

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 2/28/2013

Action Requested By:
Public Transit

Agenda Item Type
Resolution

Subject Matter:

Resolution to make application and enter into an Agreement with the Top of Alabama Council of Governments for funding of a Ridematching software.

Exact Wording for the Agenda:

Resolution to make application and enter into an Agreement with the Top of Alabama Council of Governments for funding of a Ridematching software.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Resolution to make application and enter into an Agreement with the Top of Alabama Council of Governments for funding of a Ridematching software. This Ridematching software allows access to Rideshare Database and Participation in Statewide Implementation of CommuteSmart Alabama Commuter Services Program. This program will allow citizens of Huntsville to find potential ridesharing matches throughout the state of Alabama.

Associated Cost: 2500.00

Budgeted Item: Yes

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head: _____

Date: 2/19/2013

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: Public Transit

Council Meeting Date: 2/28/2013

Department Contact: Kim Smith

Phone # 256-427-6831

Contract or Agreement: Grant Application and Agreement with Top of Alabama Regional Council of G...

Document Name: TARCOG Grant Application

City Obligation Amount: 2500.00

Total Project Budget: 2500.00

Uncommitted Account Balance: 0.00

Account Number: 01-8700-0508-3400

Procurement Agreements

Not Applicable	Not Applicable
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Grant-Funded Agreements

Select...	Grant Name:
<u>AL-90-X217-XX</u>	

Department	Signature	Date
1) Originating		<u>2-20-13</u>
2) Legal		<u>2-25-13</u>
3) Finance		<u>2/25</u>
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 13-

WHEREAS, the Top of Alabama Regional Council of Governments administers the Job Access Reverse Commute (JARC) Program that is offered through the United States Department of Transportation, Federal Transit Administration, under 49 U.S.C., Chapter 32, Title 23, United States Code and other Federal statues for operating projects; and

WHEREAS, the City of Huntsville, hereinafter referred to as the Applicant, would benefit from making application for such assistance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huntsville, Alabama, that the Mayor, or his designee, in his official capacity, be, and he is hereby authorized and requested to make application to Top of Alabama Regional Council of Governments, for said financial assistance in the amount of Two Thousand, Five Hundred dollars (\$2,500) to be used for allowable operating expenditures for Public Transit Ridesharing program; and

BE IT FUTHER RESOLVED, that, in the event that a grant is awarded, the Mayor of the City of Huntsville, or his designee, is hereby authorized to enter into an agreement with the Top of Alabama Regional Council of Governments for such grant funds and to sign assurances that the City of Huntsville will comply with all applicable federal and state laws, rules and regulations.

ADOPTED this the 28th Day of February, 2013.

President of the City Council
City of Huntsville, Alabama

APPROVED this the 28th Day of February, 2013.

Mayor of the City of Huntsville,
Alabama

TOP OF ALABAMA REGIONAL COUNCIL OF GOVERNMENTS

**Application for Federal Transit Administration Funding
Section 5316 - Job Access Reverse Commute and Section 5317 - New Freedom**

This Application should be used by any organization which seeks funding through the FTA Section 5316 and Section 5317 program monies in the Huntsville Metropolitan Planning Organization Study Area. For non-Metropolitan organizations, application for these FTA program monies occurs through the Alabama Department of Transportation. Directions: Complete all required forms included in this packet and return them to TARCOG before the close of business on the last day of the call for projects.

Completed applications should be addressed to:

Top of Alabama Regional Council of Governments
Attn: Ms. Falguni Patel
5075 Research Drive NW
Huntsville, AL 35805

Please Note - Recipients of funding from FTA programs are required to maintain a high level of record keeping and accountability. TARCOG requires that subrecipients whose applications are funded fulfill stringent accountability, record keeping, and certification requirements. Applicants are strongly encouraged to review the Program Management Plan TARCOG uses to administer this process prior to completing an application. This document is available at www.alarc.org/tarcog/publications.html or by calling Falguni Patel at 256 716-2485.

Application Checklist

Organization: CITY OF HUNTSVILLE, AL Contact Person: KIM SMITH
E-mail: kim.smith@huntsvilleal.gov Telephone Number: 256-427-6831

Check off each of the following as you complete them. Once finished, place this cover sheet (with the above blanks filled in) on top of your application packet and return it to TARCOG.

- Project Proposal Summary
- Project Budget
- Organizational Capacity Statement
- Coordination Statement
- Need and Use of Proposed Funds Statement
- Assurance of Authority
- General Assurances
- Certification for Civil Rights Complaints Status
- Certification for Drug-free Workplace
- Certification regarding Procurement, Debarment, Lobbying, and Environmental Protection
- Certification of Compliance with Manufacturer's Maintenance Schedule

Contact Person: KIM SMITH
Contact Number: 256-427-6831

Project Proposal Summary

DEVELOPMENT, USE, AND SHARING OF RIDESHARE MATCHING SOFTWARE AND DATA TO ENHANCE AND PROMOTE THE CITY OF HUNTSVILLE, ALABAMA, RIDESHARE PROGRAM FOR THE CITIZENS OF HUNTSVILLE.

Directions: In the area provided below, summarize the nature of the project for which this Application seeks funding. This should be a one to two-page statement that encapsulates the information found in the Organizational Capacity Statement, Coordination Statement, and Need and Use of Proposed Funds Statement. This document will be used by the Advisory Committee in discussing the merits of each application, so be as clear as possible and be certain to reference the benefits of the project, cost of the project, and intended outcomes that will be measured.

Contact Person: Kim Smith

Contact Number: 256-427-6831

Project Budget

Directions: Complete the Expenses and Revenues Project Budget Form with the appropriate figures from the past fiscal year *only if* this project was underway last year. If this is a new project, only complete the second column in each table for the projected expenses of this project. Be as accurate as possible with projected expenses. This document will be reviewed by the Advisory Committee during the selection process. If any figure requires further explanation, please provide explanation in the space below.

In addition, if this project involves the purchase or upgrade of equipment, please complete the following table: N/A-THERE WILL BE NO PURCHASE OF EQUIPMENT FOR THIS PROJECT.

Sub Total

Sales Tax

Total Estimated Cost

Less Local Matching Funds for this Project

Total Equipment Request for this Project

Additional comments or explanations regarding the budget or equipment to be purchased:

Project Expenses

Budgeted Projected

Expenses

Direct Operating:

Labor & Benefits:

Fuel & Lubricants:

Insurance:

Vehicle Maintenance:

Depreciation:

(only on assets not paid for with state or federal grant funds)

Other:

Contracted Services: THERE WILL BE AN AGREEMENT WITH REGIONAL PLANNING COMMISSION OF GREATER BIRMINGHAM (RPCGB) TO UTILIZE THE COMMUTE SMART, OR RIDESHARING, SOFTWARE PROGRAM. THIS AGREEMENT IS FOR \$12,500 OVER THE NEXT 5 YEARS, OR \$2,500 PER YEAR. THE GRANT APPLICATION IS ONLY FOR THREE OF THE FIVE YEARS TO BE CONTRACTED WITH RPCGB.

Subtotal: \$2,500 FOR FIRST YEAR

Administrative
Labor & Benefits:
Rent & Utilities:

Consultant Services:

Other:

Subtotal:

Capital Investments

Subtotal:

Total Gross Operating

Expenses:

Less Passenger Fares
and Donations:

Total Net Operating Expenses: \$2,500

Project Revenues

Budgeted Local Match & \$1,250

Projected Revenues

Local Funds (list): *

State Funds (list): **

Federal Funds (list): **

In-Kind (list):

Other (list):

Subtotal Operating Revenue:

Requested Operating/Development Grant: \$1,250

N/A

*** Total Operating \$2,500

Revenue:

* Do not include passenger fares or donations in local funds.

** For Projected Revenue, do not include any state or federal funds that are requested in this application.

*** This amount must be equal to Total Net Operating Expenses in the previous table.

Contact Person: KIM SMITH

Contact Number: 256-427-6831

Organizational Capacity Statement

Directions: This form summarizes the organizational capacity of the applicant to manage a project using FTA funds. The Organizational Capacity Statement contributes 25% of the overall score during the selection process. Answer each question by circling the appropriate answer and briefly detailing the information requested.

Part I: General Information

THE CITY OF HUNTSVILLE, AL, IS A MUNICIPALITY THAT HAS RECEIVED A CERTIFICATE OF ACHIEVEMENT FOR FINANCIAL REPORTING OVER THE LAST 17 YEARS. THE CITY HAS AN INDEPTH AUDIT COMPLETED EVERY FISCAL YEAR. IN PARTICULAR, THE PUBLIC TRANSIT DEPARTMENT HAS THE AUTHORIZED BUDGET FROM THE GENERAL FUND TO COMPLETE AND MAINTAIN THIS PROJECT.

Legal Name of the Organization: CITY OF HUNTSVILLE, DEPARTMENT OF PARKING & PUBLIC TRANSIT

Mailing Address: Physical Address:

500 B CHURCH STREET

HUNTSVILLE, AL 35801

Telephone Number: 256-427-6811

Fax Number: 256-427-6832

This organization is classified as a:

State or Local Government

Transportation Provider (privately or publicly owned)

Private, Non-profit Organization (please attach supporting documentation)

Contact Person or Administrator of Grant, if awarded: KIM SMITH

Telephone Number: 256-427-6831

Fax Number: 256-427-6832

E-mail: kim.smith@huntsvilleal.gov

Part II: Organizational Capacity

1. Does the organization applying for funding have experience administering transit related services, Federal grants, or human service activities? YES

a. The organization is currently administering or has administered transit related services, Federal grants, and/or human services in the past two years. YES

b. The organization is currently or has recently administered non-transit related services or grants, but has no experience administering FTA funds. N/A

c. The organization provides human services or transit related services, but has never administered any federal grant monies. N/A

d. The organization does not have experience providing transit related services or administering Federal grants of any kind. N/A

2. Does the organization applying for funding have the necessary staff to successfully complete this project, including office personnel, mechanics, and drivers?

a. **Yes**

b. No

If yes, please give a brief description:

THIS PROJECT IS DIRECTLY RELATED TO CURRENT PROJECTS COMPLETED BY THE PUBLIC TRANSIT DEPT. ON A REGULAR BASIS.

3. Does the organization applying for funding have the necessary facilities to successfully complete this project, including garage and/or parking facilities?

- a. Yes
- b. No

If yes, please give a brief description:

PUBLIC TRANSIT WORKS OUT OF ITS OWN FACILITIES DEDICATED TO TRANSIT.

4. Have adequate measures been developed by the organization, per the measurement requirements of the JARC or New Freedom program, to quantitatively and qualitatively measure the effectiveness of the grant project?
(Guidance is provided in FTA C 9050.1, II-1 for JARC and FTA C 9045.1, II-1 for New Freedom.)

- a. Yes
- b. No

If yes, please give a brief description:

PUBLIC TRANSIT HAS AN EXTENSIVE RECORD KEEPING AND TRACKING MECHANISM IN PLACE FOR CURRENT FTA GRANTS.

5. Have funding sources been established and/or guaranteed to fulfill the local match requirements of the grant project?

- a. Yes
- b. No

If yes, please give a brief description:

PUBLIC TRANSIT HAS AN APPROVED/ADOPTED BUDGET FOR THE PROGRAM.

Contact Person: KIM SMITH

Contact Number: 256-427-6831

Coordination Statement Directions: The information provided in this form should specifically address the issues centered around coordination. The Coordination Statement accounts for 20% of the selection score. For each question, please give a one to two paragraph synopsis.

1. What methods will be used to inform the public, local government, and other transportation providers of the services offered by this project? Please be as specific as possible regarding methods and frequency.

THE PROJECT WILL BE POSTED ON THE CITY OF HUNTSVILLE'S GOVERNMENTAL WEBSITE AND WILL BE PUBLISHED IN THE LOCAL MINORITY AND REGULAR NEWSPAPERS.

2. To what extent does the project involve working together with other transit providers, government agencies, or human service agencies to minimize duplication of services and maximize available resources?

THIS PROGRAM, COMMUTE SMART, WILL BE LINKED WITH OTHER TRANSIT AGENCIES WITHIN THE STATE OF ALABAMA.

Contact Person: KIM SMITH

Contact Number: 256-427-6831

Need and Use of Proposed Funds Statement

Directions: Comprising 40% of the selection score, this form measures how well the proposed project will address needs and gaps in transit services as defined by the Human Services Coordinated Transportation Plan. When answering each question, be certain to reference specific needs, gaps, goals and objectives from the HSCTP.

Project Title: COMMUTE SMART RIDESHARING PROGRAM.

FTA Program: Section 5316 – JARC Section 5317 - New Freedom

1. Has the applicant fully reviewed the eligibility requirements for this program, per the Program Management Plan and/or JARC or New Freedom circulars?

a. Yes

b. No

2. Has the applicant fully reviewed the Human Services Coordinated Transportation plan, including the identified needs, gaps, goals and objectives?

a. Yes

b. No

3. Project Type:

Capital Only

Operating Only

Capital and Operating

Mobility Management/Coordinated Planning

4. Service Days (circle all that apply):

Monday Tuesday Wednesday Thursday Friday Saturday Sunday

5. Service Times:

THIS PROGRAM WILL ALLOW CITIZENS TO COORDINATE WITH OTHER RIDERS 24/7 FOR RIDESHARING PARTNERSHIPS.

6. Estimated operating cost per one way trip (if applicable): N/A

7. Estimated daily riders (if significant variation is anticipated from day-to-day, please give an estimate for each day of service):

AT THIS TIME WE CANNOT ESTIMATE HOW MANY CITIZENS THAT WILL COORDINATE RIDES WITH OTHER CITIZENS. HOWEVER, WE ANTICIPATE THAT THE NUMBER OF PEOPLE TO SIGN UP FOR THE SERVICE TO INCREASE SIGNIFICANTLY. BUILDING THE DATABASE IS AN ESSENTIAL FIRST STEP TOWARDS THE GOAL OF INCREASED RIDESHARING.

8. Which specific populations, as identified in the Human Services Coordinated Transportation Plan, will be serviced by this project?

THIS PROJECT IS DESIGNED TO ASSIST ALL POPULATIONS, INCLUDING LOW INCOME AND MINORITIES.

9. Which specific areas, as identified in the Human Services Coordinated Transportation Plan, will be serviced by this project?

THE PROJECT IS AIMED TOWARDS COORDINATING TRANSPORTATION WITHIN THE WHOLE OF MADISON COUNTY. IT WILL BE AVAILABLE TO RURAL AND NON-RURAL CITIZENS ALIKE.

10. How will this project improve the scope of services within the Huntsville Metropolitan Planning Organization study area?

IT WILL ALLOW THE POTENTIAL FOR REDUCING THE AMOUNT OF TRAFFIC BY REDUCING THE NUMBER OF CARS ON THE ROADS. IT WILL ENHANCE THE POTENTIAL FOR CITIZENS THAT DON'T HAVE CARS TO COORDINATE FOR RIDES WITH THOSE THAT DO.

11. Does this project improve access for current transit dependent populations?

a. Yes

b. No

If yes, please detail:

TRANSIT DEPENDENT CITIZENS WILL HAVE THE OPPORTUNITY TO UTILIZE A MORE DIRECT TRANSPORTATION SERVICE THAT WILL NOT BE DEPENDENT ON A FIXED ROUTE SERVICE THAT MAY NOT TRAVEL TO THEIR DESIRED DESTINATION.

12. Does this project allow previously unserved populations access to transit services?

a. Yes

b. No

If yes, please detail:

THIS PROGRAM IS AVAILABLE TO BE UTILIZED BY CITIZENS THAT DO NOT RESIDE WITHIN THE BOUDARIES OF THE CURRENT AVAILABLE FIXED ROUTE SERVICE.

Assurance of Authority

I certify, to the best of my knowledge, that the information in this application is true and accurate and that this organization has the necessary fiscal, data collection, and managerial capability to implement and manage the projects associated with this application.

Unsigned applications will not be accepted.

Applicant Agency CITY OF HUNTSVILLE, DEPARTMENT OF PARKING & PUBLIC TRANSIT

Project Title COMMUTE SMART RIDESHARING PROGRAM.

Name and Title of Signatory TOMMY BATTLE, MAYOR

Authorized Signature _____ Date _____

NOTE: Your application must be signed by someone authorized to sign contracts on behalf of your organization, such as the Board Chairperson or Chief Executive Officer.

General Assurances We, the governing body of in approving the submission of the attached application, certify that the APPLICANT has the legal authority and is willing to make as part of

the contract between the Top of Alabama Regional Council of Governments and the APPLICANT for Federal Transit Administration Section 5316 and/or Section 5317 financial assistance, the following assurances:

A. As required by 49 U.S.C. 5316(f)(1), which makes the requirements of 49 U.S.C. 5307 applicable to Job Access and Reverse Commute (JARC) formula grants, and 49 U.S.C. 5307(d)(1), the Applicant for JARC Formula Program assistance authorized under 49 U.S.C. 5316, certifies on behalf of itself and its subrecipients, if any, as follows:

- (1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including safety and security aspects of that program;
- (2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;
- (3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;
- (4) In compliance with 49 U.S.C. 5307(d)(1)(D), the Applicant will ensure that elderly individuals and individuals with disabilities, or any person presenting a Medicare card issued to himself or herself pursuant to Title II or Title XVIII of the Social Security Act (42 U.S.C. 410 *et seq.* or 42 U.S.C. 1395 *et seq.*), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized under 49 U.S.C. 5316 not more than fifty (50) percent of peak hour fare;
- (5) In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5317: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;
- (6). In compliance with 49 U.S.C. 5307(d)(1)(F), the Applicant has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, it: (1) has made available, or will make available, to the public information on the amounts available for the JARC Formula Grant Program, 49 U.S.C. 5316, and the projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, the proposed projects to be financed; (3) has published, or will publish, a list of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed projects and submit comments on the proposed projects and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects; (5) has ensured or will ensure that the proposed projects provide for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects; and (7) has made or will make the final list of projects available to the public;
- (7) In compliance with 49 U.S.C. 5307(d)(1)(G), the Applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5317(g), and if applicable by section 3012b(3) and (4), for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law;

(8). In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements); and

(9) In compliance with 49 U.S.C. 5307(d)(1)(I), the Applicant has a locally developed process to solicit and consider public comment before raising a fare or implementing a major reduction of public transportation;

B. In compliance with 49 U.S.C. 5317(d), the Applicant certifies that (1) with respect to financial assistance authorized under 49 U.S.C. 5317(c)(1)(A), an application for funding has been duly submitted through an area wide solicitation for applications, and acknowledges an understanding that awards will be made on a competitive basis and (2) with respect to financial assistance authorized under 49 U.S.C. 5317(c)(1)(B) or 49 U.S.C. 5317(c)(1)(C), it will conduct a solicitation for applications from eligible subrecipients (if other than the Applicant), and make awards on a competitive basis;

C. In compliance with 49 U.S.C. 5317(f)(2), the Applicant certifies that any allocations to subrecipients of financial assistance authorized under 49 U.S.C. 5316 will be distributed on a fair and equitable basis;

D. In compliance with 49 U.S.C. 5316(g)(2), the Applicant certifies that, before it transfers funds to a project funded under 49 U.S.C. 5336, that project will have been coordinated with private nonprofit providers of services; and

E. In compliance with 49 U.S.C. 5316(g)(3), the Applicant certifies that: (1) the projects it has selected or will select for assistance under the program were derived from a locally developed, coordinated public transit-human service transportation plan; and (2) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public

Signature: _____

Date: _____

Title of Authorized Official: MAYOR, CITY OF HUNTSVILLE, ALABAMA

Witness: _____

Title: CITY CLERK TREASURER

Certification for Civil Rights Complaints Status

I hereby certify that our organization does NOT have any pending Title VI (Civil Rights) complaints of discrimination filed against its transit program.

I hereby certify that our organization DOES have (number) pending Title VI (Civil Rights) complaints of discrimination filed against its transit program. This complaint(s), and its status, is briefly described below. The agency agrees it will keep the Top of Alabama Regional Council of Governments informed of any changes in the status of that complaint(s).

To comply with the Civil Rights Act of 1964, Title VI, the Americans with Disabilities Act of 1990, Title II, and the Vocational Rehabilitation Act of 1973, Section 504, we do not discriminate on the basis of disability, race, color, national origin, or gender.

Signature and Title _____

Printed Name TOMMY BATTLE, MAYOR

Date _____

Agency Name CITY OF HUNTSVILLE, ALABAMA

Certification for Drug-free Workplace

1. certifies that it will provide a drug-free workplace by:
 - a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - b) Establishing an ongoing drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The applicant's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations in the workplace;
 - c) Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph (a);
 - d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant or cooperative agreement, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - e) Notifying the Federal agency in writing, within ten calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee is working, unless the Federal agency has designated a contact point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant or cooperative agreement.
 - f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who was convicted:
 - (1) Taking appropriate personnel action against such a employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

g) The Applicant's headquarters is located at the following address. The addresses of all workplaces maintained by the Applicant are provided on an accompanying list.

Name of Applicant: CITY OF HUNTSVILLE, ALABAMA,

Address: 308 FOUNTAIN CIR, HUNTSVILLE, AL 35801

Signature of Authorized Official: _____

Title: MAYOR Date: _____

Certification regarding Procurement, Debarment, Lobbying, and Environmental Protection
We the governing body of in approving the submission of the attached application, certify:

1. Our organization will abide by all applicable procurement requirements imposed by Federal Law, Executive Order, or regulations, including the Buy America requirements, when purchasing equipment, and
2. Our organization will comply with all environmental impact regulations as defined by the Federal Transit Administration, and that our organization will follow all reporting and planning requirements per Federal guidelines for environmental impact assessments during the course of this project, and
3. As required by Executive Order 12549, Debarment And Suspension, and implemented at 15 CFR part 26, for prospective participants in primary covered transactions, as defined at 15 CFR part 26, Sections 26.105 and 26.110 –
 - a. The prospective primary participant certifies to the best of its knowledge that it and its principles:
 - i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
 - ii. Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - iii. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a) (ii) of this certification; and
 - iv. Have not within a three year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
 - b. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
4. As required by Section 1352, Title 31 of the US code, and implemented at 15 CFR part 28, for persons entering into a grant, cooperative contract or contract over \$100,000, or loan or loan guarantee over \$150,000, as defined at 15 CFR part 28, Sections 28.105 and 28.10, the applicant certifies that 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 contract, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative contract.

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 an agency, a Member of Congress, an officer or employee of Congress, or employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative contract, 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 the certification be included in the award documents for all sub awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative contracts) and that all sub recipients shall certify disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. The submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, US code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 for each such failure.

Name of Applicant: CITY OF HUNTSVILLE, ALABAMA

Address: 308 FOUNTAIN CIRCLE, HUNTSVILLE, AL 35801

Signature of Authorized Official: _____

Title: MAYOR Date: _____

Certification of Compliance with Manufacturer's Maintenance Schedule

THIS IS TO CERTIFY THAT CITY OF HUNTSVILLE, AL

An applicant for a grant under provisions of the JARC and/or New Freedom Programs (49 U.S.C. § 5316 and/or § 5317 of the Federal Transit Act), agrees to abide by the vehicle manufacturer's schedule of maintenance, as a minimum, during the period this vehicle is operated in conjunction with the Top of Alabama Regional Council of Governments, or its successor agency.

DATE: _____

AGENCY NAME: CITY OF HUNTSVILLE, ALABAMA

Signature of Authorized Official
