

### **Funding Program**

The Kansas Department of Transportation announces the opportunity to apply for funds under the Buses and Bus Facilities Infrastructure Investment Program and the State Transit Funding Program. This combination of funding will be made available to all active transit providers in the KDOT network for improving access to transit, moving forward with innovative service solutions, and forming collaborations to enhance the transit network in Kansas.

### **Eligible Activities**

While not all encompassing, the following project types are eligible activities under this funding program:

#### *Bus Replacement, Rehabilitation, or Purchase*

- Fleet Expansion
- Fleet Modernization
- Alternative Fuel Vehicle Purchase
- Alternative Vehicle Types Beyond Existing KDOT Contract

#### *Purchase of Bus Related Equipment*

- Safety Enhancements
- Security Cameras
- Bike Racks

#### *Bus Facility Rehabilitation, Purchase, or Construction*

- Maintenance Facility
- Administrative Facility
- Transfer Station
- Stops and Shelters

#### *Access and Innovation*

- Mobility Enhancement
- Innovative Service Delivery
- Autonomous Operations

If your agency has identified a project, but it is not listed above please contact KDOT staff to determine whether your project would qualify for this program.

### **Eligible Applicants**

All local governments, transit providers, tribal nations, and non-profit organizations within the state of Kansas are eligible to apply for funding. Non-profit organizations will need to provide a statement of financial soundness. Private, for-profit, entities can demonstrate support for the project, but will not be eligible to apply for funds as a part of this program.



**2019 Access, Innovation, and Collaboration  
Call for Public Transit Projects**

Project Title:

Project Location:

Project Description:

Eligible Project Sponsor:

Contact Person's Name:

Title:

Email:

Daytime Phone:

Street Address:

City:

County:

State:

Zip:

Secondary Contact Person:

Email:

Daytime Phone:

If a Project Sponsor submits multiple applications for this round of funding, they must rank all their projects in order of importance (1 of x, 2 of x, etc.), where 1 is the project of greatest importance. A separate application is required for each project.

**Project Sponsor ranking of this particular project: \_\_\_\_\_ of \_\_\_\_\_**

**Project Funding**

All eligible projects will require local financial participation. Applications that strongly define a project that supports the Kansas Regional Transit Business Model or the regional Coordinated Plans will be considered for a 90% Federal/State share. All other projects will be considered with a maximum 80% Federal/State share.

Total Project Cost	\$	100%
Funds Requested		%
Applicant Cash Match	\$	%

**Documentation and Narrative Information**

The following documents and narratives must be attached to this application.

A	A <b>NARRATIVE</b> assessing existing conditions, outlining the concept of the proposed project, and providing adequate project justification.
B	If applicable, define the correlation of this project to the Regional Transit Business Model or the regional Coordinated Plans. This will determine the funding pro-rata for the project.
C	If applicable, a <b>DETAILED MAP &amp; PHOTO</b> identifying the location of the project.
D	An <b>ITEMIZED BREAKDOWN</b> of the total project costs. This documentation does not need to be a line-item type of estimate. However, it must accomplish two objectives: first, it must show the method by which the cost estimate was prepared; second, it must enable a reviewer to determine if the cost estimate is reasonable. The manner in which these objectives are achieved may vary widely depending on the type, scope, and complexity of the project.
E	A <b>TIME SCHEDULE</b> for the total project development. Funding for projects which fail to make satisfactory progress may be rescheduled or funding may be removed by the Kansas Department of Transportation.
F	An <b>OFFICIAL ENDORSEMENT(S)</b> of the project from the authority to be responsible for its maintenance and operation. <b>The authority must provide written assurance that it will adequately maintain the completed project for its intended public use for the useful life of the project.</b>
G	If applicable, a <b>LETTER OF SUPPORT</b> of the project from the Metropolitan Planning Organization or other local entities.
H	A <b>NARRATIVE</b> discussing the public input process that was followed.

Please submit applications and the following certifications by **December 18, 2019** to:

Cory Davis  
Assistant Bureau Chief  
Kansas Department of Transportation  
700 SW Harrison St.  
Topeka, KS 66603-3745  
[Cory.Davis@ks.gov](mailto:Cory.Davis@ks.gov)

**Authorized officials must have a letter approving their ability to sign on behalf of their agency. The authorization letter must be signed by an agency CEO, president, or director and attached to the back of this application.**

**Assurance of Fiscal and Managerial Capacity**

I certify that based on my experience and with a review of the organization records that the organization has the requisite fiscal and managerial capability to carry out the project.

\_\_\_\_\_ Date\_\_\_\_\_

Agency CEO, President, Director or authorized official

**MAINTENANCE CERTIFICATION**

\_\_\_\_\_ certifies that vehicles purchased will be maintained in accordance with detailed maintenance and inspection schedule provided by the manufacturer.

\_\_\_\_\_ Date\_\_\_\_\_

Agency CEO, President, Director or authorized official

ASSURANCE OF COMPLIANCE WITH TITLE VI (of the Civil Rights Act of 1964)  
CERTIFICATION:

Name of Organization: \_\_\_\_\_

HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by the U.S. Department of Transportation, to the end that, in accordance with Title VI of the Act, no person in the United States shall, on the grounds of race, color, sex 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 under Federal Transit Administration Act programs; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Recipient by the Department under Federal Transit Administration programs, this assurance shall obligate the Recipient, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure 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. If any personal property is so provided this assurance shall obligate the Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Recipient for the period during which the Federal financial assistance is extended to it by the Department under Federal Transit Administration programs.

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 under Federal Transit Administration programs. The Recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representatives and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Recipient, its successors, transferees, and assignees. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Signed by \_\_\_\_\_

Agency CEO, President, Director or authorized official

Date \_\_\_\_\_

**(To be completed and signed by each agency—no exceptions)**

**CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE**

**Name of Transportation Provider Agency (hereafter referred to as Applicant):**

\_\_\_\_\_(Fill in agency name)

**The Applicant assures compliance with the following regulations:**

**I. Certifications and Assurances Required of each Applicant**

**A. Standard Assurances:** The Applicant assures that it will comply with all applicable Federal statutes, regulations, executive orders, Federal Transit Administration (FTA) circulars, and other Federal requirements in carrying out any project supported by an FTA grant or cooperative agreement.

**B. Intergovernmental Review Assurance:** The Applicant assures that its application for FTA assistance has been forwarded to the Kansas Dept. of Transportation.

**C. Nondiscrimination Assurance:** No person on the basis of race, color, religion, national origin or ancestry, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the FTA.

**D. Assurance of Nondiscrimination on the Basis of Disability:** No otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FTA.

**E. Procurement Compliance:** The Applicant certifies that its procurements and procurement system will comply with all applicable requirements imposed by Federal laws, executive orders, regulations, and the requirements of FTA Circular 4220.1E "Third Party Contracting Requirements".

**F. Certifications and Assurances Required by the U.S. OMB:** The Applicant certifies that it has the legal authority to apply for Federal assistance and has the institutional, managerial, and financial capability (including the funds sufficient to pay the local share of project cost) to ensure proper planning, management, and completion of the project described in its grant application. The Applicant will give FTA, the Comptroller General of the United States, and the Kansas Dept. of Transportation, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant award.

**G. Lobbying Certification**

Each Applicant that submits an application for Federal assistance exceeding \$100,000, hereby certifies that no Federal appropriated funds have been or will be paid, by or on behalf of the Applicant, to any person to influence or to attempt to influence an officer or employee of any Federal agency a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of Federal assistance, or the extension, continuation, renewal, amendment, or modification of any Federal assistance agreement.

**H. Public Hearing Certification for Major Projects with Substantial Impacts**

An Applicant seeking Federal assistance for a capital project authorized by 49 U.S.C. Chapter 53 (except Urbanized Area Formula Program assistance), that will substantially affect a community or its transit service must provide an adequate opportunity for a public hearing with adequate prior notice of the proposed project published in a newspaper of general circulation in the geographic area to be served.

**I. Certification for the Acquisition of Rolling Stock**

The Applicant will conduct or cause to be conducted the requisite pre-award and post-delivery reviews, and will maintain on file the certifications required by 49 CFR Part 663, subparts B, C, and D.

**J. Bus Testing Certification**

The Applicant certifies that before expending any Federal assistance to acquire the first bus of any new bus model or any bus model with a new major change in configuration or components, or before authorizing final acceptance of that bus:

- a. The model of the bus will have been tested at a bus testing facility approved by FTA.
- b. It will have received a copy of the test report prepared on the bus model.

**K. Charter Service Agreement**

The Applicant agrees that it and its recipients will provide charter service that uses equipment or facilities acquired with Federal assistance authorized for 49 U.S.C. 5307, 5309, or 5311 or Title 23 U.S.C., only to the extent that there are no private charter service operators willing and able to provide the charter service that it or its recipients desire to provide.

**L. School Transportation Agreement**

The Applicant agrees that it and all of its recipients will engage in school transportation operations in competition with private school transportation operators only to the extent permitted by an exception provided by 49 U.S.C. 5323(f).

**M. Interest or Other Financing Costs**

The Applicant certifies that it will not seek reimbursement for interest and other financing costs unless its records demonstrate it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

**N. Debarment, Suspension, Ineligible or Voluntary Exclusion**

In order to ensure that federal transit funds are not awarded to transit providers that have been debarred, suspended, ineligible, or voluntarily excluded from participation in federal aid, special debarment and suspension certification is required of all sub-recipients and contractors receiving funds in excess of \$100,000, which is included in the application packet. KDOT will review the applications for certificates of assurance and offer technical assistance for agencies concerned about debarment and suspension. KDOT will keep debarment and suspension certificates of assurance on file for all 5310, 5311/5339 and 5317 sub-recipients. KDOT also requires an annual certification from sub-recipients. KDOT will continually check for sub-recipient compliance. KDOT requires that lower-tier sub-recipients (recipients receiving less than \$100,000) also comply with debarment and suspension terms, requiring signed certification from contractors in contractual agreements. KDOT will check the System for Award Management web site (<http://www.SAM.gov>) to make sure that none of the vendors are on the excluded listing. They will print screen a copy of each search and keep it in the file for documentation.

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

Authorized Representative of Applicant



Authorized officials must have a letter approving their ability to sign on behalf of their agency. The authorization letter must be signed by an agency CEO, president, or director and attached to the back of this application.

**Application Verification**

\_\_\_\_\_ Declares that the statements in the  
(Legal Name of Applicant)

Foregoing application are true and correct.

I certify I have read and agree to meet all grant program compliance guidelines as required in the KDOT Office of Public Transportation policies.

Signed by: \_\_\_\_\_  
(Authorized Representative)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

## Lobbying Certification

### Certification -- Federal Funds -- Lobbying Required Contract Provision

#### Definitions

1. **Designated Entity:** An officer or employee of any agency, a Member of Congress or any state legislature, an officer or employee of Congress or any state legislature, or an employee of a Member of Congress or any state legislature
2. **Federal Grant:** An award of financial assistance by the Federal government (Federal Aid Highway Program is considered a grant program)
3. **Influencing (or attempt):** Making, with the intent to influence, any communication to or appearance before any designated entity in connection with the making of any Federal grant
4. **Person:** An individual, corporation, company, association, authority, firm, partnership, society, state or local government
5. **Recipient:** All contractors, subcontractors or subgrantees, at any tier, of the recipient of fund received in connection with a Federal grant.

#### Explanation

As of December 23, 1989, Title 31 U.S.C. (new) Section 1352 limits the use of appropriated Federal funds to influence Federal contracting. Under this new section no appropriated funds may be used by the recipient of a Federal grant to pay any person to influence or attempt to influence a designated entity in connection with the naming of a Federal grant or the extension, renewal, amendment or modification of any grant. These restrictions apply to grants in excess of \$100,000.00. Submission of this Certification is required for participation in this Project by Federal Law. For each failure to file, a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 may be imposed.

**Note:** If funds other than appropriated Federal funds have or will be paid to influence or attempt to influence a designated entity it must be reported. If required, the reporting shall be made on KDOT Form No. 401, "Disclosure of Lobbying Activities", in accordance with its instructions. KDOT Form No. 401 is available through the Bureau of Design.

**THE ABOVE DEFINITIONS, EXPLANATION AND NOTE ARE ADOPTED AND INCORPORATED BY REFERENCE IN THIS CERTIFICATION FOR ALL PURPOSES THE SAME AS IF SET OUT IN FULL IN IT.**

The maker of this Certification states that it has been signed on the maker's behalf or, if on behalf of some other person, that the maker is vested with legal right and authority to bind and obligate the other person in the making of this Certification submitted in regard to this Agreement.

The maker certifies that: No Federal appropriated funds have been paid or will be paid by or on behalf of the maker, to any person, for influencing or attempting to influence any designated person in connection with the awarding of any Federal grant or the extension, continuation, renewal, amendment or modification of any Federal grant.

In the event that the maker subcontracts work in this Agreement, the maker will provide to and require the signing of this Certification by the subcontractor and shall keep and maintain the original signed form as part of the contract with the subcontractor.

The maker understands that this Certification is a material representation of fact upon which reliance was placed as part of this transaction.

\_\_\_\_\_

(Date)

\_\_\_\_\_

(Agency Name)

By:

\_\_\_\_\_

(Signature & Title)

## **Policy Regarding Sexual Harassment**

**WHEREAS**, sexual harassment and retaliation for sexual harassment claims are unacceptable forms of discrimination that must not be tolerated in the workplace; and

**WHEREAS**, state and federal employment discrimination laws prohibit sexual harassment and retaliation in the workplace; and

**WHEREAS**, officers and employees of the State of Kansas are entitled to working conditions that are free from sexual harassment, discrimination, and retaliation; and

**WHEREAS**, the Governor and all officers and employees of the State of Kansas should seek to foster a culture that does not tolerate sexual harassment, retaliation, and unlawful discrimination.

**NOW THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby order as follows:

1. All Executive Branch department and agency heads shall have available, and shall regularly review and update at least every three years or more frequently as necessary, their sexual harassment, discrimination, and retaliation policies. Such policies shall include components for confidentiality and anonymous reporting, applicability to intern positions, and training policies.
2. All Executive Branch department and agency heads shall ensure that their employees, interns, and contractors have been notified of the state's policy against sexual harassment, discrimination, or retaliation, and shall further ensure that such persons are aware of the procedures for submitting a complaint of sexual harassment, discrimination, or retaliation, including an anonymous complaint.
3. Executive Branch departments and agencies shall annually require training seminars regarding the policy against sexual harassment, discrimination, or retaliation. All employees shall complete their initial training session pursuant to this order by the end of the current fiscal year.
4. Within ninety (90) days of this order, all Executive Branch employees, interns, and contractors under the jurisdiction of the Office of the Governor shall be provided a written copy of the policy against sexual harassment, discrimination, and retaliation, and they shall execute a document agreeing and acknowledging that they are aware of and will comply with the policy against sexual harassment, discrimination, and retaliation.
5. Matters involving any elected official, department or agency head, or any appointee of the Governor may be investigated by independent legal counsel.

6. The Office of the Governor will require annual mandatory training seminars for all staff, employees, and interns in the office regarding the policy against sexual harassment, discrimination, and retaliation, and shall maintain a record of attendance.
7. Allegations of sexual harassment, discrimination, or retaliation within the Office of the Governor will be investigated promptly, and violations of law or policy shall constitute grounds for disciplinary action, including dismissal.
8. This Order is intended to supplement existing laws and regulations concerning sexual harassment and discrimination, and shall not be interpreted to in any way diminish such laws and regulations. The Order provides conduct requirements for covered persons, and is not intended to create any new right or benefit enforceable against the State of Kansas.
9. Persons seeking to report violations of this Order, or guidance regarding the application or interpretation of this Order, may contact the Office of the Governor regarding such matters.

**Agreement to Comply with the Policy Against Sexual Harassment, Discrimination, and Retaliation.**

I hereby acknowledge that I have read the above State of Kansas Policy Against Sexual Harassment, Discrimination, and Retaliation established by Executive Order 18-04 and agree to comply with the provisions of this policy.

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Contractor Name (Type or Print)

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**CERTIFICATION OF COMPANY**

**NOT CURRENTLY ENGAGED IN A BOYCOTT OF GOODS or SERVICES FROM ISRAEL**

In accordance with K.S.A. 75-3740f, the State of Kansas shall not enter into a contract with a Company to acquire or dispose of goods or services with an aggregate price of more than \$100,000, unless such Company submits a written certification that such Company is not currently engaged in a boycott of goods or services from Israel that constitutes an integral part of business conducted or sought to be conducted with the State.

As a Contractor entering into a contract with the State of Kansas, it is hereby certified that the Company listed below is not currently engaged in a boycott of Israel as set forth in K.S.A. 75-3740e and 75-3740f.

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Signature, Title of Contractor

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Date

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Printed

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Name of Company