

Florida Department of Transportation




49 U.S.C. Section 5311(f) Capital & Operating Assistance– SFY 2021 Application

Intercity Bus Service Program
CFDA 20.509

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Applicant Information

	49 U.S.C. Section 5311(f), Intercity Bus Service Program: GRANT APPLICATION
Agency (Applicant) Legal Name:	
Physical Address (No P.O. Box):	
Applicant's County: If Applicant has offices in more than one county, list county where main office is located	
City:	State: Zip Code: Congressional District:
Federal Taxpayer ID Number:	
Applicant Fiscal period start and end dates: _____ to _____ <i>State Fiscal period from: July 1, 2020 to June 30, 2021</i>	
Applicant's DUNS Number: <i>Unique 9-Digit number issued by Dun & Bradstreet. May be obtained free of charge at: http://fedgov.dnb.com/webform</i>	
Project's Service Area: <i>List the county or counties that will be served by the proposed project.</i>	
Executive Director:	Grant Contact Person (if different than Executive Director):
Telephone:	Telephone:
Fax:	Fax:
E-mail Address:	Email Address:
Current Vehicle Inventory: _____ Vans _____ Vans/Lifts _____ Sedans or Minivans Enter Number in Fleet _____ Buses/Cutaways _____ Other _____ N/A	
Authorizing Representative certifying to the information contained in this application is true and accurate. Signature (Authorizing Representative) [blue ink]: _____ Printed Name: _____ Title: _____ Email Address: _____ *Must attach a Resolution of Authority from your Board (original document) for the person signing all documents on behalf of your agency. See Exhibit B	

Please Note

This grant application is color coded based on which type of award you are applying for.

Forms and exhibits in **purple** must be completed for **all** applications.

All Applications

Forms and exhibits in **red** apply to capital applications, exclusively.

Capital Applications

Forms and exhibits in **blue** apply to operating applications, exclusively.

Operating Applications

Application Checklist

Each of the below items must be included with your Section 5311(f) Grant Application submittal in the same order as the checklist.

Cover Page (page 1)

Applicant Information

PART I - APPLICANT ELIGIBILITY

Application Checklist (this form)

Eligibility Questionnaire (*only applicable for retuning applicants*)

Exhibit A: Cover Letter

Exhibit B: Governing Board's Resolution

Exhibit C: Public Hearing Notice

Exhibit D: Local Clearinghouse Agency/RPC Cover Letter

Date Received: _____

PART II - FUNDING REQUEST

Form A: Current System Description

Form B: Proposed Project Description

Form C-1: Capital Request

Form C-2: Estimate of Project Costs by Grant Phase

Form C-3: Current Vehicle and Transportation Equipment Inventory

Form D: Operations Phase- Estimate of Project Costs by Budget Category

PART III - Managerial Capability

Exhibit E: FDOT Certification and Assurances

Exhibit F: Standard Lobby Certification

Exhibit G: FTA Section 5333 (b) Assurance

Exhibit H: Leasing Certification

Exhibit I: Certification of Equivalent Service

Form 424: Application for Federal Assistance

Exhibit J: Federal Certifications and Assurances

Exhibit K: Title VI Plan (*Required if not previously submitted*)

Exhibit L: Protection of the Environment (*Required if the proposed project is for the construction of facilities*)

Exhibit M: Triennial Review- CAP Closeout

Exhibit N: Terms and Conditions of Construction (*Required if the proposed project is for construction*)

PART I –APPLICANT ELIGIBILITY

Eligibility Questionnaire

If you are a current grant sub-recipient and are not compliant with all FDOT and FTA Section 5311(f) requirements, then you will not be eligible to receive grant funds until compliance has been determined. You must be in compliance at time of grant award execution/ public transportation grant agreement execution.

If you are a current grant sub-recipient and have undergone a triennial review complete the questions below:

Note: This questionnaire does not apply to new sub-recipients and sub-recipients that have not yet been required by their respective FDOT District Office to complete a triennial review. For more information see FDOT’s Triennial Review Process as part of the State Management Plan.

Does your agency have active vehicles purchased with a 5311(f) grant?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has your agency completed a Triennial Oversight Review?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, is your agency currently in compliance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, does your agency have a corrective action plan in place to come into compliance? Date of corrective action closeout _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
<div style="border-top: 1px solid black; margin-bottom: 10px; min-height: 20px;"></div> <i>Signature [blue ink]</i>	
<div style="border-top: 1px solid black; margin-bottom: 10px; min-height: 20px;"></div> <i>Typed Name and Title</i>	
<div style="border-top: 1px solid black; margin-bottom: 10px; min-height: 20px;"></div> <i>Date</i>	

Exhibit A: Cover Letter

(On Agency Letterhead)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
GRANT APPLICATION

(Agency Name) submits this Application for the Section 5311(f) Program Grant and agrees to comply with all assurances and exhibits attached hereto and by this reference made a part thereof, as itemized in the Checklist for Application Completeness.

(Agency Name) further agrees, to the extent provided by law (in case of a government agency in accordance with Sections 129.07 and 768.28, Florida Statutes) to indemnify, defend and hold harmless the FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense out of the non-compliance by the Agency, its officers, agents or employees, with any of the assurances stated in this Application.

This Application is submitted on this **Date** day of **Month**, **Year** with an original resolution or certified copy of the original resolution authorizing **Name & Title** to sign this Application.

Agency Name

Signature [blue ink]

Typed Name and Title of Authorized Representative

Date

Exhibit B: Governing Board’s Resolution

(On Agency Letterhead)

A **RESOLUTION** of the **(Governing Board)** authorizing the signing and submission of a grant application and supporting documents and assurances to the Florida Department of Transportation, the acceptance of a grant award from the Florida Department of Transportation, and the purchase of vehicles and/or equipment and/or expenditure of grant funds pursuant to a grant award.

WHEREAS, (Applicant) has the authority to apply for and accept grants and make purchases and/or expend funds pursuant to grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE **(Governing Board)**, FLORIDA:

This resolution applies to the Federal Program under U.S.C. Section 5311(f).

The submission of a grant application(s), supporting documents, and assurances to the Florida Department of Transportation is approved.

(Authorized Individual by Name and Title) is authorized to sign the application, accept a grant award, purchase vehicles/equipment and/or expend grant funds pursuant to a grant award, unless specifically rescinded.

DULY PASSED AND ADOPTED THIS **Date, Year**

By

Signature, Chairperson of the Board [blue ink]

Typed Name and Title of Authorized Representative

ATTEST:

Seal

Exhibit C: Public Hearing Notice

Attach a copy of the notice of public hearing and an affidavit of publication here. You may insert the notice as a PDF or print and attach the document to your final application.

Public Notice—Sample

All interested parties within **(Counties Affected)** are hereby advised that **(Public Agency)** is applying to the Florida Department of Transportation for a capital grant under Section 5311(f) of the Federal Transit Act of 1991, as amended, for the purchase of **(Description of Equipment)** to be used for the provision of public transit services within **(Defined Area of Operation)**.

This notice is to provide an opportunity for a Public Hearing for this project. This public notice is to ensure that this project and the contemplated services will not duplicate current or proposed services provided by existing transit or paratransit operators in the area.

This hearing will be conducted if and only if a written request for the hearing is received by **(Specify due date)**.

Requests for a hearing must be addressed to ***(Public Agency Name and Address)*** and a copy sent to ***(Name and Address of Appropriate FDOT District Office)***.

All public notices must include the following language:

Florida Law and Title VI of the Civil Rights Act of 1964 Prohibits Discrimination in Public accommodation on the basis of race, color, religion, sex, national origin, disability, or of marital status.

Persons believing they have been discriminated against on these conditions may file a complaint with the Florida Commission on Human Relations at 850-488-7082 or 800-342-8170 (voice messaging)

Exhibit D: Local Clearinghouse Agency/RPC Cover Letter

If grant application is for facilities, please include a copy of the cover letter submitted to the local clearinghouse agency or RPC. You may insert the letter as a PDF or print and attach the document to your final application.

PART II - FUNDING REQUEST

Form A: Current System Description

(a) Please provide a brief general overview of the type organization (i.e., government authority, private non-profit, etc.) including its mission, program goals, and objectives (Maximum 300 words).

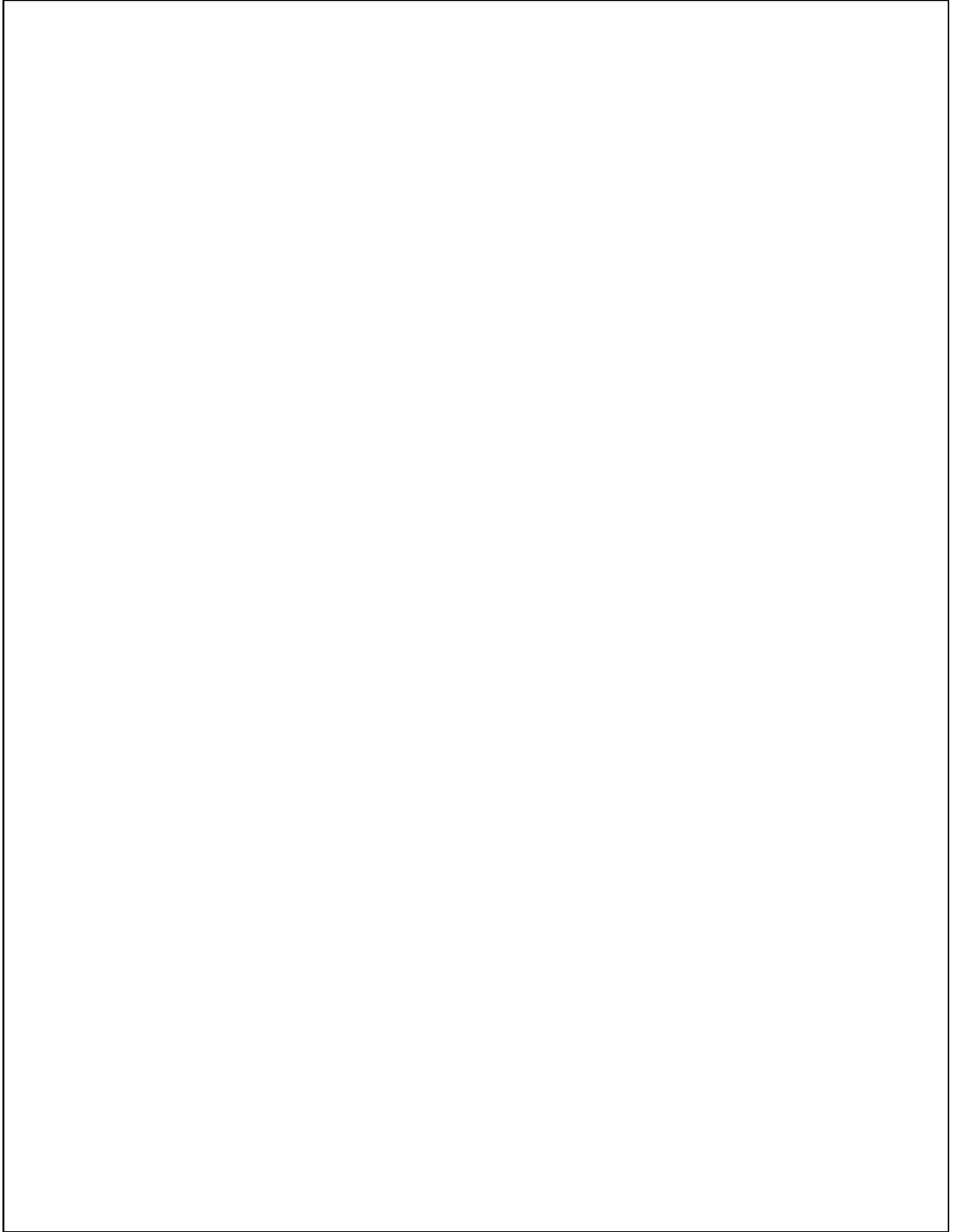
(b) Please provide information below:

- Organizational structure (**attach an organizational chart at the end of this section**)
- Total number of employees in organization _____
- Total number of transportation-related employees in the organization _____

(c) Who is responsible for insurance, training, management, and administration of the agency's transportation programs? (Maximum 100 words)

Fully explain your transportation program:

- Service hours, planned service, routes and trip types;
- Staffing—include plan for training on vehicle equipment such as wheelchair lifts, etc.;
- Records maintenance—who, what methods, use of databases, spreadsheets etc.;
- Vehicle maintenance—who, what, when and where. Which services are outsourced (e.g., oil changes)? Include a section on how vehicles are maintained without interruptions in service;
- System safety plan;
- Drug-free workplace; and
- Data collection methods, including how data was collected to complete Exhibit A-2.



Form B: Proposed Project Description

- (a) How will the grant funding improve intercity bus service in the state? Also highlight the challenges or difficulties that your agency will overcome if awarded these funds.



- (b) If a grant award will be used to maintain services as described in Form A-1, specifically explain how it will be used in the context of total service. Make sure to include information on how the agency will maintain adequate financial, maintenance, and operating records and comply with FTA reporting requirements including information for the Annual Program of Projects Status Reports, Milestone Activity Reports, NTD reporting, DBE reports etc.

- (c)

Operating Requests Only

- (a) Please specify year of activity for operating assistance (typically current or immediate prior year).
-

Capital Requests Only

- (a) If this capital request is for equipment, please describe the purpose of the request.
- (b) If you are requesting a vehicle that requires a driver with a CDL:
 - Who will drive the vehicle?
 - How will you ensure that your driver(s) maintain CDL certification?
- (c) If the requested vehicles or equipment will be used by a lessee or private operator under contract to the applicant agency, identify the proposed lessee/operator.
 - Include an equitable plan for distribution of vehicles/equipment to lessees and/or private operators.

(d) If this capital request is for bus related facilities

- Please provide any pertinent documents that may be on record, to make a determination on such things as reasonableness of cost, sufficiency of preliminary engineering and design work completed.
- Please provide a full, detailed scope of the project, including but not limited to a project schedule, construction days, method of procurement, etc.
- Please provide a detailed description of all project activities included in the construction of the facility.

NOTE: If awarded, the agency must prepare a draft/proposed facilities/building maintenance plan that will need to be adopted after construction of facilities.

Equipment Request

If item requested is after-market, it is recommended to gather and retain at least two estimates for the equipment requested. Purchases must be approved at the local level and follow the [Procurement Guidelines](#).

Description*	Useful Life <i>(See Application Instructions)</i>	Quantity	Estimated Cost
Subtotal			\$

* List the number of items and provide a brief description (i.e. two-way radio or stereo radio, computer hardware/software, etc.)

\$	+	\$	=	\$
Vehicle Subtotal	Plus	Equipment Subtotal	Equals	Total Cost

\$	*	0.8	=	\$
Total Cost	Multiplied by	80%	Equals	Federal Request Form 424, Block 18 (a)

Form C-2: Estimate of Project Costs by Grant Phase

PHASES*	STAT E	LOCAL	FEDERA L	STAT E %	LOCAL %	FEDERA L %	TOTA L
Land Acquisition	\$	\$	\$				
Planning	\$	\$	\$				
Environmental/Design/Constructi on	\$	\$	\$				
Capital Equipment	\$	\$	\$				
Totals	\$	\$	\$				
Percentage				%	%	%	100 %

*Shifting items between these grant phases requires execution of an Amendment to the Public Transportation Grant Agreement.

Form D: Operations Phase- Estimate of Project Costs by Budget Category

Budget Categories Operations <i>(Expenses related to transit operations only)*</i>	State	Local	Federal	Total
Salaries				
Fringe Benefits				
Contractual Services				
Travel				
Other Direct Costs				
a.				
b.				
c.				
d.				
e.				
f.				
g.				
Indirect Costs				
Projected REVENUE (subtraction)				
Totals	\$	\$	\$	\$

* Budget category amounts are estimates and can be shifted between items without amendment (because they are all within the Operations Phase), but the revised budget must be updated and reflected in Florida Accountability Contract Tracking System (FACTS).

Part III – MANAGERIAL CAPABILITY

Exhibit E: FDOT Certification and Assurances

(Agency Name) certifies and assures to the Florida Department of Transportation regarding its Application under U.S.C. Section 5311(f) dated **Date** day of **Month**, **Year**

- 1 It shall adhere to all Certifications and Assurances made to the federal government in its Application.
- 2 It shall comply with Florida Statutes:
 - Section 341.051—Administration and financing of public transit and intercity bus service programs and projects
 - Section 341.061 (2)—Transit Safety Standards; Inspections and System Safety Reviews
 - It shall comply with Florida Administrative Code
 - Rule Chapter 14-73—Public Transportation
 - Rule Chapter 14-90—Equipment and Operational Safety Standards for Bus Transit Systems
 - Rule Chapter 14-90.0041—Medical Examination for Bus System Driver
 - Rule Chapter 41-2—Definitions
- 3 It shall comply with FDOT's:
 - Bus Transit System Safety Program Procedure No. 725-030-009
(Does not apply to Section 5310 only recipients)
 - Public Transit Substance Abuse Management Program Procedure No. 725-030-035
 - Transit Vehicle Inventory Management Procedure No. 725-030-025
 - Public Transportation Vehicle Leasing Procedure No. 725-030-001
 - Guidelines for Acquiring Vehicles
 - Procurement Guidance for Transit Agencies Manual
- 4 It has the fiscal and managerial capability and legal authority to file the application.
- 5 It will carry adequate insurance to maintain, repair, or replace project vehicles/equipment in the event of loss or damage due to an accident or casualty.
- 6 It will maintain project vehicles/equipment in good working order for the useful life of the vehicles/equipment.
- 7 It will return project vehicles/equipment to FDOT if, for any reason, they are no longer needed or used for the purpose intended.
- 8 It recognizes FDOT's authority to remove vehicles/equipment from its premises, at no cost to FDOT, if FDOT determines the vehicles/equipment are not used for the purpose intended, improperly maintained, uninsured, or operated unsafely.

- 9 It will not enter into any lease of project vehicles/equipment or contract for transportation services with any third party without prior approval of FDOT.
- 10 It will notify FDOT within **24 hours** of any accident or casualty involving project vehicles/equipment and submit related reports as required by FDOT.
- 11 It will notify FDOT and request assistance if a vehicle would become unserviceable.
- 12 It will submit an annual financial audit report to FDOT (FDOTSingleAudit@dot.state.fl.us), if required.
- 13 It will undergo a triennial review and inspection by FDOT to determine compliance with the baseline requirements. If found not in compliance, it must send a progress report to the local FDOT District office on a quarterly basis outlining the agency’s progress towards compliance.

_____ **Date**

_____ **Signature of Authorized Representative**

_____ **Typed Name and Title of Authorized Representative**

Exhibit F: Standard Lobbying Certification

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

- 1 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.
- 2 If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to 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," (a copy the form can be obtained from [FDOT's website](#)) in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)]
- 3 The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients 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 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). 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.

NOTE: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.

The (**Contractor**), certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

_____ **Date**

_____ **Signature of Contractor's Authorized Official**

_____ **Name and Title of Contractor's
Authorized Official**

Exhibit G: FTA Section 5333 (b) Assurance

(Note: By signing the following assurance, the recipient of Section 5311 and/or 5311(f)(f) assistance assures it will comply with the labor protection provisions of 49 U.S.C. 5333(b) by one of the following actions: (1) signing the Special Warranty for the Rural Area Program (see FTA Circular C 9040.1G, Chapter VIII); (2) agreeing to alternative comparable arrangements approved by the (Department of Labor (DOL)); or (3) obtaining a waiver from the DOL.)

The _____ (hereinafter referred to as the “Recipient”) HEREBY ASSURES that the “Special Section 5333 (b) Warranty for Application to the Small Urban and Rural Program” has been reviewed and certifies to the Florida Department of Transportation that it will comply with its provisions and all its provisions will be incorporated into any contract between the recipient and any sub-recipient which will expend funds received as a result of an application to the Florida Department of Transportation under the FTA Section 5311(f) Program.

Date

Name and title of authorized representative

Signature of authorized representative

Note: All applicants must complete the following form and submit it with the above Assurance.

LISTING OF RECIPIENTS, OTHER ELIGIBLE SURFACE TRANSPORTATION PROVIDERS, UNIONS OF SUB-RECIPIENTS, AND LABOR ORGANIZATIONS REPRESENTING EMPLOYEES OF SUCH PROVIDERS, IF ANY

1	2	3	4
Identify Recipients of Transportation Assistance Under this Grant.	Site Project by Name, Description, and Provider (e.g. Recipient, other Agency, or Contractor)	Identify Other Eligible Surface Transportation Providers (Type of Service)	Identify Unions (and Providers) Representing Employees of Providers in Columns 1, 2, and 3

Exhibit H: Leasing Certification

Memorandum for FTA 5311(f)

Date:

From:

Signature

Typed name and title

Typed or printed agency name

To: Florida Department of Transportation, District Office Modal Development Office/Public Transit

Subject: STATE FISCAL YEAR 2021 GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION, OPERATING OR CAPITAL GRANTS FOR RURAL AREAS PROGRAM, 49 UNITED STATES CODE SECTION 5311(f)

Leasing:

Will the **(Name of applicant agency)**, as applicant to the Federal Transit Administration Section 5311(f) Program, lease the proposed vehicle(s) or equipment out to a third-party?

No

Yes

If yes, specify to whom:

NOTE: It is the responsibility of the applicant agency to ensure District approval of all lease agreements.

Exhibit I: Certification of Equivalent Service

CERTIFICATION OF EQUIVALENT SERVICE

(Agency Name) certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

- 1 Response time;
- 2 Fares;
- 3 Geographic service area;
- 4 Hours and days of service;
- 5 Restrictions on trip purpose;
- 6 Availability of information and reservation capability; and
- 7 Constraints on capacity or service availability.

In accordance with 49 CFR Part 37, public entities operating demand responsive systems for the general public which receive financial assistance under 49 U.S.C. 5310 and 5311(f) of the Federal Transit Administration (FTA) funds must file this certification with the appropriate state program office before procuring any inaccessible vehicle. Such public entities not receiving FTA funds shall also file the certification with the appropriate state office program. Such public entities receiving FTA funds under any other section of the FTA Programs must file the certification with the appropriate FTA regional office. This certification is valid for no longer than one year from its date of filing. Non-public transportation systems that serve their own clients, such as social service agencies, are required to complete this form.

Executed this Date day of Month, Year

Name and title of authorized representative

Signature of authorized representative

Form 424: Application for Federal Assistance

Attach the completed [Form 424](#) here. You may insert the completed form as a PDF or print and attach the form to your final application document.

Exhibit J: Federal Certifications and Assurances

Please attach Federal Certifications and Assurances signature page here. You may insert the signed certifications and assurances as a PDF or print and attach the form to your final application document.

Exhibit K: Title VI Plan

If an applicant has not previously submitted their Title VI plan to the Department, a copy must be included here. You may insert the Title VI Plan as a PDF or print and attach the document to your final application.

Exhibit L: Protection of the Environment

Required if the proposed project is for the construction of facilities. Please see Grant Application Instruction Manual for details.

Exhibit M: Triennial Review - CAP Closeout

Required if the agency's latest Triennial Review included a Corrective Action Plan. Please submit a copy of the corrective action plan and/or letter of compliance.

Exhibit N: Terms and Conditions of Construction

1. Design and Construction Standards and Required Approvals.

- a. The Agency understands that it is responsible for the preparation and certification of all design plans for the Project. The Agency shall hire a qualified consultant for the design phase of the Project or, if applicable, the Agency shall require their design-build contractor or construction management contractor to hire a qualified consultant for the design phase of the Project.
- b. Execution of this Agreement by both Parties shall be deemed a Notice to Proceed to the Agency for the design phase or other non-construction phases of the Project. If the Project involves a construction phase, the Agency shall not begin the construction phase of the Project until the Department issues a Notice to Proceed for the construction phase. Prior to commencing the construction work described in this Agreement, the Agency shall request a Notice to Proceed from the Department's Project Manager, _____, at (_____) _____-_____ or from an appointed designee. Any construction phase work performed prior to the execution of this required Notice to Proceed is not subject to reimbursement.
- c. The Agency will provide one (1) copy of the final design plans and specifications and final bid documents to the Department's Project Manager prior to bidding or commencing construction of the Project.
- d. The Agency shall require the Agency's contractor to post a payment and performance bond in accordance with applicable law(s).
- e. The Agency shall be responsible to ensure that the construction work under this Agreement is performed in accordance with the approved construction documents, and that the construction work will meet all applicable Agency and Department standards.
- f. Upon completion of the work authorized by this Agreement, the Agency shall notify the Department in writing of the completion of construction of the Project; and for all design work that originally required certification by a Professional Engineer, this notification shall contain an Engineer's Certification of Compliance, signed and sealed by a Professional Engineer, the form of which is attached to this Exhibit. The certification shall state that work has been completed in compliance with the Project construction plans and specifications. If any deviations are found from the approved plans or specifications, the certification shall include a list of all deviations along with an explanation that justifies the reason to accept each deviation.

2. **Construction on the Department's Right of Way.** If the Project involves construction on the Department's right-of-way, then the following provisions apply to any and all portions of the Project that are constructed on the Department's right-of-way:

- a.** The Agency shall hire a qualified contractor using the Agency’s normal bid procedures to perform the construction work for the Project. The Agency must certify that the installation of the Project is completed by a Contractor prequalified by the Department as required by Section 2 of the Standard Specifications for Road and Bridge Construction (2016), as amended, unless otherwise approved by the Department in writing or the Contractor exhibits past project experience in the last five years that are comparable in scale, composition, and overall quality to the site characterized within the scope of services of this Project.
- b.** Construction Engineering Inspection (CEI) services will be provided by the Agency by hiring a Department prequalified consultant firm including one individual that has completed the Advanced Maintenance of Traffic Level Training, unless otherwise approved by the Department in writing. The CEI staff shall be present on the Project at all times that the contractor is working. Administration of the CEI staff shall be under the responsible charge of a State of Florida Licensed Professional Engineer who shall provide the certification that all design and construction for the Project meets the minimum construction standards established by Department. The Department shall approve all CEI personnel. The CEI firm shall not be the same firm as that of the Engineer of Record for the Project. The Department shall have the right, but not the obligation, to perform independent assurance testing during the course of construction of the Project.
- c.** The Project shall be designed and constructed in accordance with the latest edition of the Department’s Standard Specifications for Road and Bridge Construction, the Department Design Standards, and the Manual of Uniform Traffic Control Devices (MUTCD). The following guidelines shall apply as deemed appropriate by the Department: the Department Structures Design Manual, AASHTO Guide Specifications for the Design of Pedestrian Bridges, AASHTO LRFD Bridge Design Specifications, the Department Plans Preparation Manual (PPM), Manual for Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (the “Florida Green Book”), and the Department Traffic Engineering Manual. The Agency will be required to submit any construction plans required by the Department for review and approval prior to any work being commenced. Should any changes to the plans be required during construction of the Project, the Agency shall be required to notify the Department of the changes and receive approval from the Department prior to the changes being constructed. The Agency shall maintain the area of the Project at all times and coordinate any work needs of the Department during construction of the Project.
- d.** The Agency shall notify the Department a minimum of 48 hours before beginning construction within Department right-of-way. The Agency shall notify the Department should construction be suspended for more than 5 working days. The Department contact person for construction is .
- e.** The Agency shall be responsible for monitoring construction operations and the maintenance of traffic (MOT) throughout the course of the Project in accordance

with the latest edition of the Department Standard Specifications, section 102. The Agency is responsible for the development of a MOT plan and making any changes to that plan as necessary. The MOT plan shall be in accordance with the latest version of the Department Design Standards, Index 600 series. Any MOT plan developed by the Agency that deviates from the Department Design Standards must be signed and sealed by a professional engineer. MOT plans will require approval by the Department prior to implementation.

- f.** The Agency shall be responsible for locating all existing utilities, both aerial and underground, and for ensuring that all utility locations be accurately documented on the construction plans. All utility conflicts shall be fully resolved directly with the applicable utility.
- g.** The Agency will be responsible for obtaining all permits that may be required by other agencies or local governmental entities.
- h.** It is hereby agreed by the Parties that this Agreement creates a permissive use only and all improvements located on the Department's right-of-way resulting from this Agreement shall become the property of the Department. Neither the granting of the permission to use the Department right of way nor the placing of facilities upon the Department property shall operate to create or vest any property right to or in the Agency, except as may otherwise be provided in separate agreements. The Agency shall not acquire any right, title, interest or estate in Department right of way, of any nature or kind whatsoever, by virtue of the execution, operation, effect, or performance of this Agreement including, but not limited to, the Agency's use, occupancy or possession of Department right of way. The Parties agree that this Agreement does not, and shall not be construed to, grant credit for any future transportation concurrency requirements pursuant to Chapter 163, Florida Statutes.
- i.** The Agency shall not cause any liens or encumbrances to attach to any portion of the Department's property, including but not limited to, the Department's right-of-way.
- j.** The Agency shall perform all required testing associated with the design and construction of the Project. Testing results shall be made available to the Department upon request. The Department shall have the right to perform its own independent testing during the course of the Project.
- k.** The Agency shall exercise the rights granted herein and shall otherwise perform this Agreement in a good and workmanlike manner, with reasonable care, in accordance with the terms and provisions of this Agreement and all applicable federal, state, local, administrative, regulatory, safety and environmental laws, codes, rules, regulations, policies, procedures, guidelines, standards and permits, as the same may be constituted and amended from time to time, including, but not limited to, those of the Department, applicable Water Management District, Florida Department of Environmental Protection, the United

States Environmental Protection Agency, the United States Army Corps of Engineers, the United States Coast Guard and local governmental entities.

- l.** If the Department determines a condition exists which threatens the public's safety, the Department may, at its discretion, cause construction operations to cease and immediately have any potential hazards removed from its right-of-way at the sole cost, expense, and effort of the Agency. The Agency shall bear all construction delay costs incurred by the Department.
- m.** The Agency shall be responsible to maintain and restore all features that might require relocation within the Department right-of-way.
- n.** The Agency will be solely responsible for clean up or restoration required to correct any environmental or health hazards that may result from construction operations.
- o.** The acceptance procedure will include a final "walk-through" by Agency and Department personnel. Upon completion of construction, the Agency will be required to submit to the Department final as-built plans and an engineering certification that construction was completed in accordance to the plans. Submittal of the final as-built plans shall include one complete set of the signed and sealed plans on 11" X 17" plan sheets and an electronic copy prepared in Portable Document Format (PDF). Prior to the termination of this Agreement, the Agency shall remove its presence, including, but not limited to, all of the Agency's property, machinery, and equipment from Department right-of-way and shall restore those portions of Department right of way disturbed or otherwise altered by the Project to substantially the same condition that existed immediately prior to the commencement of the Project.
- p.** If the Department determines that the Project is not completed in accordance with the provisions of this Agreement, the Department shall deliver written notification of such to the Agency. The Agency shall have thirty (30) days from the date of receipt of the Department's written notice, or such other time as the Agency and the Department mutually agree to in writing, to complete the Project and provide the Department with written notice of the same (the "Notice of Completion"). If the Agency fails to timely deliver the Notice of Completion, or if it is determined that the Project is not properly completed after receipt of the Notice of Completion, the Department, within its discretion may: 1) provide the Agency with written authorization granting such additional time as the Department deems appropriate to correct the deficiency(ies); or 2) correct the deficiency(ies) at the Agency's sole cost and expense, without Department liability to the Agency for any resulting loss or damage to property, including, but not limited to, machinery and equipment. If the Department elects to correct the deficiency(ies), the Department shall provide the Agency with an invoice for the costs incurred by the Department and the Agency shall pay the invoice within thirty (30) days of the date of the invoice.

- q. The Agency shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. The Agency shall be responsible for the correction of any erosion, shoaling, or water quality problems that result from the construction of the Project.
- r. Portable Traffic Monitoring Site (PTMS) or a Telemetry Traffic Monitoring Site (TTMS) may exist within the vicinity of your proposed work. It is the responsibility of the Agency to locate and avoid damage to these sites. If a PTMS or TTMS is encountered during construction, the Department must be contacted immediately.
- s. During construction, highest priority must be given to pedestrian safety. If permission is granted to temporarily close a sidewalk, it should be done with the express condition that an alternate route will be provided and shall continuously maintain pedestrian features to meet Americans Disability Act (ADA) standards.
- t. Restricted hours of operation will be from _____ (insert restrict hours of operation), _____ (insert days of the week for restricted operation), unless otherwise approved by the Operations Engineer, or designee.
- u. Lane closures on the state road system must be coordinated with the Public Information Office at least two weeks prior to the closure. The contact information for the Department’s Public Information Office is:

Insert District PIO contact info:

Note: (Highlighted sections indicate need to confirm information with District Office or appropriate DOT person managing the Agreement)

- 3. **Engineer’s Certification of Compliance.** The Agency shall complete and submit the following Notice of Completion and if applicable Engineer’s Certification of Compliance to the Department upon completion of the construction phase of the Project.

NOTICE OF COMPLETION

PUBLIC TRANSPORTATION GRANT AGREEMENT
BETWEEN
THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
and _____

PROJECT DESCRIPTION: _____

DEPARTMENT CONTRACT NO.: _____

FINANCIAL MANAGEMENT NO.: _____

In accordance with the Terms and Conditions of the Public Transportation Grant Agreement, the undersigned provides notification that the work authorized by this Agreement is complete as of _____, 20____.

By: _____

Name: _____

Title: _____

ENGINEER’S CERTIFICATION OF COMPLIANCE

In accordance with the Terms and Conditions of the Public Transportation Grant Agreement, the undersigned certifies that all work which originally required certification by a Professional Engineer has been completed in compliance with the Project construction plans and specifications. If any deviations have been made from the approved plans, a list of all deviations, along with an explanation that justifies the reason to accept each deviation, will be attached to this Certification. Also, with submittal of this certification, the Agency shall furnish the Department a set of “as-built” plans certified by the Engineer of Record/CEI.

By: _____, P.E.

SEAL:

Name: _____

Date: _____

Application

5311(f) Grant Application Revised on October 1, 2019

Revised by: Erin Schepers, Grant Programs Administrator

FDOT Public Transit Office

605 Suwannee Street (MS 26)

Tallahassee, Florida 32399-0450

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