

Oklahoma Department of Transportation



OKLAHOMA
Transportation

Title VI Plan

Federal Transit Administration (FTA)

FFY 2024—FFY 2026

Oklahoma Department of Transportation

Contract Compliance Division

200 NE 21st Street

Oklahoma City, OK 73105

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[https://oklahoma.gov/odot/about/contact-us/
contract-compliance.html](https://oklahoma.gov/odot/about/contact-us/contract-compliance.html)

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PROGRAM OVERVIEW

Introduction

The Oklahoma Department of Transportation (ODOT) is a primary recipient of Federal transportation funds. As a regulatory condition of receiving these funds, ODOT must administer a program establishing Title VI goals and objectives for transit programs. Every member of ODOT is responsible for implementation and monitoring compliance with the Title VI program.

The focal point of nondiscrimination law is Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities, whether they are Federally funded or not.

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations," signed in February of 1994, requires a Federal agency to achieve environmental justice as a part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. The Federal Transit Administration (FTA) requires ODOT to carry out environmental justice responsibilities as part of its nondiscrimination program.

The Contract Compliance Division is responsible for initiating and monitoring Title VI activities of all ODOT's divisions, all program areas, and oversight of subrecipients.

ODOT is the primary recipient. Subrecipients include local or regional public agencies, non-profit organizations, private providers of public transportation, or any other entity receiving funds from ODOT. Title VI regulations differ from Title VII regulations in that Title VI protects the public regarding ODOT's activities and effects. Title VII, on the other hand, is specific regulations to protect ODOT's employees.

ODOT is required to protect the public interest by developing a plan for their benefit. In addition, the Title VI plan indicates what ODOT will do to prevent discrimination, how it will do it, and the steps it will take to monitor Title VI.

Title VI assurances are the foundation of our commitment to nondiscrimination. ODOT deals with Title VI issues by monitoring its compliance with the principles outlined explicitly in the law. ODOT also acknowledges its responsibilities to work toward increased effectiveness regarding Title VI compliance.

Policy Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, and national origin in all Federally assisted programs. Title VI was amended by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective as of March 22, 1988, which added Section 606, expanding the definition of the terms “programs or activities” to include all of the operations of an educational institution, government entity, or private employer that receives Federal funds if any one operation receives Federal funds.

The Oklahoma Department of Transportation (ODOT) is a state governmental entity. The ODOT Executive Director is also the Secretary of Transportation. There is no transit board of directors. It is the policy of ODOT to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities.

The Title VI Manager is granted the authority to administer and monitor the Title VI and Nondiscrimination Program as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Manager will assist as needed.

The agency will take all steps to ensure that no person or groups of persons shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, subrecipients, and contractors.

Title VI responsibilities are delegated to the managers and charges them with the responsibility to develop and implement procedures and guides to monitor their programs adequately.

The agency recognizes the need for continuous Title VI training for ODOT personnel.

Anyone who believes they have been discriminated against should contact ODOT Title VI Manager at 405-318-1428 or toll-free at 1-800-788-4539.



Tim J. Gatz, Executive Director
Oklahoma Department of Transportation
Oklahoma Secretary of Transportation

12/01/2023

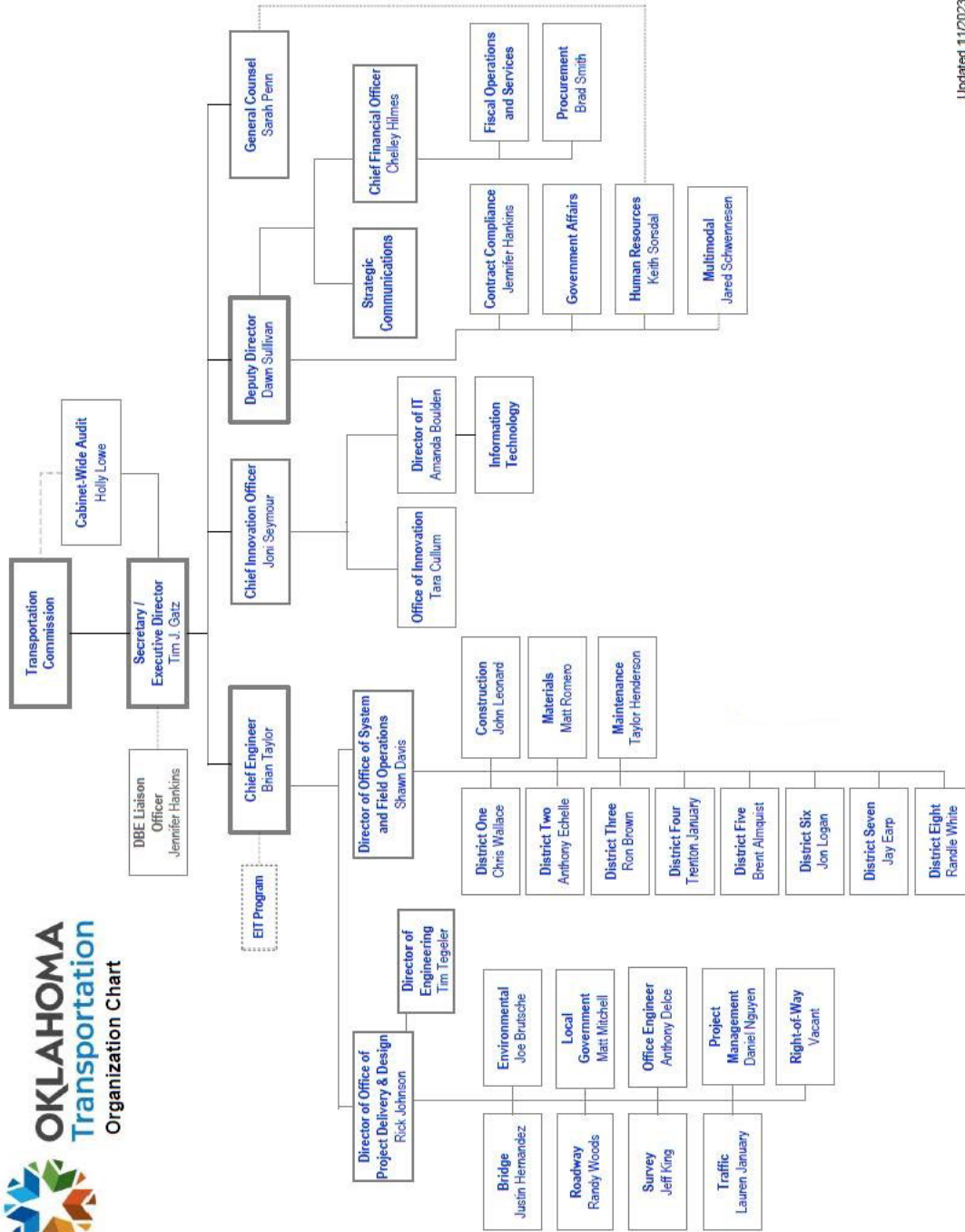
Date

Authority

- a. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
- b. Federal Transit Laws, Title 49, United States Code, Chapter 53.
- c. 49 CFR § 1.51.
- d. 49 CFR part 21.
- e. 28 CFR § 42.401 et seq.
- f. FTA Circular FTA C 4702.1B
- g. Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- h. Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency

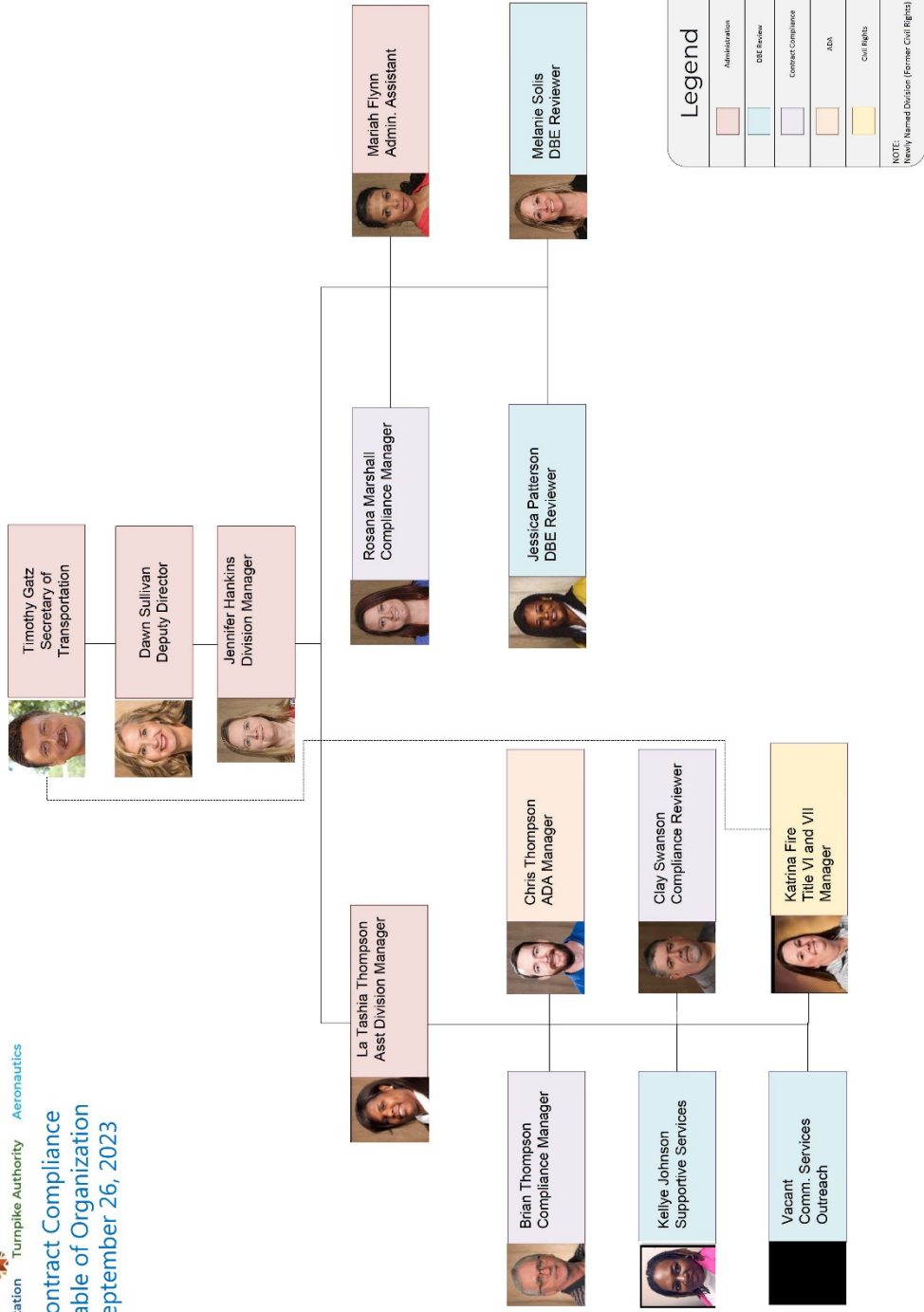


OKLAHOMA
Transportation
Organization Chart



Updated 11/2023

**Contract Compliance
Table of Organization
September 26, 2023**



FEDERAL TRANSIT ADMINISTRATION

TITLE VI PLAN

Overview

Oversight for compliance with the Federal Transit Administration (FTA) Title VI regulations and guidance resides within the Office of Mobility and Public Transit (OMPT) within the Multi-Modal Division (MMD), which is responsible for subrecipient compliance. The Contract Compliance Division (CCD) and OMPT work together to meet requirements. ODOT's Title VI Plan in its entirety applies to all of ODOT's programs and services, regardless of funding source; this Plan deals specifically with requirements for FTA-funded programs.

Annual Title VI Certification and Assurances

Title VI requirements are passed to all subrecipients of FTA funds. OMPT annually submits its Certifications and Assurances to FTA by PINNING these certifications and assurances in the Transit Awards Management System (TrAMS), the electronic system used by FTA and FTA recipients.

All subrecipients to programs administered by the OMPT must submit their Certifications and Assurances by original signature as part of the Application Package and State Agreement for Funding. Specifically, in Appendix A, the subrecipient can check the all-inclusive box, which covers the compliance to all categories, or check each individual category.

Environmental Justice (EJ) Requirements

ODOT has a process for complying with the EJ requirements of Executive Order 12898 in the project development process. After the FTA review and approval, new construction or expansion of transit terminals, storage and maintenance garages, office facilities, and parking facilities may be designated as categorical exclusions. ODOT staff works with FTA Region VI personnel and ODOT's personnel on the development and implementation process. OMPT is in close contact with the appropriate ODOT staff on public transportation issues affected by environmental concerns. All construction projects funded with FTA funds are reviewed to ensure they follow ODOT's EJ and LEP guidance.

OMPT works with FTA Region VI personnel on projects involving real property. FTA Region VI personnel review the project's documented categorical exclusion worksheet to determine if the project meets the criteria of Categorical Exclusion.

Title VI Notice to the Public

ODOT's Title VI Notice to the Public is available on the ODOT website along with bulletin boards and public entrances/exits. OMPT reviews all subrecipients' websites and brochures throughout the year to ensure that their websites contain a statement notifying the public of its rights under Title VI. A subrecipient desk audit is also performed every three years during their site assessments. The Title VI notice is shown below:

Notifying the Public of Rights Under Title VI The Oklahoma Department of Transportation

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors. The Federal Motor Carrier Safety Administration (FMCSA) Title VI Program includes sex, age, disability, low-income, and Limited English Proficient (LEP) as protected groups under the Title VI Program.

For more information on ODOT's Title VI program, and the procedures to file a complaint, contact the person listed below. Any person who believes that they, individually, as a member of any specific class, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a complaint with the Title VI Manager with the Contract Compliance Division. Title VI Complaints must be filed within 180 days of the alleged discriminatory event or practice. Complaints must be filed using the ODOT's Title VI Complaint Form and submitted electronically or mailed to:

**Oklahoma Department of Transportation
Contract Compliance Division
Attention: Title VI Coordinator
200 N.E. 21st Street, Room 1-C1
Oklahoma City, OK 73105
405-318-1428
kfire@odot.org**

Title VI Information and forms can be located at <https://oklahoma.gov/odot/business-center/contract-compliance/title-vi.html>. For information and forms, or information in another language, contact the Title VI Coordinator as shown above.

If information is needed in another language, contact 405-318-1428.

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors. To request an accommodation please contact the ADA Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353. If you have any ADA or Title VI questions email ODOT-ada-titlevi@odot.org.

Revised 06/2023

Title VI Complaint Procedures

OMPT complies with all aspects of ODOT's established Title VI complaint procedures described in this Plan. In addition, these requirements pass to subrecipients who are reviewed for compliance during Site Reviews. Procedures on how to file a Title VI complaint for an FTA-funded activity can be found at ODOT's website at this address: <https://oklahoma.gov/odot/business-center/contract-compliance/title-vi.html> or by contacting the CCD.

CCD maintains records of complaints, investigations, or lawsuits, and these recordkeeping requirements pass to subrecipients by publishing the requirements in the State's Management Plans and State Agreement for Funding. These areas are reviewed for compliance every three years at a minimum with subrecipients.

During the site visit, OMPT ensures that the subrecipient maintains current postings explaining Title VI requirements for employees and transit services. In addition, they review subrecipients' policies to ensure they contain Title VI language. The OMPT reviews subrecipients' websites and brochures annually to ensure the Title VI Notice to the Public is included.

Notification of Title VI Protection for Beneficiaries - ODOT widely distributes its Title VI Plan after each revision. The Title VI notifications are included with all newly printed or revised ODOT publications, brochures, and pamphlets meant for public consumption. In addition, the requirement to provide notification is passed to subrecipients. The following notice is standard wording for the website, publications, brochures, flyers, etc.:

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, or genetic information, be excluded from participation in, be denied the benefits of, be retaliated against, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, subrecipients, and contractors. To request an accommodation please contact the ADA Manager at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353. If you have any ADA or Title VI questions email ODOT-ada-titlevi@odot.org.

ODOT also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, ODOT will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

The following complaint procedures for an FTA-funded activity can be found at ODOT's website at this address: <https://oklahoma.gov/odot/business-center/contract-compliance/title-vi.html> or by contacting CCD. Below is an excerpt on complaint procedures and the complaint form from the website:

COMPLAINT PROCESS
FTA Funds

The Oklahoma Department of Transportation (ODOT) uses the following, detailed internal procedures for prompt processing and resolution of all Title VI complaints received directly by any of its divisions or field districts having responsibilities under Title VI and related Nondiscrimination statutes. These procedures include but are not limited to:

1. Any person who believes that they, individually, as a member of any specific class, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a complaint with the Title VI Coordinator with the Contract Compliance Division. A complaint may also be filed by a representative on behalf of such a person.

2. In order to have the complaint considered under this procedure, the complaint must be filed no later than 180 calendar days after:

- ❖ The date of the alleged act of discrimination; or
- ❖ Where there has been a continuing course of conduct, the date of the most recent incident

3. Complaints shall be filed using the department's Title VI Complaint Form (available at <https://oklahoma.gov/odot/business-center/odot-forms.html> or by contacting the Contract Compliance Division). Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.

Complaints should be directed to:
Oklahoma Department of Transportation
Contract Compliance Division
Attention: Title VI Coordinator
200 N.E. 21st Street, Room 1-C1
Oklahoma City, OK 73105-3204

4. Upon receipt of the signed complaint form, the Title VI Coordinator will log the complaint, determine the basis of the complaint, authority/jurisdiction, and who should conduct the investigation.

5. The Title VI Coordinator reviews and determines the appropriate action regarding every Title VI complaint. The department will not proceed with or continue a complaint investigation if:

- a. The complaint is, on its face, without merit.
- b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions.
- c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identify) has made it impossible to investigate further.

6. Within ten (10) business days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to be taken to process the allegation(s). The notification letter and the follow-up telephone call shall contain(s):

- a. The basis of the complaint.
- b. A brief statement of the allegation(s) over which the department has jurisdiction.
- c. A brief statement of the department's jurisdiction over the recipient to investigate the complaint.
- d. An indication of when the parties will be contacted.

7. The Title VI Coordinator will investigate the complaint and log the following information within ten (10) calendar days of receipt of the allegation(s):

- a. Name, address, and phone number of the complainant
- b. Email address if available
- c. Basis of complaint (i.e., race, color, national origin)
- d. Date of the alleged discriminatory act(s)
- e. Date of complaint received by the recipient
- f. A statement of the complaint
- g. Other agencies (state, local or Federal) where the complaint has been filed
- h. An explanation of the actions the recipient has taken or proposed to resolve the issue(s) raised in the complaint

8. Within sixty (60) calendar days from the date the original complaint was received, the Title VI Coordinator will conduct and complete an investigation of the allegation(s).

9. The Title VI Coordinator will conduct an in-depth, personal interview with the complainant(s). Information gathered in this interview includes: identification of each complainant by race, color, or national origin; name of the complainant; a complete statement concerning the nature of the complaint, including names, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the investigation team feels is relevant to the complaint. The interviews are recorded either on audio tape or by taking notes. Every effort will be made to obtain early resolution of complaints at the lowest possible level.

10. Within ninety (90) calendar days of receipt of the complaint, the Title VI Coordinator will issue a "Letter of Findings" to the complainant.

11. The complainant has within twenty (20) calendar days of receipt of the "Letter of Findings" to request an in-person hearing or choose to submit explanation and documentation if they choose to appeal the decision. All appeals must be submitted to:

Contract Compliance Division
Attention: Division Manager
200 NE 21st Street
Oklahoma City, OK 73105
Phone: 405.521.3186
Fax: 405-522-4895
Oklahoma Relay: 1-800-722-0353

TITLE VI COMPLAINT FORM - FTA

The Oklahoma Department of Transportation is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by the Title VI of the Civil Rights Act of 1964, as amended. The Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.



Oklahoma Department of Transportation

Contract Compliance Division
200 N.E. 21st Street, Room 1-C1
Oklahoma City, Oklahoma 73105

Phone: (405) 318-1428

Fax: (405) 522-2136

<https://oklahoma.gov/odot/business-center/odot-forms.html>

Date of Filing:	
Name:	
Address:	
City, State, Zip Code:	
Work Phone:	
Home Phone:	
E-mail Address:	

Indicate on what ground(s) you believe you have been discriminated against (check all that apply):

- Race Color National Origin

Indicate the person(s) who you believe discriminated against you:

Name(s):	
Work Location (if known):	
Work Phone:	
Date of alleged incident:	

If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name:	
Address:	
Work Phone:	
E-mail Address:	

Explain why you believe discrimination has occurred. If there are witnesses, please provide names, addresses and telephone numbers. Be sure to include how other persons were treated differently than you. Attach additional pages as necessary and any written material pertaining to your case.

What remedy are you requesting? Please be specific:

Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any other agencies (Federal, State, or local):

Yes

No

If so, please provide the following information:

Agency:	
Address:	
Name of Investigator (if known):	
Phone Number:	
E-mail Address:	
Date Filed:	
Status of case:	

I confirm that I have read the above charge(s) and it is true to the best of my knowledge.

Print or typed name of complainant:

Signature

Date

Completed forms must be submitted to the Oklahoma Department of Transportation's Contract Compliance Division.

If you require any assistance in filling out this form please contact the Title VI Coordinator at 405-318-1428.

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors. To request an accommodation please contact the ADA Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353. If you have any ADA or Title VI questions email ODOT-ada-titlevi@odot.org.

Print Form

List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

ODOT maintains a log of all Title VI investigations, complaints, and lawsuits. The department received no complaints during the last three Federal fiscal years regarding FTA funding. The department received no investigations and/or lawsuits regarding FTA funding.

	<u>Date (month, Day, Year)</u>	<u>Basis of Complaint</u>	<u>Status</u>	<u>Action(s) taken</u>
Investigations	N/A	N/A	N/A	N/A
Complaints	N/A	N/A	N/A	N/A
Lawsuits	N/A	N/A	N/A	N/A

Table Depicting Membership of Committees, Councils, Broken Down by Race

This section does not apply to ODOT.

Public Participation Plan

ODOT is responsible for assuring that all public participation activities include consideration of Title VI, Environmental Justice (EJ), and Limited English Proficiency (LEP) requirements. ODOT adheres to the philosophy of affording all individuals an equal opportunity to participate in each transportation program or activity. Consistent with this philosophy, emphasis is directed towards representing all groups at meetings where transportation needs and developments emerge. Public Involvement deals with, in particular, minorities, persons with disabilities, and other traditionally underserved groups in the various ODOT activities. The purpose of the Public Involvement process is to provide information to the public to receive comments, questions, and ideas. The Title VI Manager regularly reviews the Title VI activities for ODOT’s Public Involvement process.

A critical part of the Public Involvement process is developing proactive strategies to inform and engage the public. Proactive strategies implemented by ODOT include:

- (1) Gathering data about communities that could be impacted by a project.
- (2) Some projects may involve more than one possible alternative, and ODOT engages the public for input in the selection process.
- (3) ODOT conducts outreach activities to ensure that project information is disseminated to stakeholders in a nondiscriminatory fashion by analyzing the data gathered to determine the type of outreach needed.
- (4) ODOT’s outreach activities have included the translation of documents, providing an interpreter for public meetings, consideration of the community when scheduling date, time, and place of outreach; in particular, scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities; and providing additional outreach in the form of kiosks or pop-up booths, use of minority and tribal media, and other strategies that are proven to reach minority and LEP communities.

(5) Outreach includes coordinating with community and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.

These activities are determined based on the individual project's needs and the communities involved.

ODOT implements a three-step public participation and engagement process that includes (1) Gathering and analyzing online census data to determine the distribution of minority, non-minority, and LEP populations throughout the state, (2) Disseminating project planning information to affected communities, and (3) Encouraging and receiving feedback and input into ODOT's plans from all residents of the state. Examples of ODOT's public participation and engagement activities include conducting windshield or walking surveys, contacting community organizations, and other methods deemed helpful to understand better the needs of affected communities in relation to ODOT's infrastructure and public transportation planning.

The goal of gathering data is to determine if Limited English Proficient (LEP) persons in the community may need interpreters at public meetings and/or translated documents. In addition, the demographic analysis provides information about income levels and density of minority populations, which may require alternate or additional outreach methods.

The procedures for disseminating information about upcoming projects and meetings employed by ODOT include various methods:

- (1) Direct mail is sent to targeted stakeholders.
- (2) Flyers are handed out to residents, churches, grocery stores, community centers, schools, technology centers, etc. This includes considering radio, television, or newspaper ads on stations and publications serving minority and LEP populations. Outreach to LEP populations may consist of audio programming available on the radio and podcasts.
- (3) Analysis of impacted communities helps to inform the scheduling of the time, place, and location of meetings and other outreach activities, considering transportation needs and typical working hours of the community. This includes employing different meeting sizes and formats.

Public participation must provide multiple means for the public to offer comments and questions. This includes providing various means to receive the information in addition to written communications via a comment form, such as:

- (1) Use of audio or video recording devices to capture oral comments;
- (2) Availability of personnel to receive verbal comments and questions via phone, virtual meeting, or in-person meeting;

(3) Comments directly on the agency website, by email, or through any of the agency's social media platforms.

Outreach activities are conducted with all the pertinent factors in mind to maximize participation by interested parties. Steps are taken to ensure that persons impacted have access to project information and can have meaningful participation and input on transportation decisions. Each project goes through extensive planning and involvement with the community.

The planning process includes meaningful engagement with affected communities before any alternatives are turned into a conceptual design. When a project is being considered, ODOT determines if there are multiple alternatives. These alternatives are communicated to the public to seek input to guide the final selection. Once selected, the desired outcome is to engage the community for further comments regarding the impact of the project's construction and the final results.

The desired outcome is achieved by ODOT's public involvement, which is two-fold. The first part is to ensure that information is disseminated in a non-discriminatory manner to all impacted stakeholders and received in a meaningful and understood way. The second part is to encourage and seek engagement and participation so that each person can have a voice in the decision-making process.

Below are examples of outreach activities by ODOT:

Outreach Example #1: Intercity Bus and Rural Transit Service Provider Consultation



Intercity Bus and Rural Transit Service Provider Consultation June 29, 2022 2:00 – 4:00 PM CST

Meeting Goals

- Baseline understanding of FTA 5311(f) program assessment
- Summary of current ICB operations and demand for intercity bus service
- Detail data collection and review process
- Discuss future program application and compliance requirements

Agenda

- 1) Introduction
- 2) Discuss 5311(f) intercity bus needs assessment
- 3) Current ICB services and demand (operator lead discussion, ODOT supplemental data)
- 4) ODOT transit funding for ICB
- 5) Operator survey results
- 6) Subrecipient compliance requirements under 5311(f)
- 7) Discuss potential next call for projects process
- 8) Next Meeting

Outreach Example #2: Website Posting of Public Meeting Schedule

Oklahoma Department of Transportation 2023 Locally Developed Coordinated Transportation Plans Public notice report

As of 7/20/2023, over 1,400 surveys have been completed by individuals, agencies and transportation providers throughout Oklahoma. The survey closes on 7/21/23.

The public meetings were held between June 20-29, 2023 with an average of thirty-five attendees per region.

The screenshot shows the Oklahoma Department of Transportation website. The header includes the ODOT logo and navigation links: Travel, Citizen, Progress & Performance, Business Center, Programs & Projects, and About. The main content area is titled "Public Meetings, Hearings, Events, and Comment Opportunities" and includes introductory text about public involvement and a link to an archive. Below this, there are two columns: "2023 SCHEDULE" and "PROJECT UPDATES".

2023 SCHEDULE	PROJECT UPDATES
<p>August 1, 2023 at 6 pm Public Meeting JP 33771(04) I-35 Southbound in Oklahoma County</p>	<p>November 2022 Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) JP 18835(04)(09) US-70 Realignment in Madill</p>
<p>July 25, 2023 at 6 pm Public Meeting JP 35083(04) US-70 over Lake Texoma (Roosevelt Bridge)</p>	<p>June 2022 Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) JP 30571(04) US-75 at Preston Road</p>
<p>June 29, 2023 from 5 pm - 7 pm Public Meeting JP 35083(04) US-60 Intersection Modification Project</p>	<p>December 2021 Proposed Section 4(f) De Minimus Finding JP 31246(04) SH-80 in Cherokee County</p>
<p>June 20 - 29, 2023 Virtual Public Meetings Multimodal Regional Planning</p>	<p>October 2021 Updated Virtual Public Involvement Summary</p>

Outreach Example #3: Media and Social Media Postings


Oklahoma Department of Transportation 2023 Locally Developed Coordinated Transportation Plans Public notice report

ODOT seeks public input as agency pieces together new Coordinated Transportation Plan

ODOT will hold its first meeting regarding the 2023 Coordinated Transportation Plan

Updated: 9:07 AM CDT Jun 23, 2023

Shelby Montgomery
Anchor/Reporter



OKLAHOMA CITY — The Oklahoma Department of Transportation wants to hear from the public as the agency works on a plan to make transportation more accessible.

[Get the latest news stories of interest by clicking here.](#)

ODOT is developing its 2023 Coordinated Transportation Plan, which is designed to identify the transportation needs of Oklahomans with disabilities, seniors and low-income communities. It'll also provide strategies for meeting those identified needs.

On Tuesday, ODOT will hold its first meeting regarding the 2023 Coordinated Transportation Plan. Several more are planned.


Oklahoma Department of Transportation

Time is running out!

We are working on the 2023 Coordinated Transportation Plan and want to hear from you. Have your voice heard here: <https://ow.ly/3jgdL50PqkK>

Filing out the survey will help identify the transportation needs of Oklahomans with disabilities, seniors and low-income communities. The plan will then provide strategies for meeting those identified transportation needs.

Learn more here: <https://ow.ly/FSSs50PqR0>



1 comment · 3 shares

Like Comment Share

Write a comment...

Clegay Mare
Since the meetings were in June and this is July I would say time is up! I would hope


News Weather Videos Sports | Trending: June 17 Storms Africa Special

CLOSINGS

ODOT ASKING FOR PUBLIC INPUT FOR TRANSPORTATION PLAN

Monday, June 12th 2023, 10:21 pm

By: News 9



MORE LIKE THIS

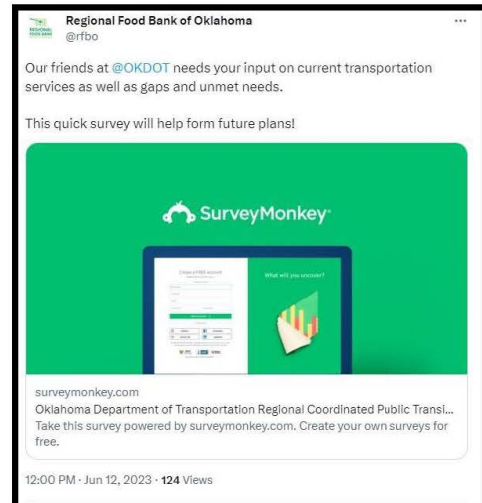
- ODOT Asking For Public Input For Transportation Plan
- It Was About Him Taking An Oath To Protect? kabele...
- Religious Group Looks To Apply For Virtual Hindu...
- Gov. Stitt Signs Bill Increasing Support For Seniors, Disabled...

The Oklahoma Department of Transportation is asking for the public's input on the Coordinated Transportation Plan for 2023. They plan to address the needs of disabled, senior and low-income Oklahomans.

There is an online survey that can be found [here](#) and virtual meetings: [Northeast Region](#) (including rural areas around Tulsa)

Outreach Example #4: Media Interview and Social Media Posting and Shares by Others

Oklahoma Department of Transportation
2023 Locally Developed Coordinated Transportation Plans
Public notice report



Outreach Example #6: Email Sent to Subscribers

Oklahoma Department of Transportation 2023 Locally Developed Coordinated Transportation Plans Public notice report

Public announcement... Coordinated Transportation Plans

Olivia Hook

To: Olivia Hook

Bcc: Cristi Williams; Chanler Cory; bschoeb@areawideaging.org; Rochelle Sims; toni.mcgee@bbbsok.org; marquess@brivinglegacy.org; ashleysellers@cowib.org; rachel@chartconsulting.us; shawn@citycareokc.org; Tammy Vaughn; okccdc@gmail.com; Danielle Dill; James Boykin; billswigert@me.com; c_tiessen@hotmail.com; hmptnsd@sbcglobal.net; jerry@thinkabilityfirst.com; derennaux@hotmail.com; anelson@fcsok.org; Jena Moore (jmoore@fcsok.org);

Retention Policy: Never Delete/Archive (Never) Expires: Never

2023 CP Public Notice Document-official .pdf
90 KB

Mon 6/5/2023 1:00 PM

Reply Reply All Forward

Hello Everyone, I am excited to announce information about the 2023 Coordinated Transportation Plans that are currently in development.

What these plans are: A locally developed, coordinated public transit-human services transportation plan ("coordinated plan") identifies the transportation needs of individuals with disabilities, seniors, and people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services and projects for funding and implementation.

Virtual Public Meetings: Our online public workshops will be held in late June 2023. These online workshops will be highly interactive with lots of opportunity for participants to provide input. Each meeting will cover the same material for each region. To locate your region, visit: bit.ly/regionalplansmap

- **Northeast Region** (Including rural areas around Tulsa)
6/20/23 Tuesday
1:00 PM CDT
Online: bit.ly/5310NE
Call: 888-475-4499 (Meeting ID: 845 9658 2858)
- **Southeast Region**
6/21/23 Wednesday
1:00 PM CDT
Online: bit.ly/5310SE
Call: 888-475-4499 (Meeting ID: 864 0808 4567)
- **Central Region** (Including rural areas around OKC)
6/22/23 Thursday
10:00 AM CDT
Online: bit.ly/5310Central
Call: 888-475-4499 (Meeting ID: 863 9749 4440)
- **Southwest Region**
6/28/23 Wednesday
1:00 PM CDT
Online: bit.ly/5310SW
Call: 888-475-4499 (Meeting ID: 821 4379 8899)
- **Northwest Region**
6/29/23 Thursday
1:00 PM CDT
Online: bit.ly/5310NW
Call: 888-475-4499 (Meeting ID: 865 6063 6177)

- **Survey:** Survey is coming soon!

The public meeting announcement with meeting links is attached. *The coordinated plans are a requirement for federal specialized transportation funding and adhere to the regulations in the Federal Transit Administration [FTA 9070.1 Circular](#)

Please join us and help spread the word sharing this announcement with other organizations and individuals all over our great state! If you have any questions, please feel free to reach out to me. I hope you all have a great week!

Thanks,
Liv


Olivia Hook
Systemic Mobility Manager
Mobile 405-625-2229
Email ohook@odot.org

Oklahoma Department of Transportation
201 NE 21st Street
Oklahoma City, OK 73105
oklahoma.gov/odot


Outreach Example #7: Follow-up Email for Attendees


Oklahoma Department of Transportation 2023 Locally Developed Coordinated Transportation Plans Public notice report


Coordinated Plan **Public** Meeting Update

 Olivia Hook
To: roderunnr1@aol.com

Retention Policy: Never Delete/Archive (Never) Expires: Never

 This is the most recent version, but you made changes to another copy. Click here to see the other versions.

 meeting_saved_chat.txt 11 KB

 ODOT 5310 Public Fact Sheet 2023.pdf 104 KB

Thu 6/22/2023 11:24 AM

Hi Richard,

I hope this is your email account. I did a little research and found this email, so hopefully it's you.

Here are some notes from the central region **public** meeting (attached), and the meeting session notes from my group. We are reviewing all of the feedback and they will be included in the new coordinated plans, which will be finished sometime in September. The attached fact sheet has information and website links to follow up on the plan.

Thank you for joining the **public** meetings and take care!!
Liv

Breakout session room 2 notes:

- Donna Woods** would not be able to use due to lack of service and even in Bethany
- Marilyn Dillon** – smaller cities trapped inside of OKC doesn't have enough funding to provide transit services. This is an issue.
- Diane Bowers**- DRS – one of the big problems is lack of information especially for smaller counties
- Yolanda Scott** -Lives in Eastern Cleveland County never been an option for no service and even difficult in metro area to find transportation.
- Marilyn Dillon** – needs to have rural areas to work with City planning to help with coordination
- Donna Woods**- talks about Pawnee and Shawnee has no service
- Marilyn Dillon** – We need money and we all need to work together.

What are the biggest gaps?

- Diane Bowers** – getting transportation between the areas
- Marilyn Dillon** – Shawnee/Pott need to connect to OKC – Norman and Edmond connections
- Donna Woods** – Need longer hours of service
- Ameerah Dulan** – We are forgetting about having a transportation option for people with disabilities. She is finding issue with getting transportation in small rural areas, no on demand or accessible vehicles. Also issue of having affordable and accessible transportation has lived in other states that have this. Such as in Texas.

What improvement would most increase mobility for individuals with disabilities and seniors?

- Accessible Vehicles** – We have vehicles but need more coordination and funding
- Sidewalks** needed for those using **public** transportation

Here is a list of those who requested a copy of the public meeting notes and presentation slides.

Central Region

1. Angie Gilliam angie.gilliam@chickasaw.net
2. Claudia Jernigan (6/22) notes and slides cjernigan@ochanet.org

Northwest Region

1. Micky Flynn micky@magb.org

All regions

1. Richard Anderson roderunnr1@aol.com
2. Mason Weaver mweaver@rfbo.org
3. Mobility managers- Chanler chanler@noda-ok.org and Cristi cristi@swoda.org

Outreach Example #8: Handout Provided to the Public

FTA Section 5310 Program Coordinated Public Transit-Human Services Transportation Plan **Fact Sheet**



What is a Coordinated 5310 Plan? Why create them?

Public transit agencies, with assistance from ODOT, are preparing coordinated public transit human services plans for the following five planning regions in Oklahoma: Northwest, Northeast, Central, Southwest, and Southeast. The purpose of coordinated 5310 plans is to identify barriers to mobility for seniors and people with disabilities and to recommend solutions to overcome these barriers. Coordinated 5310 plans are a requirement to access federal section 5310 funding, which is dedicated to assisting public transit agencies and private nonprofit groups to meet the mobility needs of seniors and people with disabilities when the public transportation service provided is insufficient or inappropriate.

What is included in a 5310 Coordinated Plan?

These plans will include a variety of useful information, data, and goals/objectives that will guide planning for the transportation needs of seniors and people with disabilities. Needs and gaps in transportation services for seniors and people with disabilities will be identified and potential solutions for transportation providers to implement will be developed. **Your input will be documented in these plans and will be a key input into their development.**

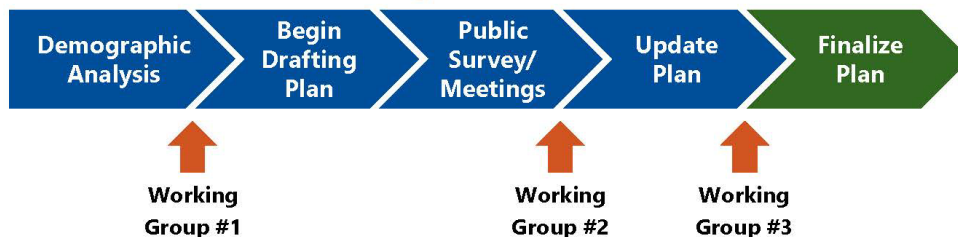
ODOT Needs Your Input

ODOT is collecting input from the public regarding needs and gaps in human services public transportation in Oklahoma. Your input is particularly needed if you are a senior or person with a disability or if your agency provides services to seniors or people with disabilities.



You can access the survey **until July 14**. <https://www.surveymonkey.com/r/CoordinatedPlans>

Project Schedule



For any questions, please contact: Olivia Hook, ODOT, ohook@odot.org

Outreach Example #9: News Release

ODOT seeking public input for Coordinated Transportation Plan

Share 0 Tweet

 EMAIL

Monday, June 12, 2023

ODOT seeking public input for Coordinated Transportation Plan

The Oklahoma Department of Transportation is looking for the public's input on the development of the 2023 Coordinated Transportation Plan. The plan is designed to identify transportation needs of Oklahomans with disabilities, seniors and low-income communities. The plan, will provide strategies for meeting those identified transportation needs.

Oklahomans can participate in the development of the plan through an online survey, that can be found [here](#), and through a series of virtual public meetings. The public meetings will be highly interactive and allow participants to provide valuable input towards the plan.

There are five regional meetings scheduled between June 20 and June 29:

Northeast Region (Including rural areas around Tulsa)

- 1 p.m. Tuesday, June 20
- Online: bit.ly/5310NE
- Call: 888-475-4499 (Meeting ID: 845 9658 2858)

Southeast Region

- 1 p.m. Wednesday, June 21
- Online: bit.ly/5310SE
- Call: 888-475-4499 (Meeting ID: 864 0808 4567)

Central Region (Including rural areas around OKC)

- 10 a.m. Thursday, June 22
- Online: bit.ly/5310Central
- Call: 888-475-4499 (Meeting ID: 863 9749 4440)

Southwest Region

- 1 p.m. Wednesday, June 28

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- Online: bit.ly/5310SW
- Call: 888-475-4499 (Meeting ID: 821 4379 8899)

Northwest Region

- 1 p.m. Thursday, June 29
- Online: bit.ly/5310NW
- Call: 888-475-4499 (Meeting ID: 865 6063 6177)

To locate your region, click [here](#).

About Coordinated Transportation Plans

Locally developed coordinated plans provide a unified regional strategy for transportation services for transportation-disadvantaged groups in need. The Bipartisan Infrastructure Law requires a coordinated transit-human services plan be locally developed through feedback from older adults and individuals with disabilities, as well as transportation planning agencies, transportation providers and government agencies.

For more information, please click [here](#).

Last Modified on Jun 12, 2023

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Outreach Example #10: Website Posting



NOTICE OF AN OPPORTUNITY FOR A VIRTUAL PUBLIC MEETINGS REGARDING REGIONAL COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLANS

All interested persons are hereby given notice that the Oklahoma Department of Transportation (ODOT) and local transportation stakeholders are developing new regional, coordinated public transit-human services transportation plans ("coordinated plan"). A locally developed, coordinated plan identifies the transportation needs of individuals with disabilities, seniors, and people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services and projects for funding and implementation.

ODOT will be holding virtual regional public meetings to solicit input for the coordination plans. Attendees can join online or by phone. Each meeting will cover the same material for each region. To locate your region, visit: bit.ly/regionalplansmap

Northwest Region



Date: 6/29/23
Time: 1:00 PM CDT
Online: bit.ly/5310NW
Call: 888-475-4499 (Meeting ID: 865 6063 6177)

Northeast Region

(Including rural areas around Tulsa)



Date: 6/20/23
Time: 1:00 PM CDT
Online: bit.ly/5310NE
Call: 888-475-4499 (Meeting ID: 845 9658 2858)

Southwest Region



Date: 6/28/23
Time: 1:00 PM CDT
Online: bit.ly/5310SW
Call: 888-475-4499 (Meeting ID: 821 4379 8899)

Southeast Region



Date: 6/21/23
Time: 1:00 PM CDT
Online: bit.ly/5310SE
Call: 888-475-4499 (Meeting ID: 864 0808 4567)

Central Region

(Including rural areas around OKC)



Date: 6/22/23
Time: 10:00 AM CDT
Online: bit.ly/5310Central
Call: 888-475-4499 (Meeting ID: 863 9749 4440)

For any person needing meeting accessibility modification, please submit your request no later than one day prior to the meeting.

For questions and to request accommodations, please contact:

Olivia Hook, ODOT
ohook@odot.org

For more information, please visit: <https://oklahoma.gov/odot/programs-and-projects0/multimodal/ompt.html>.

Outreach Example #11: Public Notice by Subrecipients

ODOT is also responsible for monitoring subrecipients for public involvement. Subrecipients must have a current Title VI plan that includes a public participation plan. Projects must be advertised for public input, along with proof of publication. Please see the example:

**Affidavit of Publication
In the PAWNEE CHIEF**

**STATE OF OKLAHOMA,
COUNTY OF PAWNEE ss:**

Larry R. Ferguson, of lawful age, being duly sworn and authorized, says that he is Publisher of the PAWNEE CHIEF, a weekly newspaper published in the City of Pawnee, Pawnee County, Oklahoma, a newspaper qualified to publish legal notices, advertisements, and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971, as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the following dates:

May 30 & June 6, 2018

Larry R. Ferguson
Publisher

Subscribed and sworn to before me this 6th day of June, 2018

Angie White
Angie White
Notary Public

My Commission Expires March 6, 2021.
Commission No. 13002265

Publication Fee: \$38.75

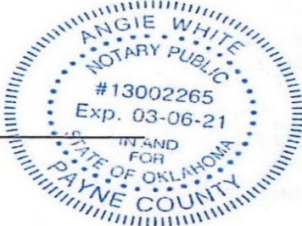
(Published in the Pawnee CHIEF, Pawnee, Okla., May 30, June 6, 2018)

**NOTICE OF OPPORTUNITY
FOR A PUBLIC HEARING
REGARDING A PUBLIC
TRANSPORTATION PROJECT**

All interested persons are hereby given notice that the United Community Action Program, Inc./ Cimarron Public Transit System is receiving 5339(a) funds from the U.S. Department of Transportation, Federal Transit Administration, for the purpose of procurement of rolling stock. Grant funds will be used to purchase four (4) ADA Micro buses.

Any person that desires a public hearing to consider the social, economic and/or environmental effects of the proposed project may submit their request in writing to 501 Sixth Street, Pawnee, OK 74058 by no later than (14 days after the second advertisement is published).

A copy of the grant proposal is currently available for public inspection and copying at 501 Sixth Street, Pawnee, OK 74058.



Limited English Proficiency Plan

ODOT complies with all Limited English Proficiency (LEP) requirements under Executive Order 13166, and applies the requirements regardless of the funding source. ODOT must determine and evaluate the number, frequency, and importance of their public contacts with individuals who are limited in English speaking ability and the resources available for LEP services. This evaluation includes determining which documents must be translated and whether interpretation assistance must be provided.

Identifying LEP Individuals Who Need Language Assistance

FOUR FACTOR ANALYSIS

Recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors to determine oral language assistance:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;

Language data is analyzed from the US Census to determine the population of LEP persons geographically by ODOT Districts. There are eight field districts, each with specific counties within its jurisdiction. The Oklahoma City area is considered Central Office and is also referred to as Division 9. A map on page 38 outlines the districts and counties in each district. The demographic data by district is outlined below.

Below are the results by district and language using population numbers (2011-2015 US Bureau of the Census, American Community Survey Table B16001: LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER) of the individuals five years and older that speak English “less than very well” using the criteria outlined in the section of this report titled “Safe Harbor” (1,000 or more persons or more than 5% of the population):

Languages Meeting Threshold by District

District 1 (Muskogee, OK)	
Spanish	3,450
District 2 (Antlers, OK)	
Spanish	3,222
District 3 (Ada, OK)	
Spanish	6,495
Vietnamese	2,018

District 4 (Perry, OK)	
Spanish	51,160
Vietnamese	5,132
Chinese	1,908
Other Asian Languages	1,322
District 5 (Clinton, OK)	
Spanish	4,654
District 6 (Buffalo, OK)	
Spanish	5,794
District 7 (Duncan, OK)	
Spanish	4,649
District 8 (Tulsa, OK)	
Spanish	27,692
Vietnamese	1,800
Other Asian Languages	1,496
Chinese	1,327
Division 9 (Oklahoma City, OK)	
Spanish	42,528
Vietnamese	5,967
Other Asian Languages	1,119
Chinese	1,042

2. The frequency with which LEP individuals come in contact with the program;

The Title VI Manager provided training to all Title VI Designees and front desk personnel at all Central Office Divisions, Field District Headquarters, and all Residencies. Ongoing conversations with Title VI Designees happen continuously as needed. The training was accomplished for each district between March 8, 2019, through April 30, 2019. The training during this period was to distribute and explain the new LEP Guidebook.

Each person was interviewed during this training to discuss their experiences regarding LEP encounters. Each person was asked to specifically outline any LEP encounters they could recall in the three previous years. All personnel were made aware of the need to track all LEP encounters and report them to the Title VI Manager of the Contract Compliance Division within three (3) business days.

These are the results of those in-person interviews:

Field Districts	
District 1 (Muskogee, OK)	
District 1 Title VI Designee	None
Muskogee Headquarters	None

Muskogee Residency	None
Sallisaw Residency	None
District 2 (Antlers, OK)	
District 2 Title VI Designee	None
Antlers Headquarters	None
Antlers Residency	None
Heavener Residency	None
McAlester Residency	None
Madill Residency	None
District 3 (Ada, OK)	
District 3 Title VI Designee	None
Ada Headquarters	None
Ada Residency	None
Purcell Residency	None
Wewoka Residency	None
District 4 (Perry, OK)	
District 4 Title VI Designee	None
Perry Headquarters	None
Enid Residency	None
Oklahoma City Residency	None
Perry Residency	None
Edmond Residency	None
Yukon Residency	None
District 5 (Clinton, OK)	
District 5 Title VI Designee	None
Clinton Headquarters	None
Altus Residency	None
Clinton Residency	None
District 6 (Buffalo, OK)	
District 6 Title VI Designee	None
Buffalo Headquarters	None
Buffalo Residency	None
Guymon Residency	None
District 7 (Duncan, OK)	
District 7 Title VI Designee	None
Duncan Headquarters	None
Anadarko Residency	None
Ardmore Residency	None
Duncan Residency	None
District 8 (Tulsa, OK)	
District 8 Title VI Designee	None
Tulsa Headquarters	None

Claremore Residency	None
Sand Springs Residency	None
Tulsa Residency	None

<u>Central Office Divisions</u>	
Bridge Division	None
Contract Compliance Division	A Spanish speaker in this office handled a phone call from a Spanish speaker. It was determined that the caller was calling about a USDOT number for his truck, and the translator gave the caller the correct phone number.
Comptroller/Programs Division	None
Construction Division	None
Environmental Programs Division	None
Facilities Management Division	None
General Counsel	None
Legal and Business Services	None
Local Government	None
Maintenance Division	None
Materials Division	None
Media & Public Relations Division	A phone call on March 5, 2019, with a caller speaking Spanish. The front desk person could not find an interpreter at ODOT due to the Moving Forward Conference. The front desk person was able to continue talking to the caller and figure out he wanted his driving record. The front desk person gave the caller the correct phone number to call.
Office Engineer Division	None
Office of Research and Implementation	None
Office Services Division	None
Operations Review & Evaluation	None
Procurement Division	None
Project Management Division	None
Rail Programs Division	None
Right-of-Way & Utilities Division	None
Roadway Division	None
Strategic Asset and Performance Management Division	None
Survey Division	None
Traffic Division/Sign Shop	None

Transit Programs Division	None
Human Resources Division	None
Executive Director's Executive Assistant	None
Deputy Director's Executive Assistant	None
Chief Engineer's Executive Assistant	None
Director of Capital Programs' Executive Assistant	None
Director of Operations' Executive Assistant	None
Director of Engineering's Executive Assistant	None

The training provided an LEP Guidebook, which included forms for reporting all future LEP encounters so that ODOT can continue analyzing LEP needs based on future encounters.

3. The nature and importance of the program, activity, or service provided by the recipient to people's lives; and

Planning projects and public meetings about those projects always consider the population impacted by that particular project. Those can have a significant impact, especially when homes and businesses are involved in the path of a project. Analysis of the population always looks at languages spoken to assess oral interpretation and written translation needs. All notices for public meetings include instructions for participants to request accommodations 72 hours prior to the meeting using the "Public Meeting Accessibility Notice":

Public Meeting Accessibility Notice

In accordance with the requirements of the Americans with Disabilities Act of 1990, the Oklahoma Department of Transportation (ODOT) will not and does not discriminate against qualified individuals with disabilities on the basis of disability in ODOT services, programs, activities, or employment practices. ODOT will provide reasonable accommodations for persons with disabilities, upon request. To request an accommodation, please contact the ADA/504/508 Manager at 405-521-4140 or Oklahoma Relay at 1-800-722-0353, no later than 72 hours before any scheduled event.

This is done on a project-by-project basis. All public meetings have a sign-in sheet for participants to indicate their demographic information to provide additional information for the demographic analysis. Assistance may be provided at public meetings (such as translators) if the information regarding the area demographics indicates a significant non-English speaking population impacted by a project.

4. The resources available to the recipient and costs.

During the training of Title VI Designees regarding the LEP Guidebook, all personnel attending training were informed about a list of ODOT interpreters and translators available to assist with an

LEP person walking in or calling. They were told where to find the list and given a current copy in the LEP Guidebook. If an ODOT employee is unavailable, each division and district has state contract information to contact and hire an interpreter or translator or may contact CCD for assistance. CCD is responsible for the costs incurred regarding the need for hiring an interpreter or translating documents and can also assist with the process.

SAFE HARBOR

Written language assistance utilizes the “Safe Harbor” provisions. Failure to provide written translations outlined in the two paragraphs below does not mean there is noncompliance. Instead, these are guidelines for recipients who would like greater compliance certainty.

The following actions will be considered strong evidence of compliance with the recipient’s written-translation obligations:

- The DOT recipient provides written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or
- If there are fewer than 50 persons in a language group that reaches the 5% trigger in Number 1, the recipient does not translate vital written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These “Safe Harbor” provisions only apply to translating written documents. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

<u>Size of Language Group</u>	<u>Recommended Provision of Written Language Assistance</u>
1,000 or more in the eligible population in the market area or among current beneficiaries	Translated Vital Documents
More than 5% of the eligible population or beneficiaries and more than 50 in number	Translated Vital Documents
More than 5% of the eligible population or beneficiaries and 50 or less in number	Translated written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.

ODOT has adopted the Safe Harbor Provisions and determined that the following documents are considered vital for the public from this agency:

- Americans with Disabilities complaint forms;
- Americans with Disabilities complaint process;
- Americans with Disabilities brochures;
- Request for Reasonable Accommodation forms;
- Combined ADA/Title VI brochure for public meetings;
- Title VI complaint forms;
- Title VI complaint process;
- Title VI brochure;
- Right-of-Way's "Relocation Assistance & Benefits" pamphlet;
- Right-of-Way's "Property Rights" brochure;

Documents published by ODOT are continuously monitored to determine if additional items need to be translated.

Languages Meeting Threshold by District

District 1 (Muskogee, OK)

Spanish: 3,450

District 1 will translate vital documents into Spanish based on the population numbers reaching the threshold.

District 2 (Antlers, OK)

Spanish: 3,222

District 2 will translate vital documents into Spanish based on the population numbers reaching the threshold.

District 3 (Ada, OK)

Spanish: 6,495

Vietnamese: 2,018

District 3 will translate vital documents into Spanish and Vietnamese based on the population numbers reaching the threshold.

District 4 (Perry, OK)

Spanish: 51,160

Vietnamese: 5,132

Chinese: 1,908

Other Asian Languages: 1,322

Based on the population numbers reaching the threshold, District 4 will translate vital documents into Spanish, Vietnamese, Chinese, and Other Asian Languages.

District 5 (Clinton, OK)

Spanish: 4,654

District 5 will translate vital documents into Spanish based on the population numbers reaching the threshold.

District 6 (Buffalo, OK)

Spanish: 5,794

District 6 will translate vital documents into Spanish based on the population numbers reaching the threshold.

District 7 (Duncan, OK)

Spanish: 4,649

District 7 will translate vital documents into Spanish based on the population numbers reaching the threshold.

District 8 (Tulsa, OK)

Spanish: 27,692

Vietnamese: 1,800

Other Asian Languages: 1,496

Chinese: 1,327

District 8 will translate vital documents into Spanish, Vietnamese, Other Asian Languages, and Chinese based on the population numbers reaching the threshold.

Division 9 (Oklahoma City, OK)

Spanish: 42,528

Vietnamese: 5,967

Other Asian Languages: 1,119

Chinese: 1,042

Division 9 will translate vital documents into Spanish, Vietnamese, Other Asian Languages, and Chinese based on the population numbers reaching the threshold.

Language Assistance Measures

ODOT has developed an LEP Guidebook that has been provided to all front desk personnel and designees from each Central Office Division, Field District, and Residency. The guidebook outlines in detail how to handle LEP encounters in person, on the phone, or in written requests for translations of documents. Forms are provided to report all LEP encounters for use in the future when updating ODOT's LEP Assessment and Language Assistance Plan (LAP). The LEP Guidebook includes an "I Speak" list of languages based on analyzing three different state language lists and one national language list. The languages were listed in the order of population spoken in Oklahoma.

Training Staff

During March and April of 2019, the Title VI Manager provided LEP training to all Title VI designees and front desk personnel for all Central Office Divisions, all field district headquarters, and all residency locations. During the training, the Title VI Designees and front desk personnel were given LEP Guidebooks to refer to as their use and function were explained, page by page. The training explained Title VI responsibilities in general and LEP responsibilities specifically. The Title VI Manager will provide training as needed, particularly for new personnel.

Providing Notice to LEP Persons

Notices of translation and interpretation services are posted at the main entrance and elevators of the Central Office location and all Field District Headquarters locations. Critical documents are translated into the languages that meet the “Safe Harbor” threshold by the counties in each Field District and Central Office (Division 9).

Monitoring and Updating the LEP Plan

The LEP Plan will be updated on an as-needed basis. A variety of factors can influence the need to update information. There will be a continuous assessment of incoming LEP encounters reported to determine if the needs of any given community have changed. Census data will be analyzed every three years to determine if the eligible populations and languages have changed for the Central Office Division or Field Districts. There will be annual training for Title VI Designees, including any changes in LEP encounters.

OMPT is required to monitor subrecipients for compliance with the LEP requirements to ensure that members of the public who are limited in their English-speaking ability have the same access to and benefit from public transportation agencies receiving Federal-aid funds. Monitoring is done primarily through the triennial assessments and plan reviews, which include reviewing the public agency’s LEP self-assessment and the extent to which the agency has provided information to the public regarding the availability of interpreter services and translated written materials into other languages.

Analytics

OMPT collects demographic and socioeconomic data from transit providers seeking FTA funding regarding their proposed service area annually through their application process. ODOT’s 121 subrecipients currently provide service within 77 of Oklahoma’s 77 counties. Nearly all services provided by subrecipients are demand response and are open to the public.

Subrecipients

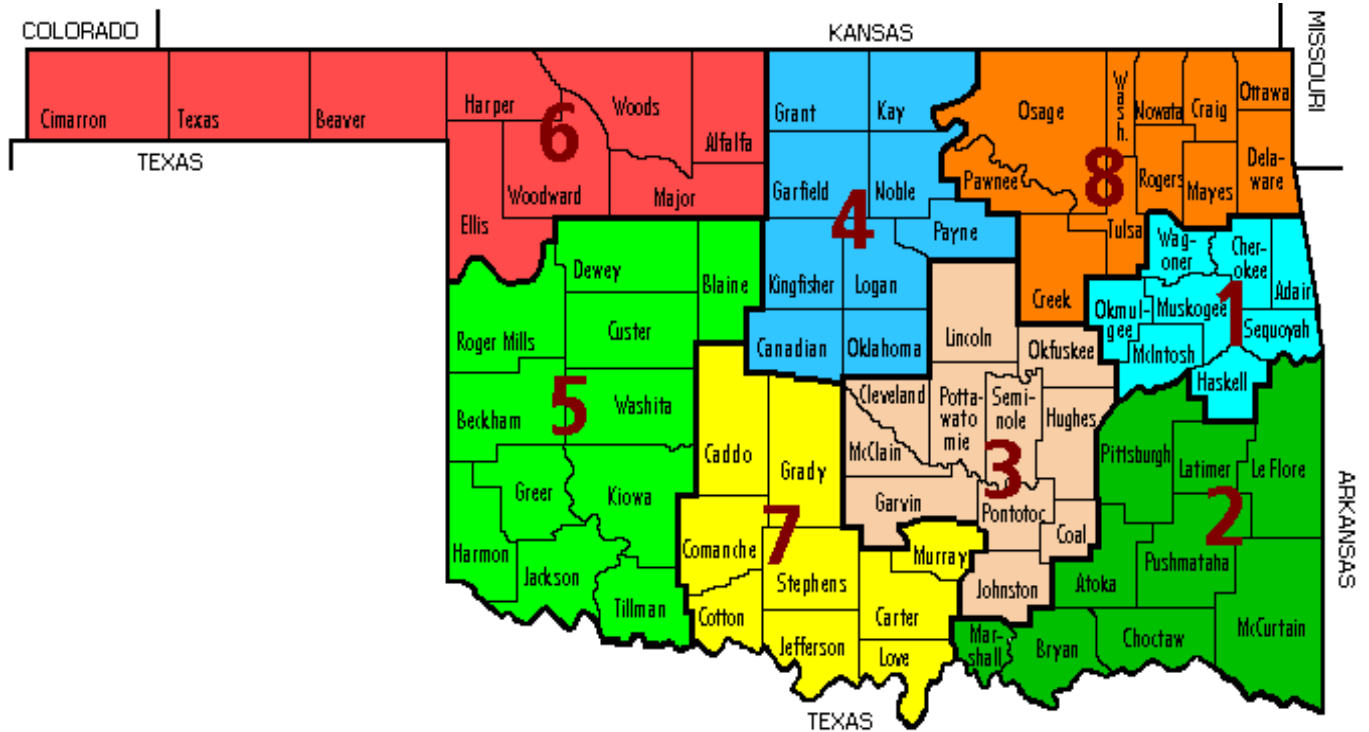
OMPT's State Management Plan (SMP) requires the subrecipients to submit Title VI plans every three years for review and approval on a staggered schedule. OMPT's Subrecipient Oversight Checklist also covers several Title VI requirements. Additionally, OMPT reviews the subrecipient's brochures, websites, etc., throughout the year and during desk audits followed by on-site assessments.

A list of all ODOT's subrecipients is published on ODOT's website and can be found at this location: <https://www.odot.org/transit/pubtrans.htm>, which includes links to subrecipients' websites.

Recipient Constructed Facilities

Since the last Title VI Program submission, ODOT and its subrecipients have not constructed any new transit facilities, such as vehicle storage facilities, maintenance facilities, operations centers, etc.

Map of ODOT Districts



District 1 – Muskogee

District 2 – Antlers

District 3 – Ada

District 4 – Perry

District 5 – Clinton

District 6 – Buffalo

District 7 – Duncan

District 8 – Tulsa

Division 9 (Central Office) – Oklahoma City

Demographic Profile of the State of Oklahoma

Fact	Fact Note	Oklahoma	Value Note for Oklahoma
Population Estimates, July 1, 2022, (V2022)		4,019,800	
Population estimates base, April 1, 2020, (V2022)		3,959,346	
Population, percent change - April 1, 2020 (estimates base) to July 1, 2022, (V2022)		1.50%	
Population, Census, April 1, 2020		3,959,353	
Population, Census, April 1, 2010		3,751,351	
Persons under five years, percent		6.10%	
Persons under 18 years, percent		23.70%	
Persons 65 years and over, percent		16.40%	
Female persons, percent		50.10%	
White alone, percent		73.00%	
Black or African-American alone, percent	(a)	7.90%	
American Indian and Alaska Native alone, percent	(a)	9.50%	
Asian alone, percent	(a)	2.60%	
Native Hawaiians and Other Pacific Islanders alone, percent	(a)	0.30%	
Two or More Races, percent		6.70%	
Hispanic or Latino, percent	(b)	12.10%	
White alone, not Hispanic or Latino, percent		63.40%	
Veterans, 2017-2021		258,556	
Foreign-born persons, percent, 2017-2021		6.10%	
Housing units, July 1, 2022, (V2022)		1,776,666	
Owner-occupied housing unit rate, 2017-2021		66.10%	
Median value of owner-occupied housing units, 2017-2021		\$150,800	
Median selected monthly owner costs - with a mortgage, 2017-2021		\$1,313	
Median selected monthly owner costs - without a mortgage, 2017-2021		\$432	
Median gross rent, 2017-2021		\$862	
Building permits, 2022		13,735	
Households, 2017-2021		1,503,868	
Persons per household, 2017-2021		2.56	

Living in same house one year ago, percent of persons age one year+, 2017-2021		84.00%	
Language other than English spoken at home, percent of persons age five years+, 2017-2021		10.70%	
Households with a computer, percent, 2017-2021		92.00%	
Households with a broadband Internet subscription, percent, 2017-2021		84.00%	
High school graduate or higher, percent of persons age 25 years+, 2017-2021		88.70%	
Bachelor's degree or higher, percent of persons age 25 years+, 2017-2021		26.80%	
With a disability, under age 65 years, percent, 2017-2021		11.80%	
Persons without health insurance, under age 65 years, percent		13.80%	
In civilian labor force, total, percent of population age 16 years+, 2017-2021		60.80%	
In civilian labor force, female, percent of population age 16 years+, 2017-2021		56.20%	
Total accommodation and food services sales, 2017 (\$1,000)	(c)	9,250,818	
Total health care and social assistance receipts/revenue, 2017 (\$1,000)	(c)	27,031,038	
Total transportation and warehousing receipts/revenue, 2017 (\$1,000)	(c)	12,698,585	
Total retail sales, 2017 (\$1,000)	(c)	53,382,094	
Total retail sales per capita, 2017	(c)	\$13,571	
Mean travel time to work (minutes), workers age 16 years+, 2017-2021		22.2	
Median household income (in 2021 dollars), 2017-2021		\$56,956	
Per capita income in past 12 months (in 2021 dollars), 2017-2021		\$30,976	
Persons in poverty, percent		15.70%	
Total employer establishments, 2021		94,751	
Total employment, 2021		1,346,568	
Total annual payroll, 2021 (\$1,000)		67,215,042	
Total employment, percent change, 2020-2021		-4.20%	
Total nonemployer establishments, 2020		300,822	
All employer firms, Reference year 2017		69,197	
Men-owned employer firms, Reference year 2017		39,611	

Women-owned employer firms, Reference year 2017		12,764	
Minority-owned employer firms, Reference year 2017		8,806	
Nonminority-owned employer firms, Reference year 2017		53,376	
Veteran-owned employer firms, Reference year 2017		5,250	
Nonveteran-owned employer firms, Reference year 2017		56,225	
Population per square mile, 2020		57.7	
Population per square mile, 2010		54.7	
Land area in square miles, 2020		68,596.53	
Land area in square miles, 2010		68,594.92	
FIPS Code		"40"	

NOTE: FIPS Code values are enclosed in quotes to ensure leading zeros remain intact.

Value Notes

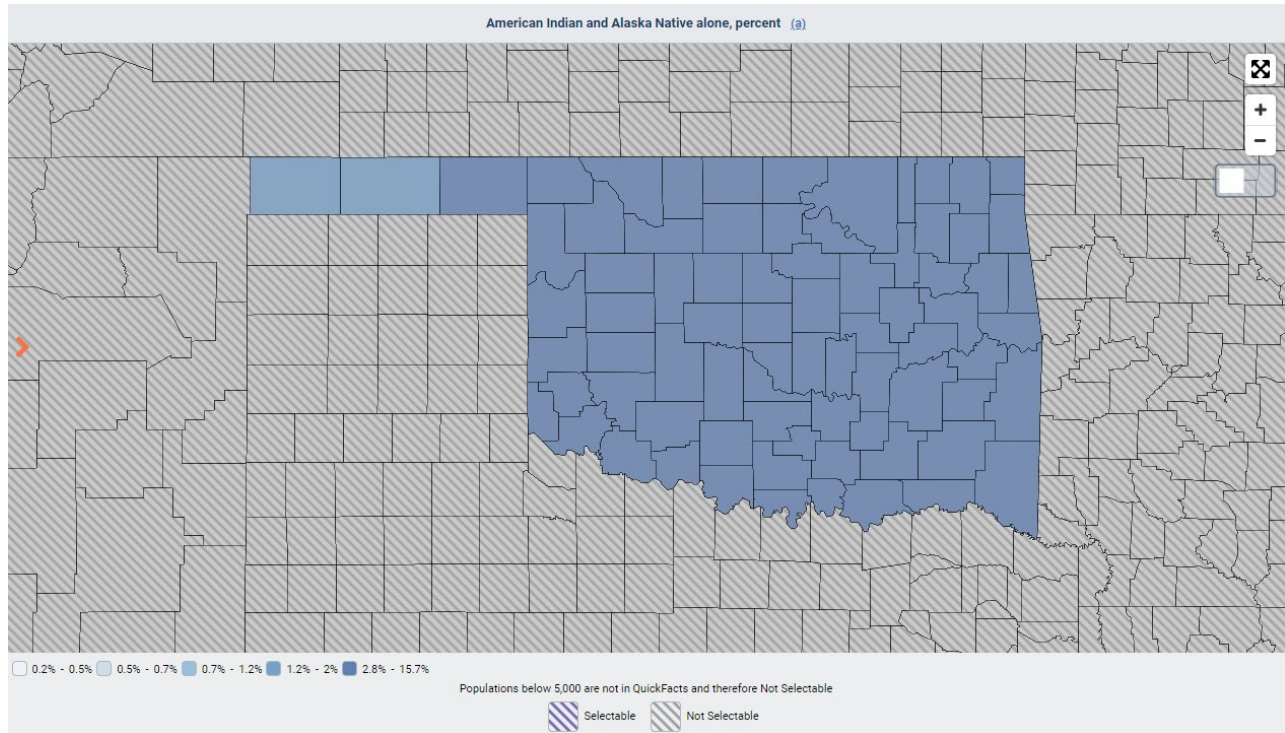
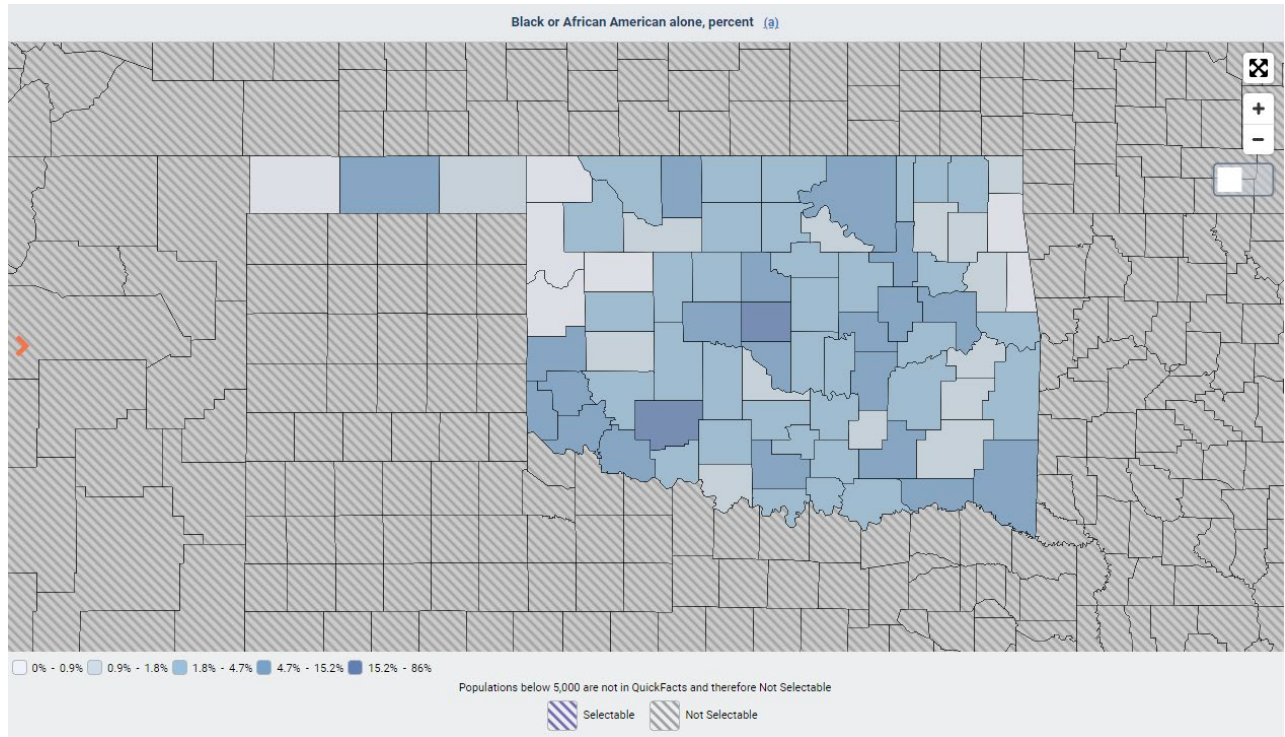
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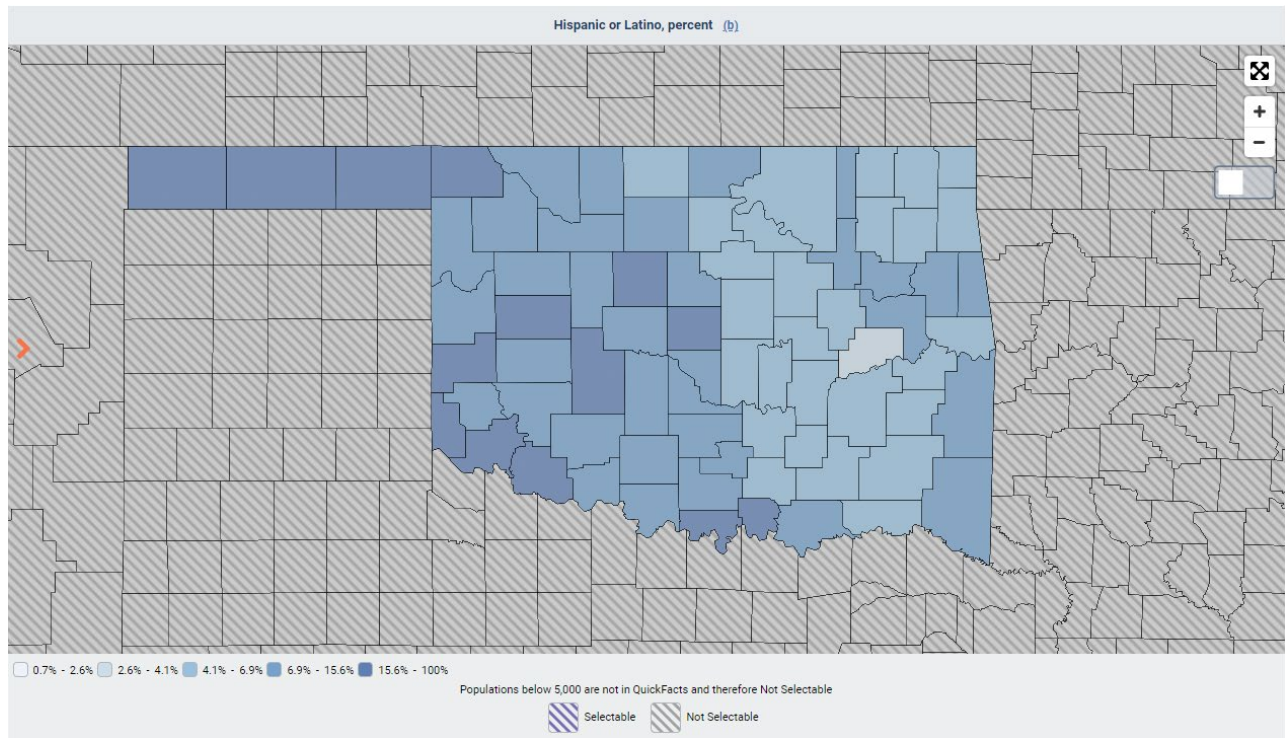
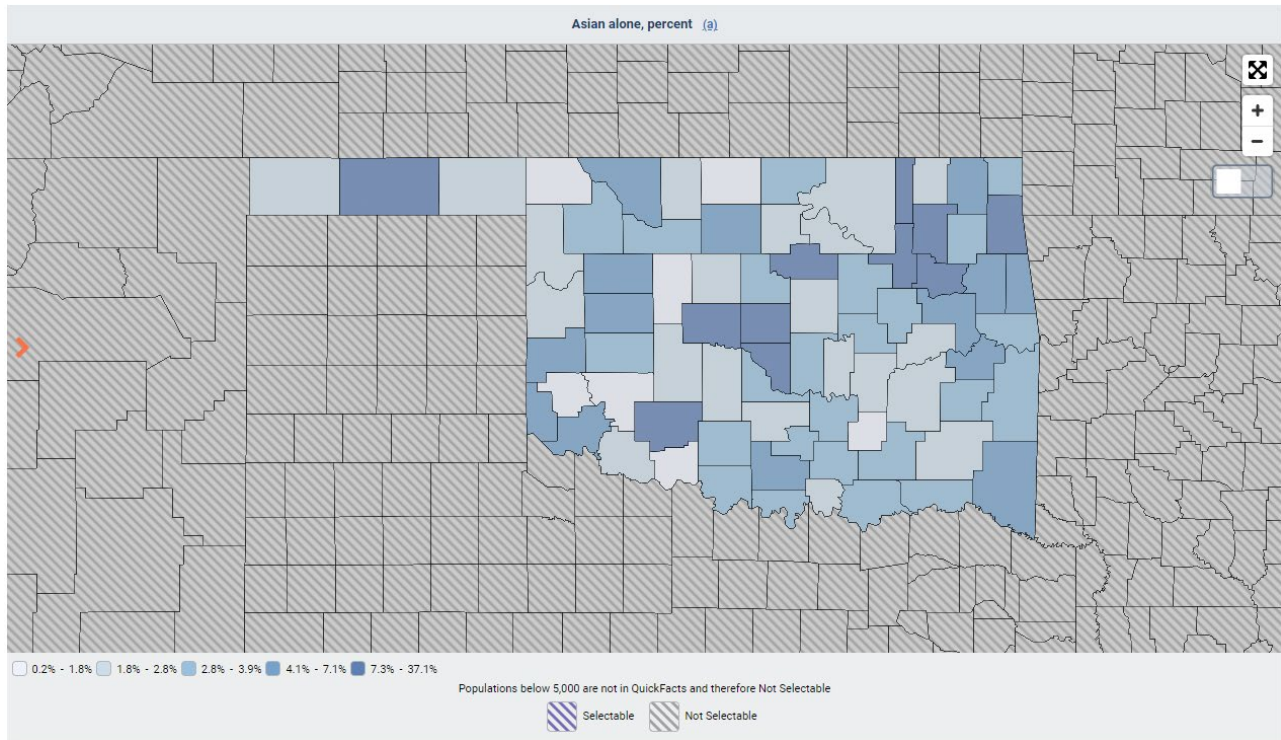
Fact Notes

- (a) Includes persons reporting only one race
- (b) Hispanics may be of any race, so also are included in applicable race categories
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

Data retrieved from the United States Census Bureau website <https://www.census.gov/quickfacts/fact/table/OK/PST045222>

Demographic Maps

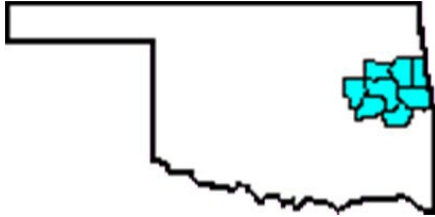




Data retrieved from the United States Census Bureau website https://www.census.gov/quickfacts/act/map/OK_US/PST045222

Distribution of Funds by District

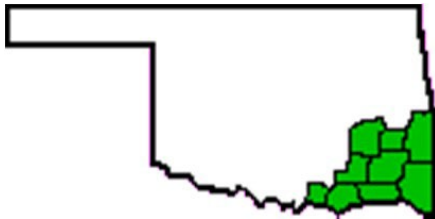
District 1: FFY2020-2023 Total Amount \$4,884,110.00



District 1 Headquarters – Muskogee, Oklahoma
Counties – Adair, Cherokee, Haskell, McIntosh, Muskogee, Okmulgee, Sequoyah, Wagoner

Subrecipient	Amount
Muskogee County Public Transit Authority	\$4,260,447.00
Cherokee Elder Care	\$79,503.00
City of Sallisaw	\$144,160.00

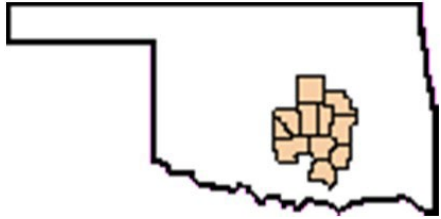
District 2: FFY2020-2023 Total Amount \$8,169,971.00



District 2 Headquarters – Antlers, Oklahoma
Counties – Atoka, Bryan, Choctaw, Latimer, LeFlore, McCurtain, Marshall, Pittsburg, Pushmataha

Subrecipient	Amount
Big Five Community Services, Inc.	\$3,868,209.00
LIFT	\$4,301,762.00

District 3: FFY2020-2023 Total Amount \$34,781,169.00



Subrecipient

Amount

District 3 Headquarters – Ada, Oklahoma

Counties – Cleveland, Coal, Garvin, Hughes, Johnston, Lincoln, McClain, Okfuskee, Pontotoc, Pottawatomie, Seminole

Central Oklahoma Community Action Agency	\$1,189,393.00
Delta Community Action Foundation, Inc.	\$1,177,972.00
INCA Community Services	\$5,708,409.00
KiBois Community Action Foundation, Inc.	\$25,600,050.00
Pontotoc County Public Transit Authority	\$738,497.00
City of Prague	\$93,792.00
McCall’s Chapel School	\$242,564.00
South Central Industries	\$62,624.00
Southern Oklahoma Addiction Recovery, Inc.	\$92,384.00
City of Stroud	\$93,792.00

District 4: FFY2020-2023 Total Amount \$34,095,971.00

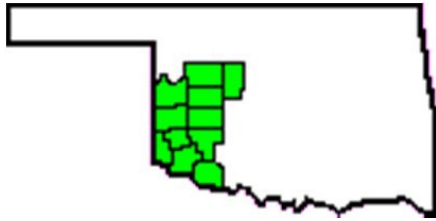


District 4 Headquarters – Perry, Oklahoma

Counties – Canadian, Garfield, Grant, Kay, Kingfisher, Logan, Noble, Oklahoma, Payne

Subrecipient	Amount
Enid Public Transportation Authority	\$1,922,755.00
Logan County Historical Society, Inc.	\$7,473,278.00
Northern Oklahoma Development Authority	\$3,556,737.00
Oklahoma State University Parking and Transit	\$18,157,418.00
Center of Family Love	\$658,440.00
Hope Community Services	\$90,264.00
MPower, Inc.	\$146,676.00
St. Katherine Drexel Retirement Center	\$95,569.00
Stillwater Group Home	\$121,282.00
Aging Services, Inc.	\$84,947.00
Daily Living Centers	\$345,544.00
Harbor House Foundation, Inc.	\$78,021.00
Harrah Senior Center	\$193,028.00
City of Edmond	\$478,540.00
Metropolitan Better Living Center	\$85,554.00
Eastern Oklahoma County Technology Center	\$207,546.00
Oklahoma Foundation for the Disabled	\$268,694.00
Saint Ann Retirement Center	\$66,452.00
Compassionate Hands	\$65,226.00

District 5: FFY2020-2023 Total Amount \$16,119,617.00

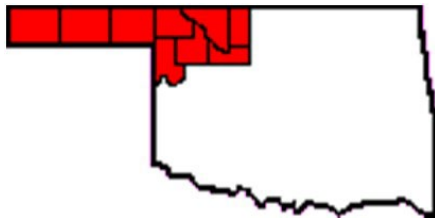


District 5 Headquarters – Clinton, Oklahoma

Counties – Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman, Washita

Subrecipient	Amount
Community Action Development Corporation	\$11,495,090.00
MAGB Transportation, Inc.	\$1,670,779.00
SW Oklahoma Community Action Group, Inc.	\$2,953,748.00

District 6: FFY2020-2023 Total Amount \$1,300,726.00

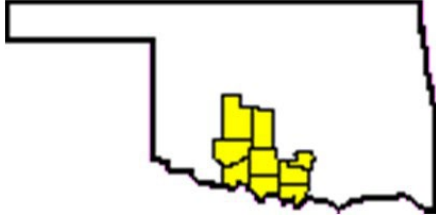


District 6 Headquarters – Buffalo, Oklahoma

Counties – Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Texas, Woods, Woodward

Subrecipient	Amount
City of Guymon	\$909,069.00
Town of Beaver	\$261,607.00
Fairview Fellowship Home and Village	\$130,050.00

District 7: FFY2020-2023 Total Amount \$664,948.00

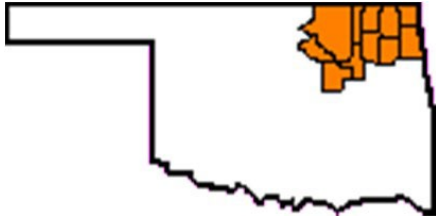


District 7 Headquarters – Duncan, Oklahoma

Counties – Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love, Murray, Stephens

Subrecipient	Amount
Washita Valley Community Action Council	\$664,948.00

District 8: FFY2020-2023 Total Amount \$15,464,538.00



District 8 Headquarters – Tulsa, Oklahoma

Counties – Craig, Creek, Delaware, Mayes, Nowata, Osage, Ottawa, Pawnee, Rogers, Tulsa, Washington

Subrecipient	Amount
Grand Gateway Economic Development Association, Inc.	\$7,656,157.00
United Community Action Program, Inc.	\$6,591,502.00
ARC Group Homes/Ability Works	\$74,857.00
Community Health Center of SE Kansas	\$78,203.00
City of Collinsville	\$80,404.00
Home of Hope	\$983,415.00

Disparate Impact Analysis

ODOT analyzed the available census and population data, which did not lead to the identification of any disparate impacts based on race, color, or national origin.

Statewide Transportation Planning and Needs of Minority Populations

Demographic and socioeconomic data is essential in building the foundation for ODOT's Long Range Transportation Plan (LRTP) for 2015-2040. The information can be found in Chapter 5 of the LRTP, which is published on ODOT's website: http://www.okladot.state.ok.us/p-r-div/lrp_2015_2040/2040_LRTP_Chapter05.pdf.

Procedures for ODOT to Pass FTA Funds to Subrecipients in a Non-discriminatory Manner

The process (outlined below) for distributing Federal funds to the transportation agencies in the Section 5311 program was developed by a committee of several transportation providers representing rural transit across the state. This process was then reviewed and approved by ODOT. The FTA gives the states the authority to develop the method of distributing funds. This method provides Federal operating and capital assistance to twenty (20) transportation providers that provide public transportation within 77 of Oklahoma's 77 counties.

The program year allotment establishes the maximum amount of Section 5311 funds available to the subrecipients. The amount of Section 5311 funding made available to each subrecipient will be determined by the cumulative amounts of their Incentive Allotment and Performance Allotment. Any funds not programmed or obligated by the subrecipient during the contracted program year will be deemed lapsed by ODOT. Any such balance of funding will be carried forward for allocation within the subsequent year's Statewide Allotment. ODOT may evaluate and change the methodology and formula to distribute annual program funds after notifying and receiving input from subrecipients.

All statistical data for October – September must be submitted to the OMPT by November 1 for use in the program allocation formula. Any statistical data not submitted by this deadline will be deemed late and therefore may not be eligible for inclusion into the processes for calculating the Incentive Allotment and Performance Allotment.

ODOT will monitor the status of Federal transit funds available to the State. If the demand for funds in the rural areas exceeds the availability of Section 5311 program funds, FTA Section 5307 funds may be transferred from the small-urbanized areas to supplement the state's Section 5311 apportionment and vice-versa. ODOT has the option to transfer unobligated Section 5307 funds or Section 5311 program funds to the area with the greatest need. ODOT must advise the FTA of any such transfer of funds.

After deducting for state administration and technical assistance, intercity bus project awards, the Program Reserve, any unspent funds from the previous years (if applicable) and adding carryover

funds from the previous year's Program Reserve (if applicable), the balance of Section 5311 funds will be referred to as the Statewide Allotment. This Statewide Allotment will be divided among subrecipients using the process detailed below:

- Incentive Allotment: the first part of the process establishes the Incentive Allotments. The incentive allotment consists of the farebox. Each subrecipient will receive an incentive equal to the annual average of the preceding two years' farebox revenue reported. For the purpose of administering this program, farebox revenue is defined as cash payments made by an individual transit user, such as:
 - Money paid into the farebox as a passenger boards a vehicle.
 - Payment made for a transit pass. The subsidized amount does not qualify.
- Performance Allotment: the second step is to determine the Performance Allotment. Performance allotment is defined as a procedure for dividing the annual allocation of Section 5311 funds among subrecipients using three performance indicators based on annual statistics (below). The amount available for distribution under the Performance allotment is calculated by subtracting the incentive allotment from the statewide allotment. Each subrecipient is allocated a pro-rata share based on its performance under the three performance measures. Performance allotment is calculated as follows:
 - Passenger miles: thirty-five percent (35%) of the performance allotment is disbursed based on each subrecipient's pro rata share of the preceding two years' annual average passenger miles reported statewide. The annual reporting period is October through September.
 - Revenue miles: twenty percent (20%) of the performance allotment is disbursed based on each subrecipient's pro rata share of the preceding two years' annual average revenue miles reported statewide. The annual reporting period is October through September.
 - Passenger trips: forty-five percent (45%) of the performance allotment will be disbursed based on each subrecipient's pro rata share of the preceding two years' annual average passenger trips reported statewide. The annual reporting period is October through September.

The Section 5310 program (49 U.S.C.5310) provides formula funding to states to assist private nonprofit groups in meeting the transportation needs of seniors and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meet these needs. Funds are apportioned based on each state's share of the population for these two groups. Formula funds are apportioned to direct recipients; for rural and small urban areas, which is the state's Department of Transportation. While in large urban areas, a designated recipient is chosen by the Governor. For Oklahoma, the Governor's designee for large urban areas is also ODOT, except

for the Tulsa area. The Governor has designated INCOG as the direct recipient of Tulsa area 5310 funds.

The program aims to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding transportation mobility options. This program supports transportation services planned, designed, and carried out to meet the unique transportation needs of seniors and individuals with disabilities in all areas – large-urbanized areas (over 200,000 general population), small-urbanized areas (50,000-200,000 general population), and rural areas (under 50,000 general population). FTA's guidance and instructions for this program can be found in FTA C 9070.1G, Chapter III. Subrecipients should use the current guiding circular should it later be updated, renamed, or combined.

For the 5310 program, ODOT may use up to 10 percent of the apportionment to support program administrative costs, including planning and subrecipient technical assistance, which may be funded at 100 percent Federal share.

Program Year: October 1 – September 30

Eligible Applicants:

- Private not-for-profit corporations
- Public agencies able to certify to the Governor that no private not-for-profits are readily available to provide the proposed service
- All public agencies and operators of public transportation services
- Federally recognized Indian entities

Eligible Projects:

The 5310 Program funds traditional capital ADA vehicle purchases to provide Oklahoma transportation services. Applications are accepted during the annual application cycle as announced by ODOT.

Transportation services supported by 5310 must remove barriers to transportation services or expand transportation opportunities for older people and/or people with disabilities. This expanded service may be part of general public transportation or be part of programs devoted to these populations.

To be eligible for consideration of funding for the succeeding fiscal year, an applicant must submit the following to ODOT by the applicable deadline:

- A notice of intent letter (by a date to be determined by ODOT) indicating an applicant's interest in applying for available Section 5310 program funds, along with a resolution from the governing board pledging financial support of the project.
 - Application
 - Annual Request of Certification Package

To receive a rating of "Pass" and continue through the evaluation process, applications must be received by the deadline and complete all questions/areas of the application. It must also comply with the programs noted below to be considered responsive:

- Application Information;
- Project Funding Request;
- Performance Measures;
- Civil Rights, EEO, Title VI Requirements;
- Public Participation Plan and Coordination Requirements;
- Locally Developed, Coordinated Public Transit Human Services Transportation Plan (Plus TIP and STIP # if applicable);
- Applicant Affirmations;
- Executed FY(Applicable Year) Certifications and Assurances;
- Resolution from the Agency's Governing Board;
- Ensure adequate matching funds are available for the project. Letters of commitment from local dedicated funding sources must be included in the application.

Public Hearing and Notice for Disadvantaged Business Enterprises (DBE):

An opportunity for a public hearing is required for capital grants under Section 5310. Applications must submit a copy of the notice of public hearing, notices for DBE opportunities, and an affidavit of publication.

Procedures for ODOT to Provide Assistance to Potential Subrecipients

OMPT offers technical assistance to all eligible subrecipients through various resources. ODOT's State Management Plan (SMP) provides instructions on writing to OMPT for application instructions. Contact information for OMPT Staff is also published on ODOT's website at the following address: <https://oklahoma.gov/odot/about/contact-us/multimodal.html>. Once applicants begin the application process, they are assigned an OMPT Project Manager to personally work with them through every step of the application, as needed, via phone calls, emails, and site visits.

Funding Requests: Private Non-Profit Organizations, State Governmental Authorities, Local Governmental Authorities, and Indian Tribes

An example of this can be provided upon request by FTA.

Annual Program of Projects

ODOT submits its Section 5311 Program of Projects to FTA for the succeeding program year. The program's fiscal year is October 1 through September 30. To be eligible for consideration of funding

for the succeeding fiscal year, an applicant must submit the following to the OMPT by the applicable deadlines:

- A notice of intent letter indicating an applicant's interest in applying for available Section 5311 Program funds, along with a resolution from the governing board pledging financial support of the project
- A draft application
- Final/completed application

A draft application must be submitted to OMPT for review by April 1st. Draft documents will be reviewed in the order in which they are received. Prospective applicants must understand the deadline to submit their completed application to the OMPT. No late applications will be accepted for processing. Applicants should, therefore, submit their draft in a timely manner. This will allow for the review, possible rewrite, and submission of the completed document by the May deadline. A completed application is defined as a document that clearly outlines the applicant's proposed transit services, contains all necessary information outlined by the Section 5311 program documents, and does not require further revisions or editing by OMPT staff. This includes completion of the public hearing requirement.

Failure to submit a completed application will result in the applicant being considered ineligible for Section 5311 Program financial assistance for the succeeding fiscal year. It should be noted, however, that the completed application may not represent the final application document. The application will be subject to change as ODOT deems necessary. The completed application will not be considered final until ODOT advises the applicant that the application has been approved for funding.

OMPT provides technical assistance in preparing an application. However, the document's development, preparation, and timely submittal is the applicant's sole responsibility. Application instructions may be obtained by submitting a request to OMPT.

The 5310 program's fiscal year is October 1st through September 30th. To be eligible for consideration of funding for the succeeding fiscal year, an applicant must submit the following to ODOT by the applicable deadlines:

- A notice of intent letter indicating an applicant's interest in applying for available Section 5310 program funds, along with a resolution from the governing board pledging financial support of the project.
- A draft application
- Final application due

Documents are reviewed in the order in which they are received. Applicants should submit their draft in a timely manner. This allows for the review, possible rewrite, and submission of the completed document by the deadline. A completed application is defined as a document that clearly outlines the applicant's proposed capital purchases and their intended use and does not require further revisions or editing. Failure to submit a completed application will result in the

applicant being considered ineligible for Section 5310 Program financial assistance for that respective application cycle fiscal year.

The following is ODOT's process and timetable for soliciting, reviewing, and application approval for projects to be included in the annual Program of Projects for Section 5310:

- A public announcement of opening an application cycle at a date to be determined by ODOT as funding becomes available;
- Applicant letter of intent due at a date to be determined by ODOT;
- Applicants will submit draft applications at a date to be determined by ODOT;
- Applicants will submit additional documents (if needed) to complete its final application;
- ODOT will review and approve/select applications for award based on pre-determined criterion;
- Grant award announcement/notifications sent;
- Initiate FTA grant program of projects in TrAMS;
- Begin the contract agreement process;
- Issue a notice to proceed to begin the implementation of Agency awarded projects.

OMPT provides technical assistance in preparing an application. However, the document's development, preparation, and timely submittal is the applicant's sole responsibility. OMPT will provide application instructions if requested.

Criteria for Selecting Entities to Participate in an FTA Grant Program

OMPT utilizes a "New Start Agency" evaluation document to assess transit systems requesting FTA funds from ODOT. The documents are in Appendix A and B.

Definition of Terms

All definitions in chapter 53 of title 49, United States Code, and in 49 CFR part 21 apply to this Circular, as well as the following definitions:

- a. Applicant: A person or entity that submits an application, request, or plan required to be approved by the FTA Administrator or a primary recipient as a condition of eligibility for financial assistance from FTA, and “application” means such an application, request, or plan.
- b. Demand response system: Any non-fixed route system of transporting individuals that requires advanced scheduling, including services provided by public entities, non-profits, and private providers. An advance request for service is a key characteristic of demand response service.
- c. Designated recipient: An entity designated, in accordance with the planning process under sections 5303 and 5304, by the Governor of a State, responsible local officials, and publicly owned operators of public transportation to receive and apportion amounts under section 5336 to urbanized areas of 200,000 or more in population; or a State or regional authority, if the authority is responsible under the laws of a State for a capital project and financing and directly providing public transportation.
- d. Direct recipient: An entity that receives funding directly from FTA. For purposes of this Circular, a direct recipient is distinguished from a primary recipient in that a direct recipient does not extend financial assistance to subrecipients, whereas a primary recipient does.
- e. Discrimination: Any action or inaction, whether intentional or unintentional, in any program or activity of a Federal-aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.
- f. Disparate impact: A facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient’s policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect based on race, color, or national origin.
- g. Disproportionate burden: A neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

- h. Disparate treatment: Actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.
- i. Fixed guideway: A public transportation facility—using and occupying a separate right-of-way for the exclusive use of public transportation; using rail; using a fixed catenary system; for a passenger ferry system; or for a bus rapid transit system.
- j. Fixed route: Public transportation service provided in vehicles operated along pre-determined routes according to a fixed schedule.
- k. Federal financial assistance:
 - (1) grants and loans of Federal funds;
 - (2) the grant or donation of Federal property and interests in property;
 - (3) the detail of Federal personnel;
 - (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced to assist the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
 - (5) any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.
- l. Limited English Proficient (LEP) persons: Persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.
- m. Low-income person: A person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.

Recipients are encouraged to use a locally developed threshold, such as the definition found in 49 U.S.C. 5302 as amended by MAP-21: “refers to an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 U.S.C 9902(2)), including any revision required by that section) for a family of the size involved” or another threshold, provided that the threshold is at least as inclusive as the HHS poverty guidelines.

- n. Low-income population: Any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy or activity.
- o. Metropolitan Planning Organization (MPO): The policy board of an organization created and designated to carry out the metropolitan transportation planning process.
- p. Metropolitan Transportation Plan (MTP): The official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process.
- q. Minority persons include the following:
 - (1) American Indian and Alaska Native refers to people having origins in any of the original peoples of North and South America (including Central America) and who maintain tribal affiliation or community attachment.
 - (2) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
 - (3) Black or African American refers to people having origins in any of the Black racial groups of Africa.
 - (4) Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
 - (5) Native Hawaiian or Other Pacific Islander refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- r. Minority population: Any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.
- s. Minority transit route: A route with at least 1/3 of its total revenue mileage in a Census block or block group, or traffic analysis zone(s) with a percentage of minority population that exceeds the percentage of minority population in the transit service area. A recipient may supplement this service area data with route-specific ridership data in cases where ridership does not reflect the characteristics of the census block, block group, or traffic analysis zone.

- t. National origin: The nation in which a person was born or where the person's parents or ancestors were born.
- u. Noncompliance: An FTA determination that the recipient is not in compliance with the DOT Title VI regulations and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity based on race, color, or national origin.
- v. Non-profit organization: A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c) which is exempt from taxation under 26 U.S.C. 501(a) or one which has been determined under State law to be non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.
- w. Predominantly minority area: A geographic area, such as a neighborhood, Census tract, block or block group, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient's service area.
- x. Primary recipient: Any FTA recipient that extends Federal financial assistance to a subrecipient.
- y. Provider of fixed route public transportation (or "transit provider"): Any entity that operates public transportation services, including States, local and regional entities, and public and private entities. This term is used in place of "recipient" in Chapter IV and includes direct recipients, primary recipients, designated recipients, and subrecipients that provide fixed-route public transportation services.
- z. Public transportation: Regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income and does not include Amtrak, intercity bus service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intra-terminal or intra-facility shuttle services. Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either a fixed route or a demand response service.
- aa. Recipient, as used in this Circular: Any public or private entity that receives Federal financial assistance from FTA, whether directly from FTA or indirectly through a primary recipient. This term includes subrecipients, direct recipients, designated recipients, and primary recipients. The term does not include any ultimate beneficiary under any such assistance program.

- bb. Secretary: The Secretary of the U.S. Department of Transportation.
- cc. Service area: Either the geographic area in which a transit agency is authorized by its charter to provide service to the public or the planning area of a State Department of Transportation or Metropolitan Planning Organization.
- dd. Service standard/policy: An established service performance measure or policy used by a transit provider or other recipient as a means to plan or distribute services and benefits within its service area.
- ee. Statewide Transportation Improvement Program (STIP): A statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53
- ff. Subrecipient: An entity that receives Federal financial assistance from FTA through a primary recipient.
- gg. Title VI Program: A document developed by an FTA recipient to demonstrate how the recipient complies with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to FTA every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent.
- hh. Transportation Improvement Program (TIP): A prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.
- ii. Transportation Management Area (TMA): An urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the Secretary of Transportation.

Appendix A
FTA Section 5310 Application



General Overview

Please consult the Oklahoma Department of Transportation Section 5310 State Management Plan (SMP) to review the specific eligibility requirements prior to beginning the Application. The Application is designed to facilitate program eligibility determinations based on the program requirements described in the SMP.

Application Information Requirements

Information necessary to submit a complete Application includes:

- Resolution from the Agency's Governing Board
- Application Completed and Signed/Submitted Electronically
- Notice of Public Hearing
- Notices for DBE Opportunities (For Non-Rolling Stock Projects Only)
- Affidavit of Publications
- Financial Letters of Commitment (Funds previously on deposit with DHS will be evaluated and considered if applicable)
- Title VI Plan
- Executed FY20 Certificates and Assurances
- Other supporting documentation as necessary

Eligible applicants include

- Private not-for-profit corporations (can apply for traditional and enhanced projects);
- Public agencies able to certifying to the Governor that no private not-for-profits are readily available to provide the proposed service (are eligible to apply for traditional projects);
- All public agencies and operators of public transportation services (are eligible to apply for enhanced projects);
- Federally recognized Indian entities (are eligible to apply for traditional and enhanced projects); and
- Private companies providing shared-ride services to the general public on a regular basis (are eligible to apply for enhanced projects).

Successful applicants must participate in local public transit/human services transportation coordination efforts.

Completing the Application

The Application is an Adobe PDF. To start, save a copy of the form to your computer. Open the saved form to start entering the requested information. Web browsers such as Apple Safari, Google Chrome and Mozilla may have their own non-Adobe PDF readers set as the default reader. To use one of these browsers, change the default PDF viewer setting to Adobe Reader. If Internet Explorer is used as the browser, no action is needed. Applicants need Adobe Acrobat Standard or Pro and Adobe Reader. Please be sure to enable the form if necessary.

Please use the "Tab" function as you navigate through the form to ensure questions are answered in the correct order. Applicants shall be required to complete all required fields as they appear in the application. **Required fields are designated by a preceding asterisk (*).**

Submitting Completed Application to ODOT

The completed Application and any required information described above, must be submitted to ODOT via: transit@odot.org **starting on September 4, 2020 and no later than September 24, 2020.** To facilitate the submission of the Application, you may want to zip any large files prior to attaching them as the limit on overall file size is approximately 20MB. Questions regarding this Application may be directed to: transit@odot.org

To receive a rating of “Pass” and continue on through the evaluation process, applications received by the deadline must have completed all questions/areas of the Application and be in compliance with the requirements of the program as noted below in order to be considered responsive:

Minimum 5310 Application Responsiveness Requirements	
Application Section	Section Name
A	Applicant Information
C	Project Funding Request
E	Performance Measures
F	Civil Rights, Equal Employment Opportunity and Title VI Requirement
G	Public Participation and Coordination Requirements
H	Locally Developed, Coordinated Public Transit Human Services Transportation Plan
I	Applicant Affirmations
	FY20 Executed Certifications and Assurances
	Resolution from the Agency’s Governing Board

EVALUATION CRITERIA

Applications with a passing score on the minimum application responsiveness requirements noted above will be evaluated using the criteria and point values identified in the table below.

Each project type is scored separately, with a maximum score of 100 points. Each individual project score is comprised of up to 50 points for the primary* application submission plus up to 50 points for the respective project type submission. For example an applicant may apply for two project types of which both will be evaluated separately with a maximum of 100 points each.

Application Components	Part Name	Maximum Point Value
B	Primary Purpose/System Description*	15
E	Performance Measures*	15
G	Public Participation and Coordination Requirements*	15
	Past Performance in the Section 5310 Program*	5

Application Part	Part Name	Maximum Point Value
D1	Project - Capital – Vehicle and Other Capital	50
D2	Project – Mobility Management	50
Maximum Allowable Points Total Per Project Type		100

If available funding meets or exceeds the amount of funding needed to fund all proposed projects, ODOT reserves the right to waive the numerical scoring phase of the evaluation process and award all projects proposed that successfully pass the pre-screening process.

SECTION A: APPLICANT INFORMATION

 *Legal Agency/Business Name:

 DBA Name: * Entity Type:

 *Applicant Location Area: Are you applying for Rural, Small Urban, or Large Urban?

 *Did you previously participate in the DHS 5310 program? If yes, which years?

 *Complete the following Table if applicable. Click on the check box to attach any required documents:

SFS Vendor ID No.	Federal ID No.	DUNS No.	OK Tax Exempt No.	Charities Registration No.
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Applicant Primary Contact Information:

 Salutation: *First Name: *Last Name:

 *Title:

 *Address 1:

 Address 2:

 *City: *State: *Zip Code: *Web Site:

 *Phone No: Fax No: *E-mail:
 Check here if contracting address and contact address are the same. If not, please provide the contracting address below:

 Address 1:

 Address 2:

 City: State: Zip Code: Web Site:

 Phone No: Fax No: E-mail:
Applicant Secondary Contact Information:

 Salutation: *First Name: *Last Name:

 *Title:

 *Address 1:

 Address 2:

 *City: *State: *Zip Code: *Web Site:

*Phone No: Fax No: *E-mail:

SECTION B: PRIMARY PURPOSE/SYSTEM DESCRIPTION

In the space provided, briefly describe your agency's mission and services. Space is limited to the visible area:

Agency Mission Statement

Current Services Provided:

*PRIMARY COUNTY BEING SERVED:

*Service Area(s): List the Village/Town/City Served.

Number of staff dedicated to Transportation Services in your organization:

Is Membership or Registration required to participate in your organization's program?

If yes, please describe the Membership or Registration requirements:

Is your organization, or organization's name affiliated in any way with a religion, religious institution or religious organization?

If yes, please describe the affiliation:

SECTION C: PROJECT FUNDING REQUEST

*Briefly describe the overall project. Include the planned use of funding for which you are applying. Space is limited to the visible area.

*Check the box(es) in the table that correspond to the funding for which you are applying, and complete the table. Your choice(s) of funding determine what Parts of this Application you will need to complete. Once completed, proceed to the next applicable section. Please use the [Statewide Contract](#) to provide the most accurate estimate for vehicles, non-vehicles and mobility management projects.

Check Funds:	Required Part(s):	Estimated Project Costs	Federal Assistance Requested	Applicant Share	Project Start Date	Project End Date
<input type="checkbox"/> Capital: Vehicle and Non-Vehicle	D1					
<input type="checkbox"/> Mobility Management	D2					
Total:						

*In the event ODOT receives project proposals which exceeds available funds for your region, are you willing to receive a scaled down funding amount to be determined by ODOT?

SECTION D1: PROJECT INFORMATION- Capital

*1. Specify the anticipated use(s) for the grant award:

*2. Specify the main objective for the proposed project:

*3. Describe how the proposed project addresses the Section 5310 program objective specified above:

*4. Identify the unmet needs the proposed project seeks to address:

*5. Why are the current services provided in your service area insufficient to meet the needs identified above?

*6. Will requested vehicle(s) ever transport consumers under the age of 21 to or from a school?

7. Does your organization operate exclusive school transportation service?

7a. Describe your school services:

8. Is your organization exempt from the school bus restriction as permitted under [49 CFR 605](#)? Attach copy of exemption

*9. Is your organization/Agency currently a Section 5311 or 5307 Subrecipient?

*10. Will your organization/agency's 5310 Program serve members of the general public?

If yes, explain below, including any individual fare charges:

SECTION D1: SUPPORTING DOCUMENTS: VEHICLE AND OTHER CAPITAL REQUEST(S)

- Fill out Appendix A to provide estimates for up to six (6) Vehicle Requests. Reference the [Statewide Contract](#) to provide the most accurate estimates.
- Fill out Appendix B to provide a list of all current 5310 Vehicle Inventory. Include Grant Sources, Year, Make, Model, Seating Capacity, and Mileage.

For Other Capital Requests not found in the State Contract, complete the table below.

- Attach Independent Cost Estimate for each Capital Item.

Describe	Unit Cost	Qty	Total Cost	Purpose	Age	Federal Share	Local Match
Total	X	X		X	X		

SECTION D2: PROJECT INFORMATION- MOBILITY

Leave this Part blank if you did not apply for Mobility Management.

*1. Specify the anticipated use(s) for the grant award:

*2. Specify the main objective for the proposed project:

*3. PROJECT Description: Describe how the proposed project addresses the Section 5310 program objective specified above and benefits other transit agencies in your regional location:

*4. Identify the unmet needs the proposed project seeks to address:

*5. Why are the current mobility management services in your service area insufficient to meet the needs identified above?

*6. What efforts will the Applicant undertake to leverage funds from other sources to implement/provide/sustain these services?

SECTION D2 SUPPORTING DOCUMENTS: MOBILITY MANAGEMENT/RELATED PROGRAM

Complete the Mobility Management Project Cost Tables by entering Expenses in the shaded cells.

Item	Physical Address for Asset	Estimated Unit Cost		Total Cost	Federal Share	Required Local Match
Total						

SECTION E: PERFORMANCE MEASURES

The following Performance Measures are established in the FTA Section 5310 Program. Complete each portion as it applies to this Application.

***For All Requests:**

Briefly describe the efforts made to coordinate services with Human Services or other agencies in your geographic area. Include a statement regarding the impact on budgets and efficiencies/innovations obtained or planned (space is limited to visible area):

For Vehicle Requests:	Measure	Current 5310	New 5310
Number of vehicles used to provide seniors and persons with disabilities service	Number		
Number of seniors and persons with disabilities needing wheelchair positions	Annually		
Vehicle miles traveled	Annually		
Vehicle miles	Daily Average		
One-way trips provided to seniors and persons with disabilities	Annual Number		
Number of Riders per trip	Average		
Round-Trip length (miles)	Average		
Normal number of days vehicles in operation	Weekly		
Normal hours of vehicle operation	Daily		
Normal hours of vehicle operation	Annually		

Other Capital Improvements: Describe the type of capital project/improvement proposed. Include a site map (if applicable) and cost estimate. ODOT will contact you if additional information is needed.

Numbers of Consumers, in targeted population, anticipated to be served annually by this improvement:

Mobility Management: Specify the performance measures your agency will use to measure success.

Proposed Project	Performance Objective	Measure	Quarterly Target Attainment

SECTION F: CIVIL RIGHTS, EQUAL EMPLOYMENT OPPORTUNITY AND TITLE VI

Please refer to the FTA guidance regarding [Civil Rights](#) and the ODOT [Section 5310 State Management Plan](#) for service providers. Regarding your Civil Rights program, answer the following questions, providing an explanation as required. Over the past three years:

*1. Has any investigation, lawsuit, or complaint alleging discrimination been filed against the applicant or any subcontractor?

If yes, describe below:

*2. Have any Civil Rights Compliance Review Activities or investigations been conducted in the past 3 three years?

If yes, describe below:

3. Regarding your Equal Employment Opportunity Program, in Part B you indicated 50 or more staff are dedicated to Transportation Services.

Attach your Equal Employment Opportunity (EEO) Plan, or the timeline by which you will meet the requirement for a plan prior to award.

Attach Title VI Plan

SECTION G: PUBLIC PARTICIPATION AND COORDINATION REQUIREMENTS

*Please check the box to show you are submitting the required documentation with your Application as described below.

Copy of Public Notice paid advertisement(s)

List of the private bus and taxi companies; public transportation operators; and human service agencies to whom Notice was sent.

*Is your comment period complete?

*Date comment period ended or will end:

*Did you receive any comments, proposals, or other communication in response to your Notice?

Describe:

SECTION H: LOCALLY DEVELOPED, COORDINATED PUBLIC TRANSIT – HUMAN SERVICES TRANSPORTATION PLAN

*Did you participate in the ODOT 55310 Public Survey?

*Did you participate in the ODOT telephone Town Hall Meetings?

If yes, which date and time?

*Which ODOT developed 5310 Program Coordinated Human Services Transportation Plan does your project originate from?

Coordination with Other Organizations: Specify the counties of coordination, and the activities performed from the dropdown boxes.

Attach Formal Agreements

County of Coordination	Coordination Activity	Coordinating Agency/Organization Name	Formal Agreement

SECTION I: APPLICANT AFFIRMATIONS

Affirmation of Applicant

Has your organization been a previous recipient of FTA funds?

If yes, please list all FTA programs you have participated in below:

By signing this application, you are certifying that all information and data on this application are true and correct to the best of your knowledge and belief and are supported by your records.

*Applicant Signature

SECTION J: SUBMITTING THE APPLICATION

Save the Application using the following naming convention that includes your Applicant name and description, for example, "Human Service Agency X 5310 App 2020". Please print a copy for your records.

To submit: Please email to transit@odot.org

Appendix B
FTA Section 5311 Application

EXHIBIT B



**An Application to the
Oklahoma Department of Transportation
Transit Programs Division**

FOR

FEDERAL FINANCIAL ASSISTANCE

UNDER THE

FTA'S SECTION 5311 - FORMULA GRANTS FOR RURAL AREAS PROGRAM

OF THE

FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST)

TO PROVIDE FINANCIAL ASSISTANCE FOR A

RURAL PUBLIC TRANSPORTATION PROGRAM

FOR THE

PROGRAM YEAR

2023

SUBMITTED BY

INSERT DIRECTOR NAME

SIGNATURE: _____

INSERT AGENCY NAME

INSERT TRANSIT NAME

INSERT MAILING ADDRESS

INSERT CITY, STATE AND 9-DIGIT ZIP CODE

SECTION 5311 GRANT APPLICATION CHECKLIST

(NOTE: THIS CHECKLIST IS TO BE USED TO ENSURE THAT ALL THE APPLICABLE DOCUMENTS ARE INCLUDED WHEN YOU SUBMIT YOUR SECTION 5311 GRANT APPLICATION PACKAGE. FAILURE TO COMPLETE THIS SECTION WILL RESULT IN DELAY OF GRANT REVIEW.)

- 1. The documents listed below must be provided to ODOT by your agency as attachments to this application.:**

GRANT APPLICATION CHECKLIST	
	Application Form
	Schedule of Routes (Approved in MYLEO.net)
	Section 5311 Coordination of Services Request Form (if applicable)
	Vehicle Roster (Approved in MYLEO.net)
	Budget Description (from MYLEO.net)
	Cost Allocation Plan (if applicable)
	Certified Indirect Cost Rates (if applicable)
	Certifications & Assurances
	Assurance of Availability to the Public
	Special Warranty (Department of Labor Section 5333(b))
	Certification of Equivalent Service
	Applicant's Notification of Intent to apply for Section 5311 Funds
	Organizational Chart
	Proof of Vehicle Insurance Coverage
	Letters of Financial Commitment
	Transit System's Three Year Plan (next 3 years beyond this program year)
	Proofs of Publications (including Notice of Opportunity for DBE)
	Route Maps
	Intercity Feeder Service Budget (if applicable)
	Executed Resolution of the Governing Board/Letter Authorizing Named Individual to Execute Certifications & Assurances
	Third party contract(s) for transit services (if applicable)
	Vehicle Maintenance Plan
	Facility Maintenance Plan
	Approved Title VI Plan
	Approved ADA Plan
	Approved EEO Plan
	Approved Disadvantaged Business Enterprise (DBE) plan
	Currently Approved Drug and Alcohol Policy

SECTION A PROGRAM OVERVIEW

1. Eligibility for Section 5311 Funds

a. In this section, please select your funding eligibility:

PROGRAM ELIGIBILITY		
<input type="checkbox"/> Area Agency on Aging	<input type="checkbox"/> MPO, COG or Other Planning Agency	<input type="checkbox"/> Other Publicly-Owned or Privately Chartered Corporation
<input type="checkbox"/> Private-For-Profit Corporation	<input type="checkbox"/> Private-Non-Profit Corporation	<input type="checkbox"/> Private Provider Reporting on Behalf of a Public Entity
<input type="checkbox"/> Tribe	<input type="checkbox"/> Other , Please Describe:	

If you are an Indian Tribal Agency, which entity do you prefer to have oversight over your Section 5311 funding?:

OVERSIGHT OF SECTION 5311 FUNDS FOR INDIAN TRIBAL	
<input type="checkbox"/> Federal Transit Administration (FTA)	<input type="checkbox"/> Oklahoma Department of Transportation (ODOT)

b. Employees

NUMBER OF TRANSIT AGENCY EMPLOYEES <i>(include Full and Part Time Employees)</i>

c. Third Party Contracts:

THIRD PARTY CONTRACT(S)	
Do you contract with a third party for any aspect of your system including administrative transit services?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

If yes please provide a brief describe the services in the space below:

THIRD PARTY CONTRACT(S) DESCRIPTION

NOTE: You must include a copy of the contract(s) as attachments to this application, if applicable. Please be advised, prior approval of third party contracting will be necessary for funding.

2. Project Description

a. Service Area Characteristics

(1) Describe your proposed service area in detail, including Intercity Feeder service. **NOTE: Service area only includes counties from which your listed routes originate. If you include a county as your service area, your agency will be obligated to provide service to the entire county. If describe your service area as limited service in a county, Describe in detail by city, town, community, what is included in the limited service. Your agency is obligated to provide service to any passenger within your describer service area.**

PROPOSED SERVICE AREA (include Intercity/ Intercity Feeder)

(2) Provide the demographic characteristics of your service area.

DEMOGRAPHIC CHARACTERISTICS (As defined by the most current Bureau of Census report)			
<u>Population</u>		<u>Dwelling Units</u>	
Total		Owner Households	
Under 18		Renter Households	
Over 65		<u>Race</u>	
<u>Total Disabled</u>		White	
Under 20		Black or African American	
Over 65		Native American (Indian)	
<u>Income</u>		Asian	
Median Household Income		Hispanic or Latino	
Families Below Poverty Level*		Other	
Elderly Below Poverty Level*		Other Pertinent Data (optional)	

b. Route Identification / Type of Service

(1) Using the supplemental file “**5311 Schedule of Routes FY2023.doc**”, provide information about your schedule of transit routes, **including Intercity Feeder Routes**. The file will be submitted with your application.

NOTE: Prior to application approval and Section 5311 funding, the Schedule of Routes must match routes listed in MYLEOnet.

c. Fare Policies and Rates

(1) Describe the fare policy of the proposed system, how this policy was established and adopted, and the prescribed rates per route or type of service provided.

NOTE: Policy and Rates must match what your agency has advertised on your website, brochures, etc.

FARE POLICIES AND RATES

(2) Describe your policy and process for receiving and accounting for fares.

RECEIPT AND ACCOUNTING FOR FARES

3. Project Management

a. Describe the decision-making process used by your agency.

PROJECT MANAGEMENT

b. Provide your agency’s Organizational Chart, labeled as **Organizational Chart**. Please include current names, titles, and contact information.

d. How many transit related employees does your agency have? *(This is used to help determine Equal Employment Opportunities (EEO) requirements. See Circular C 4704.1A, as amended.)*

4. Fiscal Management

a. In this section select the following classification of cost that your agency uses.

Select one	Method	Description
<input type="checkbox"/>	Direct	Direct costs are those cost that can be identified specifically with a particular final cost objective per 2 CFR 200.413.
<input type="checkbox"/>	Indirect	Indirect costs are those that are not directly accountable to a cost objective such as general administration or facilities as per 2 CFR 200.414.
<input type="checkbox"/>	Both	The agency uses both direct and indirect cost assignments.

b. Does your agency have an approved indirect cost rate by your cognizant agency?

YES NO

If yes, provide a copy of the approved document from that cognizant agency-and date the indirect cost rate was approved, with approved rates:

NAME OF AGENCY:

DATE OF APPROVAL:

c. If your agency does not have an approved indirect cost rate by your cognizant agency, do you elect to charge a de minimis rate of 10% of the modified total direct costs per 2 CFR 200.414 (f)?

YES NO

d. Does your agency have a cost allocation plan?

YES NO

If yes, provide a copy of the approved document from that cognizant agency and date the cost allocation plan was approved:

NAME OF AGENCY:

DATE OF APPROVAL:

If yes, please attach your approved cost allocation plan to this application (see checklist at the beginning of this document).

5. Operational Management

a. Staff

(1) Describe the administrative structure involving the Rural Public Transportation Program personnel.

ADMINISTRATIVE STRUCTURE

(2) Describe the procedures used for personnel selection. Include samples of job announcements, Job applications and interview checklists.

PERSONNEL SELECTION CRITERIA

(3) Describe any plans for driver and other personnel training such as: safety, passenger sensitivity training, CPR, First Aid, and physical examinations. *NOTE: ODOT will provide information on mandatory training as necessary.*

PERSONNEL TRAINING

b. Drug & Alcohol Testing Program Policy

Provide the date and the governing body or name of the highest ranking official authorized to approve or adopt your agency’s Drug & Alcohol Testing Program policy . List DAPM (Drug and Alcohol Program Manager) **and** DER (Designated Employer Representative).

INFORMATION	
DATE APPROVED OR ADOPTED	GOVERNING BODY OR NAME OF HIGHEST RANKING OFFICIAL AUTHORIZED TO APPROVE OR ADOPT DRUG & ALCOHOL TESTING PROGRAM POLICY

c. Vehicle Management

(1) Describe the vehicle maintenance program your agency will use. Does your agency use the ODOT supplied Maintenance management tracking system (MYLEO.net)

VEHICLE MAINTENANCE PROGRAM

(2) Using the supplemental file “ **Vehicle Roster FY2023.doc**” list all the vehicles you are proposing to incorporate into the Rural Public Transportation Program’s fleet. The file will be submitted along with the application.

(3) Provide your agencies currently approved Vehicle Maintenance Plan

NOTE: Prior to application approval and Section 5311 funding, MYLEOnet must match the Vehicle Roster in this application (including the details associated such as make, model, year, etc.)

d. Transit Facility Management

Describe the provisions being proposed for passenger safety and comfort, and explain how these facilities will be maintained. Also, list the facility type (Ex: Administrative Office, Vehicle Maintenance, etc.), funding source of facility (Ex: FTA, Private, etc.), and the location of each facility.

(1) Provide your agencies currently approved Facility Maintenance Plan

FACILITY MANAGEMENT

Insurance Coverage

Identify the levels of vehicle insurance coverage your agency will maintain for the Rural Public Transportation Program fleet. Also, provide proof of insurance coverage.

VEHICLE INSURANCE COVERAGE	
Liability	
Bodily Injury – each person	\$0.00
Property Damage – each occurrence	\$0.00
All Claims & Coverage – each occurrence	\$0.00
Comprehensive Deductible	\$0.00
Collision Deductible	\$0.00

6. Marketing Plan

a. Public Awareness

Identify the marketing efforts your agency will use to publicize the Rural Public Transportation Program. Include brochures, flyers, public notices and list of locations where posted.

PUBLIC AWARENESS

b. Vehicles

Identify the process your agency will use to determine if any vehicles will need to be re-signed or re-painted.

MARKETING PLAN FOR VEHICLES

**SECTION B
PUBLIC INVOLVEMENT**

- 1. Planning and Development - Describe how your organization will involve or has involved the public in the planning and development of the rural public transportation program.**

PUBLIC INVOLVEMENT

- 1. Public Notices - Which process will your agency use to afford the public an opportunity to comment on your transit services? (Please select one only)**

- Publish legal notices Hold Public Hearings

Include dates and locations

- a. Provide the Proofs of Publications as attachments to this application.

- 3. Public Forums – Provide a short narrative of your agency’s plans to hold at least two public/open forums during the program year, include dates and locations.**

PUBLIC FORUMS

**SECTION C
COORDINATION**

- 1. Public and Private Enterprise Involvement**

- a. Information Requirements

- (1) Provide a listing of all private providers, taxi cab services, public and tribal transit providers operating within your proposed service area. Also, provide the month and year your search for public and private providers were last conducted.

PRIVATE PROVIDERS

- (2) Explain your agency’s process for providing written notice to public and private providers of proposed services.

EFFORTS TO PROVIDE WRITTEN NOTICE

- (3) Describe all forums, meetings, hearings or other opportunities given for involving the private sector early in the project development process, include dates and locations.

OPPORTUNITIES TO INVOLVE PRIVATE SECTOR

(4) Provide your agency's process for reviewing public and private sector proposals offered for consideration and the rationale for inclusions or exclusions.

PRIVATE SECTOR PROPOSALS

(5) Describe the criteria for making public/private service decisions including the methodology for making true cost comparisons when there are two or more operators interested in providing service.

TRUE COST COMPARISONS

(6) Describe the methods for periodically reviewing services to determine whether or not they can be provided more efficiently by the private sector. List date of last true cost comparison and include a copy of report.

PERIODIC REVIEW OF SERVICES

(7) Provide a description and status report, if applicable, on any unresolved complaints received from public and private operators. *(Enter "N/A" if not applicable)*

STATUS REPORT OF UNRESOLVED COMPLAINTS

(8) Describe how your agency's grievance procedure allows the complaints of other providers of public transportation services to be heard in a fair and equitable manner.

GRIEVANCE PROCEDURES

2. Route Authority – Intra-City Operations

Provide a brief narrative explaining the process used to determine if any special permits and/or licenses are required in your transit service area. (OK_DOT#, US-DOT#)

INTRA-CITY OPERATIONS AUTHORITY

3. Coordination of Existing Resources

Describe how your transit services are or will be coordinated with social service agencies and public, private and tribal transportation providers in the service area. Include all coordination Documentation with transit providers.

COORDINATION OF EXISTING RESOURCES

Note: Coordination with other existing 5311, all Public and Tribal Service Providers will require a Section 5311 Coordination of Services Request Form. This form must be included with your application.

SECTION D PROJECT BUDGET

1. Budget Description – Section 5311

Enter your True Cost into MYLEO.net for the new program year. You must list all applicable expense categories as well as a description of the expense for each category.

After you have completed the budget, export the budget to an excel file and include it with the application.

2. Identification of Sources of Funds – Section 5311

In the tables below, identify all sources of financial support (local match) for your agency’s public transit program, ***including cash and value of in-kind services.***

Part A: Identify the all sources of local funding your agency will apply to match the ***FTA Section 5311 allocation.*** Note you must provide proofs of financial commitment for all match funds.

PART A - IDENTIFICATION OF FUNDS APPLIED AS SECTION 5311 FEDERAL MATCH		
1.		\$0.00
2.		\$0.00
3.		\$0.00
4.		\$0.00
5.		\$0.00
6.		\$0.00
7.		\$0.00
8.		\$0.00
9.		\$0.00
10.		<u>\$0.00</u>
PART A SUB-TOTAL LOCAL MATCH		\$0.00

Part B: Identify ***ADDITIONAL*** funding (***overmatch***) your agency will need to match the remainder of your true cost budget (*True cost budget less Section 5311 allocation/local match.*) Note you must provide proofs of financial commitment for all match funds.

PART B - ADDITIONAL FUNDING APPLIED TOWARDS BALANCE OF TRUE COST BUDGET		
1.		\$0.00
2.		\$0.00
3.		\$0.00
4.		\$0.00

5.		\$0.00
6.		\$0.00
7.		\$0.00
8.		\$0.00
9.		\$0.00
10.		\$0.00
	PART B SUB-TOTAL LOCAL MATCH	\$0.00
	TOTAL LOCAL SHARE (PART A + PART B = TOTAL LOCAL SHARE)	\$0.00

3. Identification of Cash and In-Kind Funding Sources – Section 5311

If Cash or In-Kind funding is identified within Part A or Part B, identify cash on hand, as well as the donated value of goods and services provided by a third party. **All In-Kind items and value must be approved and assessed by ODOT.**

IDENTIFICATION OF IN-KIND AND CASH FUNDING SOURCES		
In-Kind		
1.		\$0.00
2.		\$0.00
3.		\$0.00
4.		\$0.00
5.		\$0.00
6.		\$0.00
7.		\$0.00
8.		\$0.00
9.		\$0.00
10.		\$0.00
	Cash	\$0.00
	TOTAL	\$0.00

4. Computations of Expenses Incurred – Section 5311

In the table below, identify all applicable rates to your program.

COMPUTATION OF EXPENSES INCURRED		
FRINGE:	PERCENTAGE RATE	DESCRIPTION OF RATE
	0.00 %	
	0.00 %	
	0.00 %	
	0.00 %	
	0.00 %	
	0.00 %	
	0.00 %	
	0.00 %	
	0.00 %	
	0.00 %	
	0.00 %	
Total Fringe Rate:	0.00 %	

-	
-	
-	

3. INTERCITY FEEDER BUDGET: In this section indicate whether you will be incorporating the Intercity-related expenses into your Section 5311 budget or providing a separate budget.

INTERCITY BUDGET	
<input type="checkbox"/> Incorporate Budget	<input type="checkbox"/> Separate Budget

If you plan on providing a separate budget illustrating those expenses directly relating to Intercity/ Intercity Feeder bus service, please provide a separate intercity budget entitled ***“Intercity Feeder Budget Description”***.

SECTION F
DISADVANTAGED BUSINESS ENTERPRISES (DBE) CONTRACTING
OPPORTUNITIES

In the table below, provide a list of all program purchases which represent a DBE contracting opportunity and a total dollar amount that is anticipated to be spent contracting for such goods and services.

DISADVANTAGED BUSINESS ENTERPRISES CONTRACTING OPPORTUNITIES		Total Dollar Amount
Description of Goods or Services		
1.		\$0.00
2.		\$0.00
3.		\$0.00
4.		\$0.00
5.		\$0.00
6.		\$0.00
7.		\$0.00
8.		\$0.00
9.		\$0.00
10.		\$0.00
11.		\$0.00
12.		\$0.00
13.		\$0.00
14.		\$0.00
15.		<u>\$0.00</u>
TOTAL		\$0.00

**SECTION G
ASSURANCES**

Certifications and Assurances

BEFORE A GRANT CAN BE AWARDED, THE APPLICANT MUST SIGN ALL APPLICABLE CERTIFICATIONS AND ASSURANCES AND SEND TO ODOT/TRANSIT PROGRAMS DIVISION UNDER SEPARATE COVER.

Enter the date the Certifications and Assurances have been or will be mailed to ODOT/Transit Programs Division.

ASSURANCES

Appendix C
2023 Certifications and Assurances

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.

Text in italic is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
 - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - (2) Notification of violating facilities pursuant to EO 11738;
 - (3) Protection of wetlands pursuant to EO 11990;
 - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
 - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
 - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

- animals held for research, teaching, or other activities supported by this award of assistance.
- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
 - (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
 - (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
 - (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:
 - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
 - (3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.

The applicant certifies:

- (a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

1.6. American Rescue Plan Act Funding.

The applicant certifies:

- (a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).

This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.

This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C.

§ 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

- (a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and
- (b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2023, Pub. L. 117-328, div. E, tit. VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT

Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.

This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and

contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

4.2. Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
 - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
 - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
 - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
 - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
 - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 CFR Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

7.1. Rolling Stock Buy America Reviews.

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;

- (c) Will maintain equipment and facilities in accordance with the applicant's transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
 - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
 - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act's Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted 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; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 672, “Public Transportation Safety Certification Training Program”; and
- (b) Compliant with the requirements of 49 CFR Part 674, “State Safety Oversight”.

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
 - (1) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost

- Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
- (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
 - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
- (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
 - (2) Category 06 (Transit Asset Management Plan),
 - (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
 - (4) Category 09 (Formula Grants for Rural Areas),
 - (5) Category 15 (Alcohol and Controlled Substances Testing), and
 - (6) Category 17 (Demand Responsive Service).

CATEGORY 21. EMERGENCY RELIEF PROGRAM.

An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

FEDERAL FISCAL YEAR 2023 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: _____

The Applicant certifies to the applicable provisions of all categories: (*check here*) _____.

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

- 12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs _____
- 13 State of Good Repair Grants _____
- 14 Infrastructure Finance Programs _____
- 15 Alcohol and Controlled Substances Testing _____
- 16 Rail Safety Training and Oversight _____
- 17 Demand Responsive Service _____
- 18 Interest and Financing Costs _____
- 19 Cybersecurity Certification for Rail Rolling Stock and Operations _____
- 20 Tribal Transit Programs _____
- 21 Emergency Relief Program _____

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

AFFIRMATION OF APPLICANT

Name of the Applicant: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant’s behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: _____

Name _____ Authorized Representative of Applicant

AFFIRMATION OF APPLICANT’S ATTORNEY

For (Name of Applicant): _____

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

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

Signature _____ Date: _____

Name _____ Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant’s Attorney pertaining to the Applicant’s legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney’s signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.