

KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

AGENDA STAFF REPORT

AGENDA DATE: February 17, 2015

ACTION REQUESTED: Approve Signature for REVISED Federal Transit Administration's FY 2015 Certifications and Assurances for Grant Funds Authorized by Agreement GCB 1746.

BACKGROUND: On January 26, 2015, the Board of County Commissioners approved Resolution 2015-015, authorizing the Chair to sign the Federal Transit Administration's FFY 2015 Certifications and Assurances, Groups 01-03. Federal Transit Administration is requiring that the County revise this to indicate compliance with all applicable provisions of Groups 01-24. Neil Caulkins, Deputy Prosecutor indicated the County should comply as requested.

Kittitas County is the lead planning agency for Quad County Regional Transportation Planning Organization (QUADCO), and is duly authorized to be the recipient of planning grants from the Department of Transportation. Kittitas County received a Federal Transit Administration's (FTA) grant in 2014 to update QUADCO's Human Services Transportation Plan and evaluate the program.

FTA requested that Kittitas County authorize signature on certifications and assurances indicating our compliance with all Federal statutes, regulations, Executive Orders, and administrative requirements applicable to its application made to and grants received from the Washington State Department of Transportation under 49 U.S.C. Sections 5309, 5311, 5316, and 5339.

Public Works is requesting the Board rescind Resolution No. 2015-015 and authorize FTA FY 2015 certifications and assurances groups 01 – 24, as applicable.

INTERACTION: Public Works

RECOMMENDATION: Authorize Chair signature.

HANDLING: Please return one signed resolution to Public Works and two signed copies of the Affirmation of Applicant form.

ATTACHMENTS: Resolution and FTA FY 2015 Certifications and Assurances

LEAD STAFF: Jan Ollivier, Transportation Manager

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS, STATE OF WASHINGTON
RESOLUTION NO. _____**

**TO REVISE EXECUTION OF FEDERAL TRANSIT ADMINISTRATION FY 2015
CERTIFICATIONS AND ASSURANCES FOR AGREEMENT GCB 1746**

- WHEREAS:** Quad County Regional Transportation Planning Organization, hereinafter referred to as QUADCO, was established in 1992, pursuant of the Inter-Local Cooperation Act of 1967, Chapter 39.34 R.C.W. and the Growth Management Act of 1990; and
- WHEREAS:** Member agencies of QUADCO consist of Grant County, Adams County, Lincoln County, Kittitas County, and the cities/towns within the four (4) county region that are signatory to the QUADCO Inter-Local Agreement; and
- WHEREAS:** Kittitas County Department of Public Works is the lead planning agency for QUADCO from July 1, 2013 through June 30, 2015; and
- WHEREAS:** On February 24, 2014, the Kittitas County Board of County Commissioners (BOCC) authorized signature on WSDOT Agreement GCB 1746 for the purpose of receiving a \$80,000 Federal Transit Administration (FTA) grant to update QUADCO's Human Services Transportation Plan; and
- WHEREAS:** As QUADCO's lead planning agency, Kittitas County is duly authorized to be the recipient of planning grants from the Department of Transportation, and shall ensure compliance with required FTA certifications and assurances for the aforementioned FTA grant during federal fiscal year 2015; and
- WHEREAS:** On January 26, 2015, the BOCC approved Resolution 2015-015 to authorize the Chair signature on the FTA FFY 2015 Certifications and Assurances for Group 01 through Group 03; and
- WHEREAS:** FTA requires that this authorization be changed to comply with applicable provisions of Groups 01 through 24; and

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners, in the best interest of the public, does hereby rescind Resolution Number 2015-015 and authorize the Chair signature on the FTA FFY 2015 Certifications and Assurances to comply with applicable provisions of Groups 01 through 24 as shown in Exhibit A.

DATED on this 17th day of February, 2015, at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

ATTEST:

Gary Berndt, Chair

Clerk of the Board

Obie O'Brien, Vice-Chair

Paul Jewell, Commissioner

Exhibit A

**Federal Transit Administration's
Federal Fiscal Year 2015 Certifications and Assurances**

FTA FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2015 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE (Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of the Applicant: Kittitas County, lead agency for QUADCO

Name and Relationship of the Authorized Representative: Gary Berndt, Chair BOCC

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 statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2015, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Project for which it seeks now, or may later seek FTA funding during Federal Fiscal Year 2015.

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 Gary Berndt, Chair BOCC
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Kittitas County, lead agency for QUADCO

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 Project or Projects.

Signature Neil A. Caulkins Date: 2/3/15

Name NEIL A. CAULKINS
Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active Capital or Formula Project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

FTA FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

(Signature pages alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: Kittitas County, lead agency for QVADCO

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. X

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

<u>Group</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	_____
02.	Lobbying.	_____
03.	Procurement and Procurement Systems.	_____
04.	Private Sector Protections.	_____
05.	Rolling Stock Reviews and Bus Testing.	_____
06.	Demand Responsive Service.	_____
07.	Intelligent Transportation Systems.	_____
08.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
09.	Transit Asset Management Plan and Public Transportation Agency Safety Plan.	_____
10.	Alcohol and Controlled Substances Testing.	_____
11.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity) and Capital Investment Program in Effect before MAP-21 Became Effective.	_____
12.	State of Good Repair Program.	_____
13.	Fixed Guideway Modernization Grant Program.	_____
14.	Bus and Bus Facilities Formula Grants Program and Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary).	_____
15.	Urbanized Area Formula Grants Programs/ Passenger Ferry Grants Program/Job Access and Reverse Commute (JARC) Formula Grant Program.	_____
16.	Seniors/Elderly/Individuals with Disabilities Programs/New Freedom Program.	_____
17.	Rural/Other Than Urbanized Areas/Appalachian Development/Over-the-Road Bus Accessibility Programs.	_____
18.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
19.	Low or No Emission/Clean Fuels Grant Programs.	_____
20.	Paul S. Sarbanes Transit in Parks Program.	_____
21.	State Safety Oversight Grant Program.	_____
22.	Public Transportation Emergency Relief Program.	_____
23.	Expedited Project Delivery Pilot Program.	_____
24.	Infrastructure Finance Programs.	_____