFR Part 17.

Please forward any comments to Ian Ritz, the Section 5311 Program Manager, Bureau of Transit, Local Roads, Railroads and Harbors at the Wisconsin Department of Transportation at ian.ritz@dot.wi.gov prior to December 1, 2011. In addition, please forward a copy of your review comments to (Name and contact information for applicant's contact person.).

If you need further information, please contact (Name and contact information for Applicant's contact person.)

Sincerely,

(Name of Chief Elected or Administrative Officer of the Applicant)

**Appendix D - Statutes, Regulations, Executive Orders, and Administrative Requirements
Applicable to Section 5311 Program**

STATUTES

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109 – 59, Aug. 10, 2005, 49 U.S.C. Chapter 53, Title 23, United States Code.

49 U.S.C. 5323(a)(1)

- which requires, among other things, the recipient to meet certain requirements when acquiring the property of or interest in a private company or seeking to operate in competition with an existing transportation company.

49 U.S.C. 5323(b)

- which contains public hearing requirements for a capital project that will substantially affect a community or its transit service.

49 U.S.C 5332

- which, among other things, prohibits discrimination on the basis of race, color, creed, national origin, sex or age and prohibits discrimination in employment or business opportunity.

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000(d)

- which, among other things, prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000(e)

- which, among things, prohibits discrimination in employment.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

- which among other things, prohibits discrimination on the basis of handicap.

Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 through 6107

- which, among other things, prohibits discrimination on the basis of age.

18 U.S.C. 1001, and/or The Program Fraud Civil Remedies Act, 31 U.S.C. 3801, et seq.

- which provides sanctions for those who knowingly and willfully provide false information to the federal government.

49 U.S.C. 5323(m) and FTA implementing regulations at 49 CFR Part 663

- which requires pre-award and post delivery reviews when acquiring rolling stock.

49 U.S.C. 5323(d) and FTA implementing regulations at 49 CFR Part 604

- which relates to restrictions on the provision of charter service.

49 U.S.C. 5323(f) and FTA implementing regulations at 49 CFR Part 605

- which contain restrictions on school bus operations.

49 U.S.C. 5333(b)

- which, among other things, contain transit employee protective provisions.

49 U.S.C. 40118 and implementing regulations at 41 CFR Parts 301-310

- which contain “Fly America” Act provisions.

Drug Abuse Office and Treatment Act of 1972, Pub. L. 92-255, March 21, 1972, and amendments thereto, 21 U.S.C. 1174 et seq.

- which, among other things, relates to nondiscrimination on the basis of drug abuse.

Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, Pub. L. 91-616, Dec. 31, 1970, and amendments thereto, 42 U.S.C. 4581 et seq.

- which, among other things, relates to nondiscrimination on the basis of alcohol abuse or alcoholism.

Public Health Service Act of 1912, as amended, 42 U.S.C. 290 dd-3 and 290 ee-3

- which, among other things, relates to confidentiality of alcohol and drug abuse patient records.

Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451, et seq.

- which, among other things, requires assurance of project consistency with the approved state management program developed pursuant to the requirements of the Act.

Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300 h, et seq.

- which, among other things, provides for the protection of underground sources of drinking water.

Endangered Species Act of 1973, as amended, 16 U.S.C. 1531, et seq. and other environmental protections for federal transit programs.

- which, among other things, provide protections for a park, recreation area, or wildlife or waterfowl refuge of national, state or local significance or any land from a historic site of national, state or local significance used in a transit project as required by 49 U.S.C. 303.

Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271, et seq.

- which relates to protecting components of the national wild and scenic rivers system.

National Research Act, Pub. L. 93-348, July 12, 1974, as amended, 42 U.S.C. 289 et seq.

- which provides protection of human subjects involved in research, development and related activities supported by federal assistance.

Laboratory Animal Welfare Act of 1966, as amended, 7 U.S.C. 2131, et seq.

- which, among other things, regulates the care, handling and treatment of warm blooded animals held for research, teaching or other activities supported by FTA assistance.

Single Audit Act Amendments of 1966, 31 U.S.C. 7501, et seq.

- which requires the performance of financial and compliance audits.

Privacy Act of 1974, 5 U.S.C. 552

- which, among other things, restricts access to drug and alcohol records of individuals.

Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101, et seq.

- which, among other things, prohibits discrimination on the basis of disability.

“Hatch Act”, 5 U.S.C. 1501 through 1508, and 7324 through 7326

- which, among other things, imposes certain restrictions on political activities of recipients of federal financial assistance.

“Buy America Requirements”, 49 U.S.C. 5323j and 49 CFR Part 661

- which, among other things, requires that steel, iron, and manufactured products procured under FTA contracts are produced in the United States, unless a waiver has been granted.

“Davis-Bacon Act”, as amended, 40 U.S.C. 276a, et seq. and 29 CFR Part 5

- which requires, among other things, that all mechanics and laborers working on federally assisted construction projects (in excess of \$2,000 contract value) be paid not less than once a week, at wage rates computed at an amount not less than the prevailing wages for similar work in the same geographic area of the project.

“Copeland ‘Anti-Kickback’ Act”, as amended, 18 U.S.C. 874, 40 U.S.C. 276c and 29 CFR Parts 3 and 5

- which, among other things, prohibits payroll deductions from the wages of employees who are covered by the Davis-Bacon Act for any reason except those specifically stated in the Copeland Act.

“Contract Work and Safety Standards Act”, as amended, 40 U.S.C. 327-333 and CFR Parts 5 and 1926

- which, among other things, establishes the required basis and conditions for hours of work and for overtime pay of laborers and mechanics and directs the Department of Labor to formulate construction safety and health standards.

“National Environmental Policy Act of 1969”, as amended, 42 U.S.C. 4321, et seq.

- which, among other things, prohibits federal assistance that will adversely affect the quality of the environment.

“Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970”, as amended, 42 U.S.C. 4601, et seq.

- which, among other things, establishes the terms and conditions for compensation to property owners and occupants who are displaced or whose property is acquired as a result of federally assisted projects.

“Archeological and Historic Preservation Act of 1974”, as amended, 16 U.S.C. 469a-1, et seq.

- which provides protection for historically valuable property.

“National Historic Preservation Act of 1966”, as amended, 16 U.S.C. 470, et seq.

- which, among other things, provides for the protection of national historic sites.

“Federal Water Pollution Control Act”, as amended by the Clean Water Act of 1977, 33 U.S.C. 1251, et seq.

- which, among other things, sets limits on pollutants discharged in international waterways and requires safeguard against spills from oil storage facilities.

“Clean Air Act of 1955”, as amended, 42 U.S.C. 7401, et seq.

- which, among other things, establishes national standards for vehicle emissions.

“Energy Policy and Conservation Act”, 42 U.S.C. 6321, et seq.

- which, among other things, authorizes development and implementation of state energy conservation plans with mandatory standards and policies relating to energy efficiency.

Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4831(b).

- which, among other things, prohibits the use of lead-based paint in construction or rehabilitation of structures.

“National Flood Insurance Act of 1968”, 42 U.S.C. 4011, et seq.

- which, among other things, authorizes a national flood insurance program.

“Flood Disaster Protection Act of 1973”, as amended, 42 U.S.C. 4012a(a), et seq.

- which, among other things, requires the purchase of flood insurance by recipients of federal financial assistance who are located in areas having special flood hazards.

REGULATIONS

U.S. DOT and FTA regulations at 49 CFR

- regulations promulgated by FTA and U.S. DOT.

49 CFR Part 29

- regulations promulgated by U.S. DOT on government-wide debarment and suspension.

49 CFR Parts 21, 24, 25, 26, 27, 37 and 38

- regulations promulgated by the Department of Transportation governing Title VI of the Civil Rights Act of 1964, as amended, Relocation and Real Property Acquisition, Disadvantaged Business Enterprise, Nondiscrimination on the Basis of Handicap and the American with Disabilities Act.

49 CFR Part 29, as modified by 41 U.S.C. 702

- regulations promulgated by U.S. DOT governing “Drug-Free Workplace Requirements”.

49 CFR Part 655

- regulations promulgated by FTA governing prevention of alcohol misuse and prohibited drug use in transit operations.

46 CFR Part 381

- regulations promulgated by the Maritime Administration governing cargo preference requirements.

49 CFR Part 663

- regulations promulgated by the U.S. DOT governing access to records and reports.

49 CFR Part 11

- regulations by U.S. DOT governing protection of human subjects involved in research, development, and related activities.

40 CFR Part 15 and 49 CFR Part 18

- regulations promulgated by the Environmental Protection Agency pertaining to administration of clean air and water pollution requirements for grantees.

29 C.F.R. Parts 5 and 215

- regulations promulgated by the Department of Labor pertaining to construction labor and transit employee protections.

49 CFR Part 41

- governing seismic safety design and construction requirements.

49 CFR Part 19 and Part 20

- regulations promulgated by U.S. DOT which provide restrictions on lobbying for contracts exceeding \$100,000.

49 CFR Part 665

- regulations promulgated by FTA pertaining to testing requirements for new bus acquisitions.

FTA National ITS Architecture Policy on Transit Projects, 66 FR 1459, January 8, 2001

- regulations pertaining to ITS projects.

40 CFR Part 247 and Executive Order 12873

- regulations pertaining to recycled products.

U.S Department of Agriculture regulations, "Animal Welfare", 9CFR subchapter A, parts 1,2, 3, and 4

- regulations regarding the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities.

EXECUTIVE ORDERS

E.O. 11246

- which establishes requirements for equal employment opportunity.

E.O. 11593

- which provides for identification and protection of historic properties.

E.O. 11988

- which establishes certain specific requirements related to flood protection and control.

E.O. 11990

- which relates to wetland protection.

E.O. 11514 and 11738

- which relates to environmental quality control measures.

E.O. 12372 and implementing regulations at 49 CFR Part 17

- which requires an intergovernmental review of transportation programs and activities.

ADMINISTRATIVE REQUIREMENTS

Office of Management and Budget (OMB) Circular A-87

- which provides cost principles applicable to grants and contracts with state and local governments.

Office of Management and Budget (OMB) Circular A-102

- which provides uniform requirements for assistance to state and local governments.

Office of Management and Budget (OMB) Circular A-133

- which provides principles for audits of states, local governments and non-profit organizations.

Federal Transit Administration (FTA) Circular 4220.1D

- which provides requirements for third party contracting and for compliance with procurement regulations.

48 CFR Part 31 – Federal Acquisition Regulations

- which provides cost principles applicable to contracts with commercial organizations.