



U.S. Department  
of Transportation

**Urban Mass  
Transportation  
Administration**

# CIRCULAR

UMTA C 4715.1A

July 26, 1988

Subject: HUMAN RESOURCE PROGRAMS (SECTION 20) APPLICATION  
AND PROJECT MANAGEMENT GUIDELINES

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1. **PURPOSE.** This circular provides guidance on applying for Federal financial assistance and managing projects awarded under Section 20 of the Urban Mass Transportation Act of 1964, as amended (UMT Act). Under that section, financial assistance is authorized for national and local programs that address human resource needs as they apply to public transportation activities. Section 20 projects are awarded by the Urban Mass Transportation Administration (UMTA) through grants, cooperative agreements, or direct procurement contracts. This circular provides specific guidelines related to the management of projects awarded as grants and cooperative agreements. The Transportation Acquisition Regulation (TAR) provides guidance applicable to projects awarded as direct procurement contracts.
2. **CANCELLATION.** This circular cancels UMTA Circular 4715.1, "Section 20 (Human Resource) Guidelines for UMTA Applicants," dated 12-16-83. It also supersedes coverage of Section 20 projects as provided under UMTA Circular 5010.1A, "Urban Mass Transportation Project Management Guidelines for Grantees," dated 9-18-87.
3. **REFERENCES.** This listing identifies specific external and internal guidelines that are applicable to the provisions of this circular. It also includes additional resource material pertinent to project administration directives that are common to most federally funded grants or cooperative agreements for non-construction related efforts.
  - a. Section 20 of the UMT Act of 1964, as amended; 49 U.S.C. 1601, et seq.;
  - b. Title IX of the Education Amendments of 1972, Public Law 93-318;
  - c. Section 106(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987, Public Law 100-17, dated 4-2-87;
  - d. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794;
  - e. Section 317(c) of the Surface Transportation Assistance Act of 1982, 49 U.S.C. 1612(d);
  - f. Executive Order 12320, "Historically Black Colleges and Universities," dated 9-15-81;
  - g. Executive Order 12372, "Intergovernmental Review of Federal Programs," dated 7-14-82;
  - h. 31 CFR Part 205, Chapter II, "Withdrawal of Cash from the Treasury for Advances under Federal Grant and Other Programs;"

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- i. 49 CFR Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation -- Effectuation of Title VI of the Civil Rights Act of 1964;"
- j. 49 CFR Part 23, as amended, "Participation by Minority Business Enterprises in Department of Transportation Programs;"
- k. 49 CFR Parts 27 and 609, "Nondiscrimination on the Basis of Handicap in Financial Assistance Programs;"
- l. 49 CFR Part 2, Chapter 12, "Acquisition Regulations; Interim Final Rule;"
- m. OMB Circular A-21 (Revised), "Cost Principles for Educational Institutions," dated 6-9-86;
- n. OMB Circular A-50, "Resolution of Audit Findings and Recommendations," dated 9-29-82;
- o. OMB Circular A-87, "Cost Principles Applicable to Grants and Contracts with State and Local Governments," dated 1-15-81;
- p. OMB Circular A-102 (Revised), "Grants and Cooperative Agreements with State and Local Governments," dated 3-11-88, (Note: Effective 10-1-88, DOT regulations, 49 CFR Part 18, will replace OMB Circular A-102);
- q. OMB Circular A-110 (Revised), "Uniform Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations," dated 6-24-87;
- r. OMB Circular A-122 (Revised), "Cost Principles for Nonprofit Organizations," dated 4-27-84;
- s. OMB Circular A-128, "Audits of State and Local Governments," dated 4-12-85;
- t. DOT Order 4000.8A, "Use of Contracts, Grants and Cooperative Agreements," dated 8-17-82;
- u. DOT Order 4600.11A, "Principles for Determining Costs Applicable to Grants and Contracts with State and Local Governments," dated 9-9-82;
- v. DOT Order 4600.13, "Intergovernmental Review of Department of Transportation Programs and Activities," dated 10-3-83;
- w. DOT Order 4600.15, "Audits of State and Local Governments," dated 5-16-85;
- x. UMTA Circular 4220.1B, "Third Party Contracting Guidelines," dated 5-5-88;

- y. UMTA Circular 4702.1, "Title VI Program Guidelines for Urban Mass Transportation Administration Recipients," dated 5-26-88;
  - z. UMTA Circular 4704.1, "UMTA Equal Employment Opportunity Policy and Requirements for Grant Recipients," dated 7-26-88.
  - aa. UMTA Circular 4716.1A, "Disadvantaged Business Enterprise Requirements for Recipients and Transit Vehicle Manufacturers," dated 7-26-88.
  - bb. UMTA Circular 9100.1B, "Standard Assurances for Urban Mass Transportation Administration Applications," dated 7-1-88.
4. DEFINITIONS. For purposes of this circular, the following definitions will be used:
- a. Agreement is any Grant Agreement or Cooperative Agreement used for the following purposes:
    - (1) General financial assistance (stimulation or support) to eligible recipients under specific legislation authorizing such assistance; and
    - (2) Financial assistance (stimulation or support) to a specific program activity eligible for such assistance under specific legislation authorizing such assistance.
  - b. Applicant is an eligible entity or organization that submits an application for financial assistance under any UMTA program.
  - c. Contractor is any entity or organization which has entered into a contract with an applicant, recipient, or subrecipient.
  - d. Cooperative Agreement is a legal instrument reflecting a relationship between the U.S. Government and a State, a local government, or other recipients and is used when:
    - (1) The principal purpose of the relationship is to transfer a thing of value to the State, local government, or other recipients to carry out a public purpose of support or stimulation authorized by a law of the United States instead of acquiring (by purchase, lease, or barter) property or services for the direct benefit or use of the U.S. Government; and
    - (2) Substantial involvement **is expected** between the executive agency and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.
  - e. Direct Costs are those costs that can be identified specifically with a particular project. These costs may be charged directly to a grant project.

- f. Grant Agreement is a legal instrument reflecting a relationship between the U.S. Government and a State, a local government, or other recipients and is used when:
- (1) The principal purpose of the relationship is to transfer a thing of value to the State, local government, or other recipients to carry out a public purpose of support or stimulation authorized by a law of the United States instead of acquiring (by purchase, lease, or barter) property or services for the direct benefit or use of the U.S. Government; and
  - (2) Substantial involvement **is not expected** between the executive agency and the State, local government, or other recipient when carrying out the activity contemplated in the agreement.
- g. Indirect Costs are those that:
- (1) Incurred for a common or joint purpose benefiting more than one cost objective; and
  - (2) Not readily assignable to the cost objectives specifically benefited, without effort disproportionate to the results achieved.
- h. In-Kind Contributions represent the value of non-cash contributions provided by the recipient and non-Federal parties. Only when authorized by Federal legislation may property purchased with Federal funds be considered as the recipient's in-kind contributions. In-kind contributions may be in the form of charges for real property and nonexpendable personal property and the value of goods and services directly benefiting and specifically identifiable to the project or program.
- i. Procurement Contract is a legal instrument reflecting a relationship between the U.S. Government and a State, a local government, or other recipients and is used when:
- (1) The principal purpose of the instrument is to acquire (by purchase, lease, or barter) property or services for the direct benefit of the U.S. Government; or
  - (2) The agency decides in a specific instance that the use of a procurement contract is appropriate.
- j. Recipient is any entity that receives Federal assistance from UMTA for the accomplishment of a project. The term "recipient" includes grantee and any entity to which Federal funds have been passed through for the accomplishment of the project.
- k. Subcontractor is any entity or organization which has entered into a subcontract with a contractor to provide goods or services in connection with a program or activity initiated by an applicant, recipient, or subrecipient.

5. GENERAL. This circular updates the application procedures and project administration guidelines that apply to individual projects and program activities funded by Section 20 grants and cooperative agreements. These guidelines are consistent with the current statutes applicable to the sponsorship of Section 20 programs, augmented by recent guidance from the Office of Management and Budget (OMB), and any related implementing directives issued by the U.S. Department of Transportation (DOT) and UMTA. This revision reflects specific changes in administering Section 20 program efforts, builds on the experience gained from its operation, and seeks to improve its overall management practices. Accordingly, Chapter II, paragraph 2, addresses the preapplication process that will significantly reduce the paperwork burden of prospective applicants, and help to facilitate the review of proposed project concepts by UMTA for funding consideration. If the proposed project concept meets the needs of current program goals, the prospective applicant may be requested to make a formal application with detailed proposed project information.

Section 20 of the UMT Act also authorizes the funding of projects by direct procurement contracts when UMTA is purchasing a product or service intended primarily for the benefit of the Federal Government. In such cases, Section 20 projects awarded by procurement contracts are governed by the Federal Acquisition Regulation (FAR), and the implementing guidance of the TAR. For further information about opportunities for direct procurement contracts, prospective bidders should contact and submit unsolicited proposals directly to the UMTA Office of Procurement and Third Party Contract Review.

Recipients are advised that, because of limited Section 20 funds, monies must be expended in a reasonable timeframe. Should a recipient fail to do this, UMTA reserves the right to deobligate and reprogram such funds to be applied to other eligible Section 20 projects.

  
Alfred A. DelliBovi  
Administrator



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CHAPTER I

GENERAL PROGRAM INFORMATION

1. INTRODUCTION. Section 20 of the UMT Act of 1964, as amended, was enacted in 1978, and states:

"The Secretary is authorized to undertake, or provide financial assistance by grant or contract for, national and local programs that address human resource needs as they apply to public transportation activities. Such programs may include but are not limited to employment training programs; outreach programs to increase minority and female employment in public transportation activities; research on public transportation manpower and training needs; and training and assistance for minority business opportunities. Such assistance may include assistance in seeking venture capital, obtaining surety bonding, obtaining management and technical services, and contracting with public agencies organized for such purposes."

Congressional intent regarding the scope of Section 20 is provided, in part, in the report of the Senate Committee on Banking, Housing, and Urban Affairs, which accompanied Senate action on the provision. That report states in part:

"There is a need to not only increase the total number of minority and female employees in the public transportation field, but through outreach, training, and management development, to increase the quality of opportunities. There is also a need to improve the ability of minority business enterprises to participate in the transit program. The committee believes that these activities constitute an important use of these program resources, and encourage UMTA to effectively implement this section."

The Federal Public Transportation Act of 1982 provided the first specific authorization of funds to carry out Section 20 project efforts. UMTA-funded Section 20 programs or projects are directed toward improving the conditions affecting the minority/female community in the areas of business opportunities, employment, and in the distribution of transportation services and related benefits.

2. TYPES OF PROJECTS FUNDED. Examples of programs or projects funded under Section 20 are found in a compendium, entitled "Human Resource Projects," which is published annually by the UMTA Headquarters Office of Civil Rights. Section 20 provides financial assistance for projects nationwide which address the human resource needs and conditions of the public mass transit industry. Since 1984, the majority of Section 20-funded projects has centered on developing the business capabilities of disadvantaged (including women-owned) business enterprises (DBEs) to increase their

participation on UMTA-funded mass transit projects. Projects sponsored for DBEs have included the development of managerial and technical assistance training programs, the improvement of transit labor relations, and the financing of working capital loan funds and bonding assistance programs. Many efforts in this area have enabled DBEs to become entrepreneurial competitors in the transit marketplace. Other projects support career upward mobility opportunities for minorities and women within the transit industry. One project, a vehicle maintenance training program, made it possible for entry level employees to become qualified mechanics.

It is the responsibility of the Office of Civil Rights to monitor compliance with the program-specific requirements contained in the following directives:

- a. 49 CFR Part 23, as amended, "Participation by Minority Business Enterprise in Department of Transportation Programs;"
- b. 49 CFR Parts 27 and 609, "Nondiscrimination on the Basis of Handicap in Financial Assistance Programs;"
- c. UMTA Circular 4702.1, "Title VI Program Guidelines for Urban Mass Transportation Administration Recipients;"
- d. UMTA Circular 4704.1, "UMTA Equal Employment Opportunity Policy and Requirements for Grant Recipients;" and
- e. UMTA Circular 4716.1A, "Disadvantaged Business Enterprise Requirements for Recipients and Transit Vehicle Manufacturers."

Other human resource activities, unrelated to Section 20 efforts, continue to be eligible as part of projects funded under other programs of the UMT Act, such as Sections 3, 4(i), 6, 8, 9, 10, 11, 10(b)(2), and 18. These activities must be properly justified as meeting the statutory and regulatory requirements established for funding consideration under those sections. When such human resource activities are funded under another section of the UMT Act, program guidance specifically applicable to that section takes precedence.

Accordingly, guidance contained in this circular applies only to human resource projects funded under Section 20.

TYPES OF PROJECT RELATIONSHIPS AND APPLICANT ELIGIBILITY. There are three basic types of legal instruments that UMTA may use to effect a relationship with a recipient of Federal funds, i.e., to award the project as a grant, cooperative agreement, or procurement contract. The choice of legal instrument depends largely on the intended purpose of the assistance, and the relationship to be established between the award recipient and the Federal Government.

To select the appropriate funding instrument, UMTA will need to review the application proposal to ascertain precisely the intended purpose of the Federal assistance. Procedures for determining appropriate legal instruments are covered by an OMB Guidance, 43 Federal Register 36860, et seq., "The Implementation of Federal Grant and Cooperative Agreement Act of 1977 (P.L. 95-224)." The implementing guidelines applicable to DOT programs of financial assistance are found in DOT Order 4000.8A, "Use of Contracts, Grants, and Cooperative Agreements." Specifically, DOT Order 4000.8A requires the following:

- a. A **grant** shall be used when the principal purpose is to transfer funds for the recipient's benefit, and the recipient is expected to have a high degree of independence from the Federal agency in overseeing the project's performance;
- b. A **cooperative agreement** shall be used when the principal purpose of transfer funds for the recipient's benefit, and the Federal agency expects to have substantial involvement in the project's activities; and
- c. A **procurement contract** shall be used when the principal purpose is to obtain services or a product for direct use and benefit of the Government.

Normally, assistance instruments (grants or cooperative agreements) are used primarily to stimulate or support the applicant's efforts to accomplish an authorized public purpose. Applicants eligible for human resource grants and cooperative agreements include State and local governments, or agencies thereof, universities and institutions of higher education, and nonprofit organizations. UMTA does not award grants or cooperative agreements to private entrepreneurs for the development of proprietary systems.

Whether UMTA should enter into a grant or cooperative agreement relationship is determined during the preapplication review process or prior to release of the Federal award. When a proposed project concept meets a Section 20 program purpose, the eligibility of the applicant and the appropriate funding instrument will be determined on a case-by-case basis using the above criteria.

4. **COST SHARING AND LOCAL MATCHING FUNDS.** UMTA encourages cost sharing on projects involving nonpublic applicants, as well as the provision of local matching funds by public bodies to the maximum extent feasible. Cost sharing is not a prerequisite to funding; however, it is considered in the evaluation of application proposals.

Usually, the amount of cost sharing is determined by mutual agreement between UMTA and the applicant, and may be in cash or in-kind contributions. Factors to be considered in negotiating the amount of cost sharing generally include the following:

- a. In the case of grants or cooperative agreements with educational institutions and other nonprofit organizations, a higher percentage is expected when the cost of the project consists primarily of the academic year salaries of faculty members.
- b. In the case of grants or cooperative agreements with State and local agencies, some cost sharing and matching of the total project cost is encouraged. For Section 20 awards, UMTA has generally determined 75/25 percent of the total project cost as the Federal/local share ratio. This may be adjusted during the application review process, if the resources of the applicant and the anticipated project benefits, when considered jointly, justify a different Federal/local share. The percentage of cost sharing and matching is generally based on two key factors:
  - (1) The relative interests of the Federal Government; and
  - (2) The applicant for the outcome of the project and consideration of the investment risk.
- c. A relatively low degree of cost sharing may be appropriate if it is determined that an area of research or initiative which requires special stimulus is in the national interest, or that the product desired is largely or exclusively for the benefit of the Federal Government, as opposed to the funding recipient.

In addition, there are other factors to be considered when a recipient of an award proposes the participation of third party contractors as performers or contractors in a project venture. When negotiating on cost sharing or local matching funds, no cost or contributions counted toward other federally funded cost sharing project requirements may be considered for the proposed UMTA-funded assistance effort. Neither costs nor the values of third party in-kind contributions may count toward satisfying a cost sharing or matching requirement of an agreement, if they have been or will be counted towards satisfying a cost sharing or matching requirement of another Federal agreement, a Federal procurement contract, or any other award of Federal funds.

During the application review process, the applicant may request authorization from UMTA to use any potential program income to meet the cost sharing or matching requirement of the agreement. In such cases, the amount of the Federal share proposed for the grant or cooperative agreement would not be reduced and remain the same.

Examples of potential income-producing ventures for Section 20-funded projects include: registration fees collected for attendance at project-sponsored conferences, training workshops, seminars and symposiums; fees collected from projects supporting lending services (e.g., revolving loan fund and bonding assistance type projects).

Further instructions regarding the disposition of program income will be discussed in Chapter IV of this circular.

5. ENCOURAGEMENT OF THE SHARING OF PROJECT BENEFITS WITH THE DISADVANTAGED BUSINESS COMMUNITY. It is the policy of UMTA that project benefits be shared, where feasible, with the minority- and women-owned business community. This applies to sharing of benefits through: the use of minority educational institutions, especially historically Black colleges and universities; the use of the services of minority- and women-owned financial institutions; and the employment of minorities and women. Applicants for Section 20 funds must submit as part of their application a plan to indicate proposed or projected sharing of benefits with the minority community through the projected utilization of DBEs, minority educational institutions, minority- and women-owned financial institutions, minority/female employees, etc.
6. CRITERIA FOR SELECTION OF SECTION 20 PROJECTS. UMTA reviews application proposals as promptly as possible. However, budgetary and program constraints make it necessary to select only those applications most relevant to the needs of budgeted programs. In considering application proposals for funding, the following factors are used:
  - a. Compatibility with Section 20 program purposes and objectives;
  - b. Importance of the proposal to the UMTA fiscal year program agenda in terms of achieving the agency's goals, special program initiatives, particularly, current Section 20 program emphasis areas;
  - c. Level of requested funding, cost-sharing, or local matching funds proposed by the project budget;
  - d. The innovative or creative nature of the project;
  - e. Extent to which the project addresses human resource areas of national concern; the applicability and replicability of the project's methodology or final work products to other similar situations or localities;
  - f. Extent to which the proposed project supplements the ongoing human resource programs of the applicant;
  - g. Credentials, experience, and demonstrated capabilities of the applicant and its proposed project personnel;
  - h. Evidence of local support for the proposed project;

- i. Level of participation in the project and/or resources contributed by the private sector to help implement the project's objectives;
- j. Geographic distribution of existing and proposed projects; and
- k. Extent to which the proposed effort will duplicate services being offered by other agencies in the targeted areas.

CHAPTER II

APPLICATION INSTRUCTIONS

1. OVERVIEW OF APPLICATION PROCESS. The application process for Section 20 project awards requires two submissions: a preapplication and a final application. UMTA reviews preapplications and determines the relative merit of the proposed projects according to the criteria outlined in Chapter 1, paragraph 6. Applicants proposing projects that merit further consideration will be requested to submit a formal application package; other applicants will be advised that their proposed projects are not being considered for funding. These actions will take place in writing within 60 days after receipt of the preapplication proposal.

All applications and correspondence regarding the Section 20 program and/or projects should be submitted to the following address:

Urban Mass Transportation Administration  
Office of Civil Rights  
400 Seventh Street, SW., Room 7412  
Washington, D.C. 20590

2. PREAPPLICATION PROCEDURES. UMTA will consider a preapplication at any time of the year. However, to assure that a proposal is considered for funding in the upcoming fiscal year, the preapplication should be submitted to the Headquarters Office of Civil Rights no later than September 1.

- a. Standard Form 424. A preapplication should be prepared in accordance with the guidelines contained in OMB Circular A-102 (Revised) which requires the applicant to submit three different Standard Forms (SF) 424 in their application package. The application package must be comprised of the following three parts (see instructions in Appendix A):

- (1) Application for Federal Assistance, SF 424 Facesheet;
- (2) Budget Information - Non-Construction Programs, SF 424A; and
- (3) Assurances - Non-Construction Programs, SF 424B.

In some cases, UMTA may request additional information to that already required on the SF 424 forms. An applicant will be notified in writing by UMTA, as appropriate, if additional information is needed.

If the applicant submits a preapplication, the SF 424 forms package needs to be completed. The applicant must attach to the SF 424 a narrative statement which describes the nature, use, and benefits of the proposed project for which Federal assistance is being requested. The narrative should also indicate whether other Federal funds are anticipated, whether the project will serve a Federal installation, the expected duration of the project, and any other information that UMTA may require. This information may be included as part of the applicant's response to item 11 of the SF 424 Facesheet (Appendix A, page 1 of 6).

- b. Project Budget. A project budget should be prepared to show the total cost of the proposed project, including any non-Federal contribution, using the following format:

<u>Budget Categories</u>	<u>Federal</u>	<u>Non-Federal</u>	<u>Total</u>
1. Personnel			
2. Fringe Benefits			
3. Travel (Local/Out-of-State Travel/Subsistence)			
4. Equipment (Lease/Purchase/Rental)			
5. Supplies			
6. Contracts (Subcontracts)			
7. Facilities (Lease/Purchase/Rental/Renovation)			
8. Other Program Costs (Specify by Line Items)			
9. Total Direct Costs			
10. Total Indirect Costs			
11. Total Gross Project Costs			
12. Program Income (if applicable)			
13. TOTAL FEDERAL SHARE REQUESTED			

The Federal share of Section 20 projects is generally 75 percent of the total project costs. UMTA will consider a higher cost-sharing ratio, if the proposed effort will have national interest or impact. In most cases, the cost-sharing amount is determined by mutual agreement between UMTA and the applicant, and may be in cash or in-kind contributions. The proposed non-Federal share should be indicated on the SF 424A.

If a number of distinct activities are to be undertaken as part of the project, prepare a separate budget for each activity, and an overall budget based on the above standard budget categories. If, for example, a project encompasses a technical assistance component and a working capital fund, separate budgets would be needed for each program component. See Appendix B for the appropriate budget line item codes that apply to Section 20 projects.

- c. Program Narrative. A program narrative must be provided including the information listed in the outline below:
- (1) Statement of the Problem(s). Briefly describe the specific human resource problem(s) to be addressed by the proposed Section 20 project.
  - (2) Project Description. Discuss the proposed project describing exactly the activities to be undertaken, identify the parties to be responsible for the coordination, development, and implementation of specific activities. Address the relationship of the proposed project to the problem(s) identified in paragraph 2c(1).
  - (3) Benefits and Beneficiaries. Discuss the anticipated benefits and identify the targeted beneficiaries; quantify or measure the potential impact (be as specific as possible). If the proposed project relates to an equal employment opportunity (EEO) or affirmative action issue, identify the composition of the target group(s) to be reached in terms of race, sex, age, national origin, handicapped status, job categories, etc., as appropriate.
  - (4) Project Budget Justification. If appropriate, discuss specifics about the proposed project budget or breakdown by the given categories, and provide supplemental information to justify the need for such expenditures. If the budget line items are self-evident, no justification will be necessary. For guidance on allowable costs, refer to the appropriate administrative circular issued by OMB which applies to the applicant.
  - (5) Project Timing. If appropriate, discuss other pending projects or program activities which may relate to and affect the timing of the proposed Section 20 project. (For example, a DBE technical assistance project may be designed to assist DBE contractors on a specific transit construction project. In such a case, UMTA may request information when the proposed Section 20 project would effectively "tie in" with that construction project. UMTA may request information when the next similar opportunity -- e.g., the next appropriate construction project -- would be available to facilitate such a DBE technical assistance project.) If there are no special considerations affecting the timing of the proposed project, indicate "N/A."

3. FORMAL/FINAL APPLICATION PROCEDURES. An applicant whose preapplication has received a favorable review by UMTA will be invited to submit a final application, consisting of the following items: Cover letter, SF 424 Facesheet, SF 424A, SF 424B, program narrative statement, certification of State review of application, nondiscrimination assurances, Authorizing Resolution, Opinion of Counsel, and Standard Assurances for UMTA Assistance Projects. A Statement of Continued Validity of One-Time Submissions may be submitted in lieu of the latter three items, and the Labor Union Information for Section 13(c) Certification. Guidance in preparing each of these items is listed below:

- a. Application for Federal Assistance, SF 424 Facesheet. This form is used by UMTA as evidence of reporting by applicants to State clearinghouses and to secure the State's comments on pending grant actions. A copy of the form and instructions are found in Appendix A. The form may be reproduced as necessary for inclusion in the proposal. Forms may also be obtained through the UMTA Headquarters and Regional Offices or from the U.S. Government Printing Office.
- b. Budget Information - Non-Construction Programs, SF 424A. OMB Circular A-102 (Revised) specifies the SF 424A is to be submitted in support of applications for Federal assistance. A copy of this form is found in Appendix A.
- c. Project Proposal. The following exhibits should be included as part of the formal application proposal:
  - (1) Exhibit A: Program Narrative. The scope of the proposed project should be described in detail, and its funding justified in terms of the need and benefits consistent with the purposes identified in Section 20 of the UMT Act.

In addition, the applicant should undertake the actions listed below and submit documentation to support its formal application.

- (a) In the proposal, demonstrate the need for assistance and state the principal and subordinate objectives of the project;
- (b) Outline a plan of action pertaining to the scope, detail, and method of how the proposed effort will be accomplished;
- (c) Identify the results and benefits to be derived from the project;
- (d) List in chronological order the proposed accomplishments, progress, or milestones resulting from the project;

- (e) Provide a precise location for the project, identify the area(s), and target group(s) to be served by the proposed effort;
  - (f) For research studies, provide a detailed capability statement of the applicant's organization and discuss any past research experience related to the field of transportation; and
  - (g) Provide biographical sketches or employment resumes of the Program Director with the following data: name, address, telephone number, background, and other qualifying experience for the project. Also, list the name(s), training, and background of other key person(s) to be engaged in the project.
- (2) Exhibit B: Project Budget. UMTA requires applicants to provide a detailed breakdown of budget information in accordance with the budget line item codes found in Appendix B. Applicants should use these categories in developing budget estimates. Assistance in the use of the codes associated with the budget line items will be supplied by UMTA, if necessary.

The applicant should identify any other financing which may be applied to the project or any program revenue which may be realized by the project. If a local share is required, its commitment must be assured and its source identified. Further documentation of the availability and commitment of the local share may be required by UMTA. Additional revenues which local projects may generate should be estimated in the budget.

- (3) Exhibit C: Labor Information. Applicants whose projects affect transit operations will need to furnish specific labor information. If applicable, this exhibit should describe the labor unions (a list of names and addresses of the local affiliates) representing employees of the transit system(s) affected by the project. Applicants whose projects do not affect transit operations, or which are not unionized, and who, therefore, are not affected by this requirement should make a statement to that effect.

Ordinarily, Section 13(c) certification may not be required, if the project does not involve or affect transit operations. This determination will be made by UMTA.

- d. Certification of State Review of Application. Executive Order 12372 establishes a system of intergovernmental consultation between State and local officials that involve a State process for reviewing Federal programs and activities. Each applicant is required to submit with each application the following certification of compliance with this intergovernmental review requirement:

Certification is given by \_\_\_\_\_, the applicant, with respect to its application for assistance pursuant to Section 20 of the UMT Act of 1964, as amended, filed with UMTA, that the applicant has complied with the provision of 49 CFR Part 17, "Intergovernmental Review of Department of Transportation Programs and Activities," implementing Executive Order 12372.

Any comments on the proposed activities received through the State process prior to filing the application should be included.

- e. Nondiscrimination Assurances. Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination on the basis of race, color, national origin, and handicap. UMTA has revised its Title VI Circular (4702.1) which requires all applicants, recipients, and subrecipients to submit the following two assurances: DOT Title VI Assurance and UMTA Civil Rights Assurance. In addition, applicants are required to submit an assurance pursuant to 49 CFR Parts 27 and 609, the regulation of DOT implementing Section 504 of the Rehabilitation Act of 1973. A copy of each above-referenced assurance is provided in this circular. (See Appendices C, D, and E; note that Appendix C contains three attachments.) All applicants, recipients, and subrecipients must submit these assurances to UMTA prior to receiving the financial assistance.
- f. Authorizing Resolution. A sample Authorizing Resolution is found in Appendix F.
- g. Opinion of Counsel. A sample Opinion of Counsel is found in Appendix G.
- h. Standard Assurance. The Standard Assurances for UMTA Assistance Projects are found in UMTA Circular 9100.1B.
- i. Statement of Continued Validity. UMTA recipients who have submitted Labor Union Information, an Authorizing Resolution, an Opinion of Counsel, and the Standard Assurance may submit a Statement of Continued Validity of One-Time Submissions in lieu of paragraphs 3c(3), 3f, g, and h of this chapter (see Appendix H).
- j. Other Statutory and Regulatory Requirements. UMTA will notify the applicant if other statutory or regulatory requirements apply. If the applicant has a question about the applicability of other requirements, the Headquarters Office of Civil Rights should be contacted.
- k. Transportation Improvement Plan (TIP) Annual Element. If the project has a particular impact on transit operations in a particular geographical area, then it may be necessary to have the project included in the TIP/Annual Element. Applicants that are not transit systems have a responsibility to assure that the proposed project is included in the TIP/Annual Element of the local transit system.

CHAPTER III

PROJECT MANAGEMENT

1. NOTICE OF PROJECT APPROVAL. When a project has been approved, the recipient is notified of that approval by a letter from UMTA. This letter also sets forth any special conditions under which the project is approved and transmits copies of the UMTA agreement, the statement of activities, and the approved project budget. As of the obligation date (i.e., the date on which UMTA officially approved the project) stated in the approval letter, the recipient may incur costs on the project. UMTA will not give retroactive approval of costs incurred by the applicant prior to the approval obligation date of the project.
2. EXECUTION OF UMTA AGREEMENT. The Headquarters Office of Civil Rights, or its designee, will send **four** copies of the UMTA agreement to the recipient after project approval. The recipient should execute and date the copies in accordance with the instructions provided and return ~~two~~ copies of the agreement to the Headquarters Office of Civil Rights. UMTA should be advised **promptly** if the agreement will not be executed by the recipient within 90 days after the obligation date. Please note that requests for reimbursement will not be honored until the agreement has been executed by both UMTA and the project recipient, and returned to UMTA.
3. RESPONSIBILITIES FOR PROJECT MANAGEMENT. The Headquarters Office of Civil Rights is responsible for the overall management of Section 20-funded projects. The recipient is responsible for the administration and management of the approved project in compliance with the terms and conditions of the agreement with UMTA (i.e., the requirements stated in this circular and other applicable circulars and regulations). It is the responsibility of the recipient to:
  - a. Provide administrative and management direction of project activities as specified in the project agreement;
  - b. Provide, directly or by contract, adequate supervision by qualified professionals of all work being undertaken;
  - c. Assure conformity to the UMTA agreement and applicable statutes;
  - d. Develop the project work schedule within the first month and constantly monitor performance to assure that schedules are met and goals are being achieved;
  - e. Keep expenditures within the latest approved project budget;
  - f. Assure compliance with UMTA requirements on the part of consultants, contractors, subcontractors, and agencies working under approved third party contracts or interagency agreements;

- g. Request and withdraw Federal cash only in amounts and at times as needed to make payments that are due and payable;
  - h. Account for project property (if funded under the approved project) and maintain property inventory records; and
  - i. Submit required reports to UMTA in a timely manner in the prescribed format.
4. PROJECT MANAGEMENT PLAN. At the request of UMTA, a Section 20 project recipient will prepare a comprehensive management plan to implement each task of the statement of activities, indicating subtasks and all activities necessary to accomplish each task and subtask. The management plan shall include a schedule of milestones and indicate labor hours and staff assignments for each subtask and activity to be undertaken. In addition, a schedule of project drawdowns of project funds shall be shown. The management plan shall be submitted to UMTA for approval. Resumes of each key staff member to be assigned to this project shall also be submitted to UMTA for approval. No expenses, except those which are reasonable and directly related to the preparation of this management plan, may be incurred by the recipient until UMTA approves this management plan and the assignment of key staff members to this project.
5. CIVIL RIGHTS REQUIREMENTS.
- a. General. It is the responsibility of UMTA to ensure that recipients are in compliance with all applicable civil rights program requirements. The major civil rights programs that may be applicable are: Title VI of the Civil Rights Act of 1964 (Service Delivery/Benefits); EEO Program; DBE Program (49 CFR Part 23); and the Handicapped Regulation (49 CFR Parts 27 and 609).  
  
All required civil rights program submissions must be approved by UMTA and periodically updated in accordance with program guidelines.
  - b. Nondiscrimination. Section 19 of the UMT Act states that no person on the basis of race, color, creed, national origin, sex, or age, shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any project, program, or activity funded in whole or in part through financial assistance under the UMT Act.  
  
This nondiscrimination provision applies to employment and business opportunities and is to be considered in addition to the provisions of Title VI of the Civil Rights Act of 1964.
  - c. Title VI (Service Delivery/Benefits). Each recipient requesting Federal financial assistance pursuant to sections of the UMT Act covered by this circular, Federal Aid Urban System (FAUS) transit projects, and Interstate Transfer Programs, must have a Title VI submission approved by UMTA as specified in UMTA Circular 4702.1.

Once the initial Title VI submission has been approved, updates are required every 3 years thereafter.

- d. EEO Program. Recipients with 50 or more employees and that have received within the previous Federal fiscal year capital and/or operating assistance grants of over \$1 million, or technical studies grants totalling over \$250,000, must have their EEO programs approved by UMTA. EEO program requirements are specified in UMTA Circular 4704.1.
- e. DBE Program. Section 106(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987, expresses the intention that not less than 10 percent of the funds authorized to be appropriated be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals. The Department's implementing regulation, 49 CFR Part 23, as amended, requires recipients of UMTA grants or cooperative agreements to set overall goals of at least 10 percent participation by DBEs in UMTA-assisted projects, unless a lower goal has been approved by UMTA. For purposes of this section, women are presumed to be socially and economically disadvantaged persons. DBE program requirements are specified in UMTA Circular 4716.1A.
- f. Elderly and Handicapped Requirements. Consistent with the provisions of Section 16(a) of the UMT Act, 49 U.S.C. 1612(a), all Federal programs offering assistance in the field of mass transportation should contain provisions implementing the national policy that elderly and handicapped persons have the same right as other persons to utilize mass transportation facilities and services; and that special efforts shall be made in the planning and design of mass transportation facilities and services so that elderly and handicapped persons are served.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, prohibits discrimination on the basis of handicap by recipients of Federal financial assistance. To assure compliance with this provision, all grantees must meet the requirements of 49 CFR Parts 27 and 609, implementing Section 504 of the Rehabilitation Act of 1973.

6. PROJECT REPORTING REQUIREMENTS. In accordance with OMB Circulars A-102 (Revised) and A-110 (Revised), UMTA requires the submission of several reports to adequately monitor the progress of projects.
  - a. Quarterly Progress Reports. UMTA requires quarterly progress reports to be submitted on all Section 20 projects. UMTA may also request other special reports or project management meetings (on an as needed basis) due to the complexity of any individual project. Final reports are also required upon completion of the project.

At a minimum, each quarterly progress report should address the following (unless otherwise advised by the Headquarters Office of Civil Rights or its designee):

- (1) A comparison with actual accomplishments to the objectives established for the period. (Accomplishments should include items such as major work tasks started, completed, or in progress; also, the percent of work completed and the percent of the budget expended by task should be included.) Where possible, accomplishments (represented by quantitative data such as hours worked, units, tasks, or sections completed, etc.) should be related to expenditures for the same period. Recipients should submit an activity schedule (bar chart or critical path exhibit) in the first quarterly report and update as necessary to indicate significant changes in the activity schedule.
- (2) Reasons why objectives were not met, identification of problem areas, and the planned approach to resolve the identified problems;
- (3) Significant events, both positively and negatively, affecting the progress of the project;
- (4) Whether the project, as carried out, conforms to the approved project scope and the manner in which it addresses the specific goals outlined in the project application;
- (5) Whether the project is within the approved budget. If cost overruns appear likely, indicate the arrangements made to:
  - (a) Curtail the scope of the project; or
  - (b) Secure additional financing.
- (6) Whether the project is on schedule. If the projected completion date will be delayed, indicate the steps taken to:
  - (a) Bring the project back on schedule; or
  - (b) Adjust other events that may depend upon project completion.
- (7) Projected activities for the next quarter and steps anticipated in carrying them out; and
- (8) Estimated completion dates, percent completed, and funds required for completion.

The information provided in these reports should be complete, highlighting any potential problem areas so that the appropriate UMTA office can assist the recipient with the implementation of these Section 20 projects.

If an event occurs that may significantly affect completion of the project, between the required quarterly progress reporting dates, the recipient must inform the Headquarters Office of Civil Rights as soon as possible. The recipient should also notify UMTA of any event which may either delay completion of the project or otherwise impede the attainment of the project objectives as outlined in the scheduled timeframes.

- b. Financial Reports. The Financial Status Report, SF 269A, (See Appendix I) is designed to provide UMTA with data on costs incurred by the recipient. These data are also needed for UMTA to determine the amount of accrued project expenditures and the total unliquidated obligations of UMTA funds. Accrued expenditures are defined as a recipient's cumulative disbursements charged to the grant or other agreement, plus amounts chargeable but unpaid, including payrolls, materials, and supplies. A Request for Reimbursement or Advance, SF 270, (See Appendix J) is used to claim payment for project expenditures. The SF 270 may be submitted on a monthly or quarterly basis. UMTA recipients are required to submit financial information using the forms prescribed by OMB Circulars A-102 (Revised) and A-110 (Revised), (i.e., SF 269A, SF 270, and the Report of Federal Cash Transactions, SF 272, (See Appendix K) to monitor project funds). The SF 269A should accompany the quarterly progress report when submitted to UMTA. When funds are advanced to recipients through Letters of Credit or with direct treasury check, each recipient is required to submit SF 272. UMTA shall use this report to assist in monitoring advances to recipients and to obtain disbursement information (cash management) for each agreement from the recipient.
  - c. Report Due Dates. Quarterly progress and financial reports are to be submitted to the Headquarters Office of Civil Rights within 30 days after the end of the calendar quarter. When projects are completed, recipients must submit a final report no more than 30 days after the end of the project. An original and one copy of each report are to be submitted. On a case-by-case basis, the Headquarters Office of Civil Rights may grant extensions for submission of the required reports.
7. AMENDING THE UMTA AGREEMENT. The grant or cooperative agreement obligates the recipient to undertake and complete the project activity(ies) as described in the application. In certain cases, an amendment to the agreement may become necessary to:
- a. Materially change the scope of the effort;
  - b. Alter the design of the effort; or
  - c. Change the cost and the amount of the Federal grant.

If it becomes necessary to amend the grant or cooperative agreement, UMTA will advise the recipient concerning what information is required. Changes limited to an extension of the grant or cooperative agreement completion date will be accomplished by means of a letter from UMTA to the recipient.

8. THIRD PARTY CONTRACTING. Third party contracts are those entered into by the recipient for the procurement of supplies, equipment, and other services required to implement an approved project. Recipients must follow certain procedures to ensure that these materials and services are obtained in free and open competition, that prices are fair and reasonable, and that they are in compliance with the provisions of applicable Federal, State, and local laws. These procedures should include affording procurement opportunities to DBEs. For information on specific third party contracting standards, see UMTA Circular 4220.1B and UMTA Circular 4716.1A. Interagency agreements passing through grant funds to other public bodies (including transit operators) are not third party contracts. However, the pass through recipient must comply with UMTA Circular 4220.1B if it enters into any subsequent third party contracts using UMTA grant funds.
9. SUSPENSION OF A PROJECT. The suspension of an agreement is an action taken by UMTA which temporarily suspends Federal assistance for the project pending corrective action by the recipient or pending a decision to terminate the project. If UMTA determines that the recipient has failed to comply with the terms and conditions of the agreement, including the civil rights requirement, UMTA will notify the recipient in writing of its intent to suspend the project. UMTA may withhold further payments and/or prohibit the recipient from incurring additional obligations pending corrective action by the recipient or a decision to terminate the project for cause. This includes work being performed by third party contractors or consultants. Unless UMTA notifies the recipient otherwise, suspension will not invalidate obligations properly incurred by the recipient prior to the date of suspension to the extent that they cannot be cancelled. Upon making a determination of noncompliance, UMTA will notify the recipient through written communication.
10. TERMINATION OF A PROJECT. A project may be terminated either for cause or convenience.
  - a. Termination for Cause. UMTA may terminate the agreement, in whole or in part, at any time before completion of the project or whenever it determines that the recipient has failed to comply with the conditions of the agreement (e.g., civil rights compliance or failure to make reasonable progress). UMTA will promptly notify the recipient in writing of its intent to terminate, the reasons for this action, and of the effective date. Payments made to the recipients or recoveries by UMTA will be in accordance with the terms of the agreement and the legal rights and liabilities of both parties as defined in the agreement.

- b. Termination for Convenience. UMTA or the recipient may terminate an agreement, in whole or in part, when both parties agree that continuation of the project would not produce results commensurate with the further expenditure of funds. By signing the agreement, the recipient agrees at the outset to a termination for convenience, if UMTA makes such a finding. Both parties must agree upon the termination conditions, including the effective date and, in case of partial terminations, the portions to be terminated. The recipient may not incur new obligations for the terminated portion after the effective date and must cancel as many outstanding obligations as possible. UMTA will evaluate each noncancelable obligation to determine its eligibility for inclusion in project costs. Settlement will be made in accordance with terms and conditions of the agreement. UMTA allows full credit to the recipient for the Federal share of the noncancelable obligations properly incurred by the recipient prior to termination.
  - c. Partial Deobligation. In some cases, UMTA may deobligate funds in an approved project before closeout because they are no longer needed to accomplish the intended purpose.
11. RETENTION AND ACCESS REQUIREMENTS FOR RECORDS. Financial records, supporting documents, statistical records, and all other records pertinent to an agreement shall be retained for 3 years from the date UMTA receives the approved final report and final SF 269 or until all litigation, claims or audit findings involving the records have been resolved.
- a. If any litigation, claim, or audit is started before the expiration of the 3-year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.
  - b. Records for nonexpendable property acquired with UMTA funds shall be retained for 3 years from the date UMTA receives the approved final report and final SF 269.
  - c. When records are transferred to or maintained by UMTA, the 3-year retention requirement is not applicable to the recipient.

The retention period starts from the date of the submission of the final report; or for an agreement that may be renewed annually, from the date of the submission of the annual SF 269.

Recipients may substitute microfilm copies in lieu of original records when so authorized by UMTA.

UMTA will request transfer of certain records to its custody from the recipient when it determines that the records possess long-term retention value. However, in order to avoid duplicate recordkeeping, UMTA may make arrangements with the recipient to retain any records that are continually needed for joint use.

The UMTA Administrator, the DOT Office of the Inspector General and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any pertinent books, documents, papers, and records of the recipient and third party contractors to make audits, examinations, excerpts, and transcripts.

12. USE AND DISPOSITION OF PROJECT PROPERTY. Due to the nature of the Section 20 program, it is not expected that major purchases of property will occur. All actions related to the procurement, purchase, rental, lease, use, management and disposition of equipment or other property needed to undertake the activities of a Section 20 project shall be approved in advance by UMTA. Sample lease agreements may be obtained from UMTA Regional Offices or the Headquarters Office of Civil Rights. For small purchase procurement procedures, refer to the guidelines cited in 49 CFR Part 18, Section .36(d) (1) which establishes a \$25,000 threshold for procuring services, supplies, or other property that do not cost more than \$25,000 in the aggregate.

Effective October 1, 1988, the procurement and disposition of equipment and other property will be governed by the requirements of the "common rule" cited in 49 CFR Part 18 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments). The current provisions of OMB Circular A-110 will apply to the recipients not covered by 49 CFR Part 18. In 49 CFR Part 18, Section 3, "equipment" means tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. When original or replacement equipment acquired with project funds is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency, the disposition of equipment will be made in the manner prescribed by 49 CFR Part 18, Section .32(e).

Generally, items of equipment with a current per unit fair market value of less than \$5,000 may be retained, sold, or otherwise disposed of with no further obligation to UMTA. Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold, but UMTA shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the Federal cost share of the equipment.

CHAPTER IV

FINANCIAL MANAGEMENT REQUIREMENTS

1. ACCOUNTING SYSTEM AND INTERNAL CONTROLS. The recipient is required to establish and maintain an adequate system of accounting and internal controls and to insure that an adequate system exists for each of its third party contractors. Deviations from the accounting procedures prescribed in this section require prior written concurrence from UMTA.

Each recipient must establish and maintain an adequate financial management system that provides for the following:

- a. Accumulation and reporting of accurate, current, and complete financial records of the agreement in accordance with the reporting requirements set forth in this circular;
- b. Records that identify the source and application of funds. The records must include information about UMTA awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income;
- c. Control and accountability for all funds, property, and other assets, including safeguards against unauthorized use;
- d. Comparability of actual outlays with budgeted amounts for each approved activity. Where appropriate, unit cost information should be provided for productivity comparisons;
- e. Procedures that assure the shortest elapsed time between U.S. Department of Treasury advances and recipient disbursements. Recipients must conform to equivalent standards of timing and amount in transferring funds to secondary recipients;
- f. Procedures for determining reasonableness, eligibility, and proper allocation of costs as required by OMB Circulars A-87 and A-122 (Revised), as appropriate;
- g. Accounting records that are supported by source documentation;
- h. Procedures that assure timely and appropriate resolution of audit findings and recommendations;

- i. Examinations in the form of audits, internal audits, or desk reviews. Such audits or reviews shall be made by qualified individuals who are sufficiently independent of those who authorize the expenditure of UMTA funds to produce unbiased opinions, conclusions, or judgments. These individuals shall meet the independence criteria along the lines of Chapter 3, Part 3, of the U.S. General Accounting Office publication, "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions," as well as OMB Circular A-73, "Audit of Federal Operations and Programs." These examinations are intended to ascertain the effectiveness of the financial management systems and internal procedures that have been established to meet the terms and conditions of the agreement; and
- j. Reporting the accrual data for its records on the basis of an analysis of the documentation on hand.

2. UMTA REVIEW OF THE RECIPIENT'S FINANCIAL MANAGEMENT SYSTEM. UMTA will determine periodically if the recipient conforms with required financial standards. These reviews also will include an examination of the procedures implemented by the recipient for insuring that recipients and/or third party contractors comply with the financial standards. Review of the recipient's financial management system will be accomplished by using one or more of the following techniques:

- a. An audit may be made by Federal auditors following the completion of a prior project;
- b. A systems audit may be made by Federal auditors;
- c. An annual evaluation may be made by UMTA of the recipient's technical, financial, and administrative procedures;
- d. An evaluation may be made by UMTA of documentation furnished by the recipient in support of a certification that its financial management system is in compliance with the standards of OMB Circulars A-102 (Revised) and A-110 (Revised); and/or
- e. An evaluation may be made by UMTA of documentation furnished by the recipient in support of a certification that in managing an agreement, it will comply with the standards of revised OMB Circulars A-102 (Revised) and A-110 (Revised).

A review of a recipient's financial management system will be performed as often as it is deemed necessary. Reviews also may be made of the financial management system of applicants prior to the receipt of their first UMTA agreement.

3. AUDIT OF STATE AND LOCAL GOVERNMENTS. OMB Circular A-128 implements the provision of the "Single Agency Audit of 1984," establishing a new single annual audit requirement for State and local governments and other public bodies receiving Federal assistance. Therefore, UMTA recipients are required to obtain the services of an independent auditor to conduct a single audit each year in conformance with OMB Circular A-128, except where a State constitution or statute provides for a single biennial audit. The purpose of this audit is to determine and report if the recipient has internal control systems that reasonably assure it is managing Federal assistance programs in compliance with applicable laws and regulations. Two copies of the audit report must be provided to UMTA.

In those cases where the independent auditor has cited deficiencies, the recipient must take immediate corrective action and implement those needed improvements or demonstrate that the findings or recommendations are not valid or do not warrant action. The audit is not resolved until the Headquarters Office of Civil Rights concurs in the documentation of the steps taken to implement any needed corrective actions. Therefore, the status of outstanding audit findings and recommendations will be monitored and reported by the recipient in quarterly progress reports to UMTA and, where appropriate, significant events will be reported.

4. CASH DEPOSITORIES. Any money advanced to a recipient that is subject to the control or regulation of the United States or any of its officers, agents, or employees (public money as defined in Treasury Circular 176, as amended) must be deposited in a bank with Federal Deposit Insurance Corporation (FDIC) insurance coverage and the balance exceeding the FDIC coverage must be secured with adequate collateral.

Consistent with the national goal of expanding the opportunities for DBEs, recipients, and third party contractors shall be encouraged to use minority- and women-owned financial institutions.

5. PROGRAM INCOME. For the purpose of this circular, program income represents gross income earned by the recipient from UMTA supported activity. Such earnings exclude interest earned on advances and may include, but will not be limited to, income from service fees, sales of commodities, usage or rental fees, and royalties on patents and copyrights.

Interest earned on advances of Federal funds shall be remitted to the UMTA Office of Budget and Policy, Accounting Division, along with pertinent descriptive information except for interest earned on advances to States or instrumentalities of a State as provided by 31 U.S.C. 6503(a).

Unless the agreement provides otherwise, recipients shall have no obligation to UMTA with respect to royalties received as a result of copyrights or patents produced under the agreement.

All other program income earned during the project activity shall be retained by the recipient and, in accordance with the agreement, shall be added to funds committed to the project by UMTA and the recipient organization and be used to further eligible project objectives. UMTA will specify whether program income may be used to reduce the local share of the recipient.

6. COST STANDARDS. All costs incurred by the project shall relate clearly to the purposes specified in the agreement and the approved project budget. OMB has prescribed uniform principles and standards for determining costs allowable under Federal grants and contracts with educational institutions and State and local governments. OMB Circular A-21 (Revised), applies to grants or other agreements with educational institutions. Care shall be exercised when incurring costs to insure that all expenditures are authorized in accordance with these standards and meet the criteria of eligible costs.

Failure to exercise this discretion may result in expenditures for which the use of project funds cannot be authorized or approved.

- a. Allowable Costs. Allowable costs shall be determined in conformance with the principles and standards set forth in OMB Circulars A-21 (Revised), A-87, and/or A-122 (Revised), as applicable, and must also meet the following criteria:
- (1) They are necessary and reasonable for the proper and efficient execution of the project activity and are in accordance with the agreement and the most recently approved project budget;
  - (2) They are not prohibited under Federal, State, and/or local statutes or regulations;
  - (3) They are treated uniformly and consistently in accordance with accounting policies and procedures approved or prescribed by UMTA for the recipient and those approved or prescribed by the recipient for its third party contractors;
  - (4) They are not allocable to, or included as a cost of, any other federally financed program;
  - (5) They represent net costs, after all applicable credits are deducted;
  - (6) They are in accord with budgetary or other restrictions on expenses established by UMTA;
  - (7) They are incurred (and are for work performed) after the obligation date of the agreement;
  - (8) They are fully documented;

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- (9) They are not for salaries of elected or appointed chief executive officers of a State, county, or city authority or any other public body; and
- (10) They are not for claims for actual losses incurred when the recipient is self-insured or when losses could have been covered by permissible insurance.

7. REIMBURSEMENT OR ADVANCES BY TREASURY CHECK. The recipient may submit requisitions for reimbursement of actual expenditures and/or advances for estimated additional immediate cash needs.

Progress and financial reports must be submitted and must contain all required information before UMTA will process project payments for the relevant reporting period(s).

Payments for proper charges to the project will not be withheld unless:

- a. A recipient has failed to comply with the project objectives, conditions of the agreement, or UMTA reporting requirements; or
- b. The recipient is indebted to the United States and collection of indebtedness will not impair accomplishment of the objectives of any agreement awarded by the United States.

Under such conditions, UMTA will inform the recipient that payments will not be made for obligations incurred after a specified date until the conditions are corrected or the indebtedness to the Federal Government is liquidated.

The approval by UMTA of each requisition for payment is contingent upon:

- a. Showing on the Request for Advance or Reimbursement (SF 270) that the recipient is meeting currently its proportional share of project costs in cash or approved cash equivalents;
- b. The submission of periodic progress and financial reports; and
- c. Compliance with all terms of the agreement.

The SF 270 is used to request the payment of Federal funds for UMTA agreements. Recipients will submit one original and two copies, each time funds are requested, to the following address:

Urban Mass Transportation Administration  
Office of Budget and Policy  
Accounting Division  
400 Seventh Street, SW., Room 9310  
Washington, D.C. 20590

The recipient, in requesting funds for advance or reimbursement, should be cognizant of a normal disbursement processing time of 3 or 4 weeks by UMTA and the Department of Treasury. Payments are sent directly to the recipient from the Department of Treasury.

All UMTA funds made available to recipients shall be properly accounted for as UMTA funds in the accounts of the recipient.

8. FINANCIAL REPORTING REQUIREMENTS.

a. General. Adherence by the recipient to the criteria prescribed in Chapter IV, paragraph 1, for an acceptable system of accounting and internal controls should result in financial reporting that is fair in presentation, reliable, and capable of use by the recipient and UMTA in preparing and reviewing budget change requests and in overall monitoring of the grant or other agreement. Financial criteria and requirements have been established with the intent of placing responsibility on the recipient, while at the same time permitting UMTA to meet those fiscal and financial requirements imposed on it by Congress and Federal agencies, including the General Accounting Office, the Department of Treasury, and OMB.

b. Disclosure Criteria. The following criteria are basic to full disclosure in SF 269A and must be met by the recipient:

- (1) All essential financial facts relating to the programs, functions, and activities of each project and the period of time covered must be completely and clearly displayed;
- (2) Reported financial data must be accurate, timely, and reliable. The requirement for accuracy does not rule out the inclusion of reasonable estimates when precise measurement is impractical, uneconomical, unnecessary, or conducive to delay;
- (3) SF 269A must be based on the required supporting documentation maintained under an adequate accounting system that produces information that objectively discloses the financial aspects of events or transactions;
- (4) Financial data reported must be derived from accounts that are maintained on a consistent, periodic basis; material changes in accounting policies or methods and their effect must be clearly explained in any submittal to UMTA; and
- (5) Reporting terminology used in SF 269A to UMTA must be consistent with the line items delineated in the latest approved project budget.

c. Other General Data. Other data that must be included in the SF 269 are:

- (1) Full name and address of the recipient;

- (2) UMTA designated project number and recipient's project number;
- (3) Project period-inception (month/day/year) and termination (month/day/year);
- (4) Conspicuous identification of the current reporting period (month/day/year);
- (5) Chronological numbering sequence for the reports with the first and last reports being identified as "Initial Report" and "Final Report," respectively;
- (6) Total project amount identifying the amounts of UMTA and local matching or contributed funds; and
- (7) Certification that the financial accounting is current, complete, and accurate and that the reported expenditures have been made solely for the purposes of the identified project.

9. WAIVER OF SUBMISSION OF COST ALLOCATION PLAN/INDIRECT COST PROPOSAL. All recipients of Section 20-funded projects are exempt from the requirement to submit the types of cost allocation plans or indirect cost proposals presented in OMB Circulars A-21 (Revised), A-87, and A-122 (Revised). Instead, Section 20 project recipients who intend to seek reimbursement for indirect costs must include with the submission of the project's comprehensive management plan appropriate information about the rate used for indirect costs and the allocation of such costs for project administration purposes.

Since most Section 20-funded projects are awarded for less than \$500,000 and operate for short-term periods, UMTA waives the requirement to submit the types of cost allocation plans applicable to such projects financed by program funds from Sections 3, 5, 8, and 9.

10. UMTA AGREEMENT CLOSEOUT. An agreement closeout will be accomplished in accordance with the procedures set forth in revised OMB Circulars A-102 (Revised) and A-110 (Revised), Attachment K.
- a. Closeout. The closeout of an agreement is the process by which UMTA determines that all applicable administrative actions and all required work on the agreement have been completed by the recipient and UMTA.
  - b. Date of Completion. The date when all work under a project is completed or the date in the grant award document, or any supplement or amendment thereto, on which Federal assistance ends.
  - c. Disallowed Costs. Disallowed costs are those charges to an agreement that UMTA or its representative determines to be unallowable in accordance with the applicable Federal cost principles or other conditions contained in the agreement.

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After all work required by the agreement has been completed, certain actions must be taken in order that the agreement can be removed from active status and closed out. The required actions to be taken by the recipient are identified in the following section.

11. PROJECT CLOSEOUT PROCEDURES TO BE PERFORMED BY RECIPIENT. When a project is nearing 90 percent completion, the recipient should begin to prepare to take the following actions that must be completed within 90 days after the end of the project period:
- a. Submit a final SF 269A that accounts for total actual costs incurred under the approved budget line item codes;
  - b. Submit a final progress report;
  - c. Submit a SF 272 for recipients not paid through Letters of Credit but receive advances;
  - d. Submit a final adjusted budget. If actual expenditures differ from the previously approved budget, conduct a comparison of actual costs incurred with budgeted amounts and that all line items overruns and unbudgeted items have been resolved. In addition, insure that the latest approved project budget includes all changes necessitated by resolution and is in fact the final budget;
  - e. Submit a patents/inventions report identifying any patents, inventions, or present or contemplated patent application conceived under project activity. In the event that there are none, a negative statement must be submitted. The final patents/inventions report should be submitted within 90 days of completion date;
  - f. Submit a real property and equipment inventory report of the real property and equipment acquired under this agreement. The method of disposal for any real property and equipment acquired under an agreement, before the end of its useful life, is subject to prior UMTA review and concurrence;
  - g. Submit a final SF 270 for final payment. UMTA normally will authorize payment for the final requisition for funds in advance of a final audit;
  - h. Insure all tasks for which funds are authorized have been completed and can be substantiated;
  - i. Insure all costs have been charged to the project;
  - j. Submit the final progress report, project report, and all other finalized work products by the date specified in the statement of activities;

- k. If applicable, refund immediately any balance of unobligated (unencumbered) cash that the Federal Government has advanced or paid and that has not been authorized to be retained by the recipient for use. This action should be concurrent with the submittal of the final SF 269;
- l. If requested by UMTA, arrange the time and details for a final audit to be conducted by an assigned audit agency at the completion of all project activities and the receipt of a final SF 269 by UMTA. In those cases where the recipient is subject to an audit under OMB Circular A-128 (see Section 3 of this chapter), this final audit is not necessary.

Frequently, due to relatively small project budgets, UMTA desk reviews will be conducted in lieu of formal audits to accomplish closeout objectives.

Upon receipt of the final audit report, or the conduct of a desk review, UMTA may review any items of questioned cost with the recipient for the purpose of clarification or negotiation of a settlement. Should any settlement reached result in a reduction in total costs claimed, the recipient must refund immediately any money to which UMTA is entitled; and

- m. In those cases when the recipient has unexpended Section 20 funds totalling less than \$10,000, it must be returned in the form of credit shown on the Department of Treasury, Request for Funds (TFS 5805), along with a check made payable to UMTA. The check must be mailed to the following address:

Department of Transportation  
Urban Mass Transportation Administration  
P.O. Box 360324M  
Pittsburgh, Pennsylvania 15251-6324

For unexpended Section 20 funds that total \$10,000 or over, the recipient is requested to submit a wire transfer to the above address.

When UMTA funds are returned, a copy of the check or wire transfer must be sent to the Headquarters Office of Civil Rights for verification purposes.





### INSTRUCTIONS FOR THE SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

- | Item: | Entry:   | Item: | Entry:   |
|-------|--|-------|--|
| 1.    | Self-explanatory.  | 12.   | List only the largest political entities affected (e.g., State, counties, cities).   |
| 2.    | Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable).  | 13.   | Self-explanatory.  |
| 3.    | State use only (if applicable).  | 14.   | List the applicant's Congressional District and any District(s) affected by the program or project.  |
| 4.    | If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.  | 15.   | Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <i>only</i> the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |
| 5.    | Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.   | 16.   | Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.  |
| 6.    | Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.  | 17.   | This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.  |
| 7.    | Enter the appropriate letter in the space provided.  | 18.   | To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)  |
| 8.    | Check appropriate box and enter appropriate letter(s) in the space(s) provided:<br>— "New" means a new assistance award.<br>— "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.<br>— "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. |       |  |
| 9.    | Name of Federal agency from which assistance is being requested with this application.   |       |  |
| 10.   | Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.  |       |  |
| 11.   | Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.  |       |  |

BUDGET INFORMATION — Non-Construction Programs						
SECTION A — BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. TOTALS		\$	\$	\$	\$	\$
SECTION B — BUDGET CATEGORIES						
Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY					
	(1)	(2)	(3)	(4)	(5)	
a. Personnel	\$	\$	\$	\$	\$	
b. Fringe Benefits						
c. Travel						
d. Equipment						
e. Supplies						
f. Contractual						
g. Construction						
h. Other						
i. Total Direct Charges (sum of 6a - 6h)						
j. Indirect Charges						
k. TOTALS (sum of 6i and 6j)	\$	\$	\$	\$	\$	
7. Program Income	\$	\$	\$	\$	\$	

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8.	\$	\$	\$	\$	\$
9.					
10.					
11.					
12. TOTALS (sum of lines 8 and 11)	\$	\$	\$	\$	\$
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	\$	\$	\$	\$	\$
13. Federal	\$	\$	\$	\$	\$
14. NonFederal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16.	\$	\$	\$	\$	
17.					
18.					
19.					
20. TOTALS (sum of lines 16-19)	\$	\$	\$	\$	
SECTION F - OTHER BUDGET INFORMATION (Attach additional Sheets if Necessary)					
21. Direct Charges:					
22. Indirect Charges:					
23. Remarks					

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## INSTRUCTIONS FOR THE SF-424A

### General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A,B,C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A,B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

### Section A. Budget Summary Lines 1-4, Columns (a) and (b)

For applications pertaining to a *single* Federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a *single* program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs *require* a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

### Lines 1-4, Columns (c) through (g.)

For *new applications*, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

### Lines 1-4, Columns (c) through (g.) (continued)

For *continuing grant program applications*, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For *supplemental grants and changes* to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

**Line 5** — Show the totals for all columns used.

### Section B Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

**Lines 6a-i** — Show the totals of Lines 6a to 6h in each column.

**Line 6j** — Show the amount of indirect cost.

**Line 6k** — Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

### INSTRUCTIONS FOR THE SF-424A (continued)

**Line 7** - Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Below under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

#### Section C. Non-Federal-Resources

**Lines 8-11** - Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

**Column (a)** - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

**Column (b)** - Enter the contribution to be made by the applicant.

**Column (c)** - Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

**Column (d)** - Enter the amount of cash and in-kind contributions to be made from all other sources.

**Column (e)** - Enter totals of Columns (b), (c), and (d).

**Line 12** - Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

#### Section D. Forecasted Cash Needs

**Line 13** - Enter the amount of cash needed by quarter from the grantor agency during the first year.

**Line 14** - Enter the amount of cash from all other sources needed by quarter during the first year.

**Line 15** - Enter the totals of amounts on Lines 13 and 14.

#### Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

**Lines 16 - 19** - Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

**Line 20** - Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

#### Section F. Other Budget Information

**Line 21** - Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

**Line 22** - Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

**Line 23** - Provide any other explanations or comments deemed necessary.

APPENDIX B

SECTION 20 BUDGET LINE ITEM CODES

These budget line item codes are required by the UMTA Grants Management Information System and should be used in preparing the project budget. This information should be submitted on separate sheets.

<u>CODE</u>	<u>DESCRIPTION</u>
551000	Personnel
551300	Direct Labor -- Clerical
551400	Direct Labor -- Managerial, Technical and Professional
551900	Direct Labor -- Other (Fringe Benefits)
552000	Travel (Travel and Transportation Expense)
554000	Equipment
554100	ADP Equipment - Purchase, Lease, or Rental
554200	Materials and Equipment - Purchase, Lease, or Rental (except ADP Materials and Equipment
554300	Equipment Design or Manufacture
554900	Supplies
555000	Contractual
555100	Subcontracts - Transit Service Improvements
555200	Subcontracts - Consultant Services
555300	Subcontracts - ADP Services
555400	Subcontracts - Other Services
555600	Subcontracts - Construction
556100	Facilities - Renovation, Purchase, Lease, or Rental
556200	Construction Work
557000	Other
557100	Administrative Cost
557200	Transit Service Operations
557300	Contingencies
557400	Other Project Costs
557500	Diversion Payments
557600	Profit or Fee

<u>CODE</u>	<u>DESCRIPTION</u>
558000	Indirect Costs
558100	Overhead
558200	General and Administrative
559000	Income
559100	Project Income
559200	Investment Income
559300	Proceeds from Sale or Retention of Nonexpendable Property
559400	Fare Box Revenue
701000	Faculty Salaries and Wages
701300	Secretarial and Clerical Costs

APPENDIX C

DEPARTMENT OF TRANSPORTATION TITLE VI ASSURANCE

The (Title of Grant Applicant/Recipient) (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States 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 program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including (Name of Appropriate Administration), and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its (Name of Appropriate Program):

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all (Name of Appropriate Program) and, in adapted form in all proposals for negotiated agreements:

The (Name of Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix C1 of this assurance in every contract subject to this Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix C2 of this assurance as a covenant running with the land, in any deed from the United States, reflecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C3 of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements enter into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under (Name of Appropriate Program); and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under (Name of Appropriate Program).
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial redress with regard to any matter arising under the Act, the Regulations and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the (Name of Appropriate Program) and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the (Name of Appropriate Program). The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATED: \_\_\_\_\_

\_\_\_\_\_  
(Name of Recipient)  
by \_\_\_\_\_  
(Signature of Authorized Official)

Attachments:  
Appendices C1, C2, and C3

(APPENDIX C1 TO TITLE VI ASSURANCE)

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- (4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the (Recipient) or the (Name of Appropriate Administration) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the (Recipient), or the (Name of Appropriate Administration) as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the (Recipient) shall impose contract sanctions as it or the (Name of Appropriate Administration) may determine to be appropriate, including, but not limited to:
  - (a) withholding of payments to the contractor under the contract until the contractor complies; and/or

- (b) cancellation, termination, or suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the (Recipient) or the (Name of Appropriate Administration) may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the (Recipient) to enter into such litigation to protect the interests of the (Recipient), and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(APPENDIX C2 TO TITLE VI ASSURANCE)

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the (Name of Recipient) will accept title to the lands and maintain the project constructed thereon, in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of (Name of Appropriate Program) and the policies and procedures prescribed by (Name of Appropriate Administration) of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (Name of Recipient) all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (Name of Recipient) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the (Name of Recipient), its successors and assigns.

The (Name of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person 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 with regard to any facility located wholly or in part on, over or under such lands hereby conveyed [,] [and]\* (2) that the (Name of Recipient) shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary,

Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.\*

- \* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

(APPENDIX C3 TO TITLE VI ASSURANCE)

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the (Name of Recipient) pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]\*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]\*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of (Name of Recipient) and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by (Name of Recipient) pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds, and leases add "as a covenant running with the land") that (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise

subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing services thereon, no person on the grounds of race, color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]\*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]\*

That in the event of breach of any of the above nondiscrimination covenants, (Name of Recipient) shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of (Name of Recipient) and its assigns.

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.



APPENDIX D

URBAN MASS TRANSPORTATION ADMINISTRATION CIVIL RIGHTS ASSURANCE

The (Name of Grant Applicant/Recipient) HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The (Name of Grant Applicant/Recipient) will compile, maintain, and submit in a timely manner Title VI information required by UMTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The (Name of Grant Applicant/Recipient) will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Urban Mass Transportation Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

\_\_\_\_\_  
(NAME AND TITLE OF AUTHORIZED OFFICER)

DATE: \_\_\_\_\_

\_\_\_\_\_  
(SIGNATURE OF AUTHORIZED OFFICER)







APPENDIX F

(SAMPLE) AUTHORIZING RESOLUTION

Resolution No. \_\_\_\_\_

Resolution authorizing the filing of (an) application (a) with the Department of Transportation, United States of America, for (a) grant(s) under the Urban Mass Transportation Act of 1964, as amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including, depending on the nature of the funding source, the provision by it of the local share of project costs;

WHEREAS, it is required by U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and the definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

NOW THEREFORE, BE IT RESOLVED BY \_\_\_\_\_  
(Governing Body of Applicant)

1. That (Title of Designated Official) is authorized to execute and file (an) application(s) on behalf of (Legal Name of Applicant) with the U.S. Department of Transportation to aid in the financing of planning, capital and/or operating assistance projects pursuant to Section 20 of the Urban Mass Transportation Act of 1964, as amended.
2. That (Title of Designated Official) is authorized to execute and file with such application(s) an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That (Title of Authorized Representative) is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the project.
4. That (Title of Designated Official) is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That (Title of Designated Official) is authorized to execute grant agreements on behalf of (Legal Name of Applicant) with the U.S. Department of Transportation for aid in the financing of the human resource project(s).

CERTIFICATE

The undersigned duly qualified and acting (Title of Designated Official) of the (Legal Name of Applicant) certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the (Governing Body of Applicant) held on \_\_\_\_\_, 19\_\_.

If applicant has an official seal, impress here.

\_\_\_\_\_  
Signature of Recording Officer

\_\_\_\_\_  
(Title of Recording Officer)

\_\_\_\_\_  
Date

APPENDIX G

OPINION OF COUNSEL

Name of Recipient  
Address of Recipient

Dear (Responsible Official for Recipient):

This communication will serve as the requisite opinion of counsel to be filed with the Urban Mass Transportation Administration, United States Department of Transportation, in connection with applications of (Recipient) for financial assistance pursuant to the provisions of Section 20 of the Urban Mass Transportation Act of 1964, as amended (the "Act"), for Human Resource project(s). The legal authority for Recipient's ability to carry out transportation projects directly, contract, or otherwise is set forth below:

(Recipient) is authorized under (city and/or State quote from legal authority) to assist or improve public transportation through the implementation of the scope of work set forth in this project. This assistance may be provided directly by (Recipient) or by contract arrangements with other parties.

The authority of (Recipient) to provide for its share of project funds, should it be required, is set forth in (cite source and provide a copy of, for example, local ordinance passed by City Council or State statute making local funds available).

I have reviewed the pertinent Federal, State and local laws, and I am of the opinion that there is no legal impediment to your making applications for Section 20 assistance. Furthermore, as a result of my examinations, I find that there is no pending or threatened litigation or other action which might in any way adversely affect the proposed project(s), or the ability of (Recipient) to carry out such project(s).

Sincerely,

Legal Counsel



APPENDIX H

STATEMENT OF CONTINUED VALIDITY OF ONE-TIME SUBMISSIONS

Instructions—The list of one-time submissions in the "Statement" is all-inclusive and may contain submissions that are not required of an applicant under a particular program. For example, the "Public Transportation System Description", required for §3, is not required under §9. Further, while a program will have specific requirements, all of the related submissions may not be applicable. For instance, although all applicants are required to comply with the Charter Service regulations (49 CFR Part 604), a Metropolitan Planning Organization (MPO) that does not operate any transit service is not required to submit a Charter Agreement. The applicant should enter the dates the applicable documents were executed by the applicant or the date the submission was acknowledged by UMTA. The chart below indicates which one-time submissions are applicable to the various programs covered in this Circular.

One Time Submissions

Programs	Standard Assurances	Public Transportation System Description	List of Labor Unions	Opinion of Counsel	Authorizing Resolution	Designation of Recipient	MPO Designation	State Agency Designation	Section 9 Certification	Charter Bus Agreement	Primary Procurement Debarment & Suspension Certification	IDF Title VI Assurance	UMTA Civil Rights Assurance	Special Efforts Certification	504 Assurance
3(1)	X	X	X	X	X	NA	NA	NA	NA	X	X	X	X	X	X
8	X	NA	NA	X	X	NA	X	NA	NA	X	X	X	X	NA	X
9	X	NA	X	X	X	X	NA	NA	X	X	X	X	X	(4)	(4)
9B	X	NA	X	X	X	X	NA	NA	X	X	X	X	X	(4)	(4)
10	X	NA	NA	X	NA	NA	NA	NA	NA	NA	X	X(3)	X	NA	X
16(b)(2)	X	NA	NA	(2)	(2)	NA	NA	X	NA	NA	X	X	X	NA	X
18	X	NA	NA	(2)	(2)	NA	NA	X	NA	X	X	X	X	X	X
20	X	NA	X	X	X	NA	NA	NA	NA	X	X	X	X	X	X

- (1) Projects under Sections 3(a)(1)(C), 4(i), and 6, Interstate Transfer and Federal-Aid Urban Systems (FAUS) follow Section 3 procedures.
- (2) Authorization and legal determination is part of the Governor's State Agency designation.
- (3) Sections of Title VI Assurance referencing Appendices A, B, and C do not apply to Section 10 grants.
- (4) Special Efforts Certification and 504 Assurance are incorporated in Section 9 Certification.

STATEMENT OF CONTINUED VALIDITY OF ONE-TIME SUBMISSIONS

The following documents (and dates submitted to/acknowledged by UMTA) have been submitted to UMTA previously, continue to remain valid and accurate, and do not require revision or updating:

- Standard Assurances/Date: \_\_\_\_\_
- Public Transportation System Description/Date: \_\_\_\_\_
- List of Labor Unions/Date: \_\_\_\_\_
- Opinion of Counsel/Date: \_\_\_\_\_
- Authorizing Resolution/Date: \_\_\_\_\_
- Designation of Recipient/Date: \_\_\_\_\_
- MPO Designation/Date: \_\_\_\_\_
- State Agency Designation/Date: \_\_\_\_\_
- Section 9 Certification/Date: \_\_\_\_\_
- Charter Bus Agreement/Date: \_\_\_\_\_
- Primary Nonprocurement Debarment and Suspension Certification/Date: \_\_\_\_\_
- DOT Title VI Assurance/Date: \_\_\_\_\_
- UMTA Civil Rights Assurance/Date: \_\_\_\_\_
- Special Efforts Certification (effective until full accessibility under an area's 504 Plan is achieved)/Date: \_\_\_\_\_
- 504 Assurance/Date: \_\_\_\_\_

The applicant understands and agrees that the use of UMTA funds approved for this project/program shall be consistent with the applicable sections of the Urban Mass Transportation Act of 1964, as amended, Sections 3, 3(a)(1)(C), 3(a)(1)(D), 4(i), 6, 7, 8, 9, 10, 16(b)(2), 18, or 20, or 23 U.S.C. Sections 103(3)(4) and 142; pertinent Federal laws; and pertinent Federal rules, regulations, and circulars; and that the use of UMTA funds is subject to audit and review. Such funds shall be returned to UMTA if, after audit, it is found that they have been used improperly. In addition, the applicant certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this statement and understands that the provisions of 31 U.S.C. §§3801 et seq. are applicable thereto.

The applicant's eligibility to receive UMTA grants, as originally certified in the Opinion of Counsel (or in Governor's Designation for State programs), remains in effect. Further, signature of the attorney is certification that there is no pending or threatened litigation or other action which might adversely affect the ability of the grantee to carry out the project/program.

\_\_\_\_\_  
Signature of Authorized Official/Date

\_\_\_\_\_  
Attorney's Signature

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Title of Authorized Official

ATTENTION: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or reports, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. 18 U.S.C., Section 1001 (1987).

APPENDIX I

**FINANCIAL STATUS REPORT**  
(Short Form)

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted		2. Federal Grant or Other Identifying Number Assigned By Federal Agency		OMB Approval No. <b>0348-0039</b>	Page	of
						pages
3. Recipient Organization (Name and complete address, including ZIP code)						
4. Employer Identification Number		5. Recipient Account Number or Identifying Number		6. Final Report <input type="checkbox"/> Yes <input type="checkbox"/> No		7. Basis <input type="checkbox"/> Cash <input type="checkbox"/> Accrual
8. Funding/Grant Period (See Instructions) From: (Month, Day, Year)		To: (Month, Day, Year)	9. Period Covered by this Report From: (Month, Day, Year)		To: (Month, Day, Year)	
10. Transactions:			I Previously Reported	II This Period	III Cumulative	
a. Total outlays						
b. Recipient share of outlays						
c. Federal share of outlays						
d. Total unliquidated obligations						
e. Recipient share of unliquidated obligations						
f. Federal share of unliquidated obligations						
g. Total Federal share (Sum of lines c and f)						
h. Total Federal funds authorized for this funding period						
i. Unobligated balance of Federal funds (Line h minus line g)						
11. Indirect Expense	a. Type of Rate (Place "X" in appropriate box) <input type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed					
	b. Rate	c. Base	d. Total Amount	e. Federal Share		
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.						
13. Certification: <b>I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.</b>						
Typed or Printed Name and Title				Telephone (Area code, number and extension)		
Signature of Authorized Certifying Official				Date Report Submitted		

## FINANCIAL STATUS REPORT

(Short Form)

Please type or print legibly. The following general instructions explain how to use the form itself. You may need additional information to complete certain items correctly, or to decide whether a specific item is applicable to this award. Usually, such information will be found in the Federal agency's grant regulations or in the terms and conditions of the award. You may also contact the Federal agency directly.

Item	Entry
<p>1, 2 and 3. Self-explanatory.</p> <p>4. Enter the employer identification number assigned by the U.S. Internal Revenue Service.</p> <p>5. Space reserved for an account number or other identifying number assigned by the recipient.</p> <p>6. Check <i>yes</i> only if this is the last report for the period shown in item 8.</p> <p>7. Self-explanatory.</p> <p>8. Unless you have received other instructions from the awarding agency, enter the beginning and ending dates of the current funding period. If this is a multi-year program, the Federal agency might require cumulative reporting through consecutive funding periods. In that case, enter the beginning and ending dates of the grant period, and in the rest of these instructions, substitute the term "grant period" for "funding period."</p> <p>9. Self-explanatory.</p> <p>10. The purpose of columns I, II and III is to show the effect of this reporting period's transactions on cumulative financial status. The amounts entered in column I will normally be the same as those in column III of the previous report in <i>the same funding period</i>. If this is the first or only report of the funding period, leave columns I and II blank. If you need to adjust amounts entered on previous reports, footnote the column I entry on this report and attach an explanation.</p> <p>10a. Enter total program outlays less any rebates, refunds, or other credits. For reports prepared on a cash basis, outlays are the sum of actual cash disbursements for direct costs for goods and services, the amount of indirect expense charged, the value of in-kind contributions applied, and the amount of cash advances and payments made to sub-recipients. For reports prepared on an accrual basis, outlays are the sum of actual cash disbursements for direct charges for goods and services, the amount of indirect expense incurred, the value of in-kind contributions</p>	<p>contributions applied, and the net increase or decrease in the amounts owed by the recipient for goods and other property received, for services performed by employees, contractors, subgrantees and other payees, and other amounts becoming owed under programs for which no current services or performances are required, such as annuities, insurance claims, and other benefit payments.</p> <p>10b. Self-explanatory.</p> <p>10c. Self-explanatory.</p> <p>10d. Enter the amount of unliquidated obligations, including unliquidated obligations to subgrantees and contractors.  Unliquidated obligations on a cash basis are obligations incurred, but not yet paid. On an accrual basis, they are obligations incurred, but for which an outlay has not yet been recorded.  Do not include any amounts on line 10d that have been included on lines 10a, b or c.  On the final report, line 10d must be zero.</p> <p>10e, f, g, h and i. Self-explanatory.</p> <p>11a. Self-explanatory.</p> <p>11b. Enter the indirect cost rate in effect during the reporting period.</p> <p>11c. Enter the amount of the base against which the rate was applied.</p> <p>11d. Enter the total amount of indirect costs charged during the report period.</p> <p>11e. Enter the Federal share of the amount in 11d.</p> <p>Note: If more than one rate was in effect during the period shown in item 8, attach a schedule showing the bases against which the different rates were applied, the respective rates, the calendar periods they were in effect, amounts of indirect expense charged to the project, and the Federal share of indirect expense charged to the project to date.</p>

<h2 style="margin: 0;">REQUEST FOR ADVANCE OR REIMBURSEMENT</h2> <p style="font-size: small; margin: 5px 0;">(See instructions on back)</p>		Approved by Office of Management and Budget, No. 80-RC183	PAGE OF PAGES	
1. FEDERAL SPONSORING AGENCY AND ORGANIZATIONAL ELEMENT TO WHICH THIS REPORT IS SUBMITTED		2. BASIS OF REQUEST <input type="checkbox"/> CASH <input type="checkbox"/> ACCRUAL		
3. EMPLOYER IDENTIFICATION NUMBER	4. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER ASSIGNED BY FEDERAL AGENCY	5. PARTIAL PAYMENT REQUEST NUMBER FOR THIS REQUEST		
6. RECIPIENT'S ACCOUNT NUMBER OR IDENTIFYING NUMBER	7. PERIOD COVERED BY THIS REQUEST FROM (month, day, year) TO (month, day, year)			
8. RECIPIENT ORGANIZATION  Name :  Member and Street :  City, State and ZIP Code :		9. PAYEE (Where check is to be sent is different than item 8)  Name :  Member and Street :  City, State and ZIP Code :		
11. COMPUTATION OF AMOUNT OF REIMBURSEMENTS/ADVANCES REQUESTED				
PROGRAMS/FUNCTIONS/ACTIVITIES ▶	(a)	(b)	(c)	TOTAL
a. Total program outlays to date (As of date)	\$	\$	\$	\$
b. Less: Cumulative program income				
c. Net program outlays (Line a minus line b)				
d. Estimated net cash outlays for advance period				
e. Total (Sum of lines c & d)				
f. Non-Federal share of amount on line e				
g. Federal share of amount on line e				
h. Federal payments previously requested				
i. Federal share now requested (Line g minus line h)				
j. Advances required by month, when requested by Federal grantor agency for use in making pre-scheduled advances	1st month	2nd month	3rd month	
12. ALTERNATE COMPUTATION FOR ADVANCES ONLY				
a. Estimated Federal cash outlays that will be made during period covered by the advance				\$
b. Less: Estimated balance of Federal cash on hand as of beginning of advance period				
c. Amount requested (Line a minus line b)				\$
13. CERTIFICATION				
I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.		SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		DATE REQUEST SUBMITTED
TYPED OR PRINTED NAME AND TITLE		TELEPHONE (AREA CODE, NUMBER, EXTENSION)		
This space for agency use				

INSTRUCTIONS

Please type or print legibly. Items 1, 3, 5, 9, 10, 11c, 11e, 11f, 11g, 11i, 12 and 13 are self-explanatory; specific instructions for other items are as follows:

Item	Entry	Item	Entry
2	Indicate whether request is prepared on cash or accrued expenditure basis. All requests for advances shall be prepared on a cash basis.		use as many additional forms as needed and indicate page number in space provided in upper right; however, the summary totals of all programs, functions, or activities should be shown in the "total" column on the first page.
4	Enter the Federal grant number, or other identifying number assigned by the Federal sponsoring agency. If the advance or reimbursement is for more than one grant or other agreement, insert N/A, then, show the aggregate amounts. On a separate sheet, list each grant or agreement number and the Federal share of outlays made against the grant or agreement.	11a	Enter in "as of date", the month, day, and year of the ending of the accounting period to which this amount applies. Enter program outlays to date (net of refunds, rebates, and discounts), in the appropriate columns. For requests prepared on a cash basis, outlays are the sum of actual cash disbursements for goods and services, the amount of indirect expenses charged, the value of in-kind contributions applied, and the amount of cash advances and payments made to subcontractors and subrecipients. For requests prepared on an accrued expenditure basis, outlays are the sum of the actual cash disbursements, the amount of indirect expenses incurred, and the net increase (or decrease) in the amounts owed by the recipient for goods and other property received and for services performed by employees, contracts, subgrantees and other payees.
6	Enter the employer identification number assigned by the U.S. Internal Revenue Service, or the FICE (Institution) code if requested by the Federal agency.	11b	Enter the cumulative cash income received to date. If requests are prepared on a cash basis. For requests prepared on an accrued expenditure basis, enter the cumulative income earned to date. Under either basis, enter only the amount applicable to program income that was required to be used for the project or program by the terms of the grant or other agreement.
7	This space is reserved for an account number or other identifying number that may be assigned by the recipient.	11d	Only when making requests for advance payments, enter the total estimated amount of cash outlays that will be made during the period covered by the advance.
8	Enter the month, day, and year for the beginning and ending of the period covered in this request. If the request is for an advance or for both an advance and reimbursement, show the period that the advance will cover. If the request is for reimbursement, show the period for which the reimbursement is requested.	13	Complete the certification before submitting this request.
<p>Note: The Federal sponsoring agencies have the option of requiring recipients to complete items 11 or 12, but not both. Item 12 should be used when only a minimum amount of information is needed to make an advance and outlay information contained in item 11 can be obtained in a timely manner from other reports.</p>			
11	The purpose of the vertical columns (a), (b), and (c), is to provide space for separate cost breakdowns when a project has been planned and budgeted by program, function, or activity. If additional columns are needed,		

# FEDERAL CASH TRANSACTIONS REPORT

(See instructions on the back. If report is for more than one grant or assistance agreement, attach completed Standard Form 272-A.)

Approved by Office of Management and Budget, No. 80-R0182

<b>2. RECIPIENT ORGANIZATION</b>  Name : _____  Number and Street : _____  City, State and ZIP Code : _____	4. Federal grant or other identification number	5. Recipient's account number or identifying number
	6. Letter of credit number	7. Last payment voucher number
	Give total number for this period	
	8. Payment Vouchers credited to your account	9. Treasury checks received (whether or not deposited)

<b>3. FEDERAL EMPLOYER IDENTIFICATION NO.</b>	<b>10. PERIOD COVERED BY THIS REPORT</b>	
	FROM (month, day, year)	TO (month, day year)

<b>11. STATUS OF FEDERAL CASH</b>  (See specific instructions on the back)	a. Cash on hand beginning of reporting period	\$
	b. Letter of credit withdrawals	
	c. Treasury check payments	
	d. Total receipts (Sum of lines b and c)	
	e. Total cash available (Sum of lines a and d)	
	f. Gross disbursements	
	g. Federal share of program income	
	h. Net disbursements (Line f minus line g)	
	i. Adjustments of prior periods	
	j. Cash on hand end of period	\$
<b>12. THE AMOUNT SHOWN ON LINE 11J, ABOVE, REPRESENTS CASH REQUIREMENTS FOR THE ENSUING</b>  Days	<b>13. OTHER INFORMATION</b>	
	a. Interest income	\$
	b. Advances to subgrantees or subcontractors	\$

**14. REMARKS** (Attach additional sheets of plain paper, if more space is required)

15. CERTIFICATION			
I certify to the best of my knowledge and belief that this report is true in all respects and that all disbursements have been made for the purpose and conditions of the grant or agreement	AUTHORIZED CERTIFYING OFFICIAL	SIGNATURE	DATE REPORT SUBMITTED
		TYPED OR PRINTED NAME AND TITLE	TELEPHONE (Area Code, Number, Extension)

THIS SPACE FOR AGENCY USE

## INSTRUCTIONS

Please type or print legibly. Items 1, 2, 8, 9, 10, 11d, 11e, 11h, and 15 are self explanatory, specific instructions for other items are as follows:

<i>Item</i>	<i>Entry</i>	<i>Entry</i>	<i>Item</i>
3	Enter employer identification number assigned by the U.S. Internal Revenue Service or the FICE (institution) code.  If this report covers more than one grant or other agreement, leave items 4 and 5 blank and provide the information on Standard Form 272-A, Report of Federal Cash Transactions—Continued; otherwise:	employee's share of benefits if treated as a direct cost, interdepartmental charges for supplies and services, and the amount to which the recipient is entitled for indirect costs.	
4	Enter Federal grant number, agreement number, or other identifying numbers if requested by sponsoring agency.	11g	Enter the Federal share of program income that was required to be used on the project or program by the terms of the grant or agreement.
5	This space reserved for an account number or other identifying number that may be assigned by the recipient.	11i	Enter the amount of all adjustments pertaining to prior periods affecting the ending balance that have not been included in any lines above. Identify each grant or agreement for which adjustment was made, and enter an explanation for each adjustment under "Remarks." Use plain sheets of paper if additional space is required.
6	Enter the letter of credit number that applies to this report. If all advances were made by Treasury check, enter "NA" for not applicable and leave items 7 and 8 blank.	11j	Enter the total amount of Federal cash on hand at the end of the reporting period. This amount should include all funds on deposit, imprest funds, and undeposited funds (line e, less line h, plus or minus line i).
7	Enter the voucher number of the last letter-of-credit payment voucher (Form TUS 5401) that was credited to your account.	12	Enter the estimated number of days until the cash on hand, shown on line 11j, will be expended. If more than three days cash requirements are on hand, provide an explanation under "Remarks" as to why the drawdown was made prematurely, or other reasons for the excess cash. The requirement for the explanation does not apply to prescheduled or automatic advances.
11a	Enter the total amount of Federal cash on hand at the beginning of the reporting period including all of the Federal funds on deposit, imprest funds, and undeposited Treasury checks.	13a	Enter the amount of interest earned on advances of Federal funds but not remitted to the Federal agency. If this includes any amount earned and not remitted to the Federal sponsoring agency for over 60 days, explain under "Remarks." Do not report interest earned on advances to States.
11b	Enter total amount of Federal funds received through payment vouchers (Form TUS 5401) that were credited to your account during the reporting period.	13b	Enter amount of advance to secondary recipients included in item 11h.
11c	Enter the total amount of all Federal funds received during the reporting period through Treasury checks, whether or not deposited.	14	In addition to providing explanations as required above, give additional explanation deemed necessary by the recipient and for information required by the Federal sponsoring agency in compliance with governing legislation. Use plain sheets of paper if additional space is required.
11f	Enter the total Federal cash disbursements, made during the reporting period, including cash received as program income. Disbursements as used here also include the amount of advances and payments less refunds to subgrantees or contractors, the gross amount of direct salaries and wages, including the		



