

**Opinion of Counsel** – each grantee must be legally empowered to carry out the activities specified in the grant. Obtain from grantee an Opinion of Counsel citing the legal authority that enables grantee to apply for, receive and spend FTA funds and to provide local match, if required. Opinion needs to include statement affirming that attorney knows of no legal impediment to grantee's implementing the project if funds are awarded. Regional Office staff may require the resubmission of the Opinion of Counsel document from established grantees in certain circumstances, such as anything that impacts legal capacity including, but not limited to, litigations and restructuring.

*This is kept on file in  
the Regional Office.*

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### Reservations

<b>Reserve Funds:</b> Funding Cost Center: 65000 UZA/Account FPC: [Redacted] <input type="button" value="[New Account-FPC]"/> <input type="button" value="[New UZA]"/>	<b>Project Funding:</b> Recipient: [Redacted] Project: [Redacted] Partial Funding for 20 Replacement Amendment: Partial Funding for 20 Replacement Buses FY: 2012 Recipient UZA: [Redacted] Project Type: Grant Award Supplemental Agreement? Yes <input type="radio"/> No <input checked="" type="radio"/> Applies Earmark/Discretionary? <input checked="" type="checkbox"/>	<b>Change Log:</b> Contract No: [Redacted] Total FTA Amt: \$615,250.00 Total Reserved: \$615,250.00 UnReserved: \$0.00
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UZA	UZA Description	Reserva
[Redacted]	[Redacted]	\$615
<b>Totals:</b>		<b>\$615</b>

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*Funding for which applicant has applied,*

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### Project Information

General      Control Totals      UZA/Cong Dist      Earmarks      Security

Recipient: [REDACTED]


Project: [REDACTED] Partial Funding for 20 Replacement

Talking Points Overview: [REDACTED]

Talking Points: [REDACTED] intends to use Fiscal Year 2010 Section 5309 Bus and Bus Facilities earmark funds to partially fund the purchase of up to [REDACTED]

Place of Performance: [REDACTED]

Congressional Interest Expressed by: [REDACTED]

Earmark Details:  Number of Earmarks: 1 Total Amount Applied: \$615,250.00

Earmark ID	Earmark Name	Orig. Balance	Unreserved	Amount Applied
[REDACTED]	Purchase Hybrid Buses [REDACTED]	\$615,250.00	\$0.00	\$615,250.00

Send through Release Process

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*Shows funding for which applicant has applied and the justification or need for the funds.*

### Comments/Concurrence



Recipient: [REDACTED]

Project: [REDACTED] Partial Funding for 20 Replacement

Amendment:

Comments

Concurrence/Approval

Summary

Concurrence Tab

Concurrence/Approval Type

Approval Date

Select an Approval Type

[Empty Date Field]

Today

Approve

#### Concurrence/Approval Comments

Entered:



Comment Text

Updated:

Comment By:

*Internal Comments about the project.*

### Comments/Concurrence



Recipient: [Redacted]

Project: [Redacted] Partial Funding for 20 Replacement

Amendment:

Comments	Concurrence/Approval	Summary												
<table border="1"> <thead> <tr> <th>Select Comment Type</th> <th>#</th> </tr> </thead> <tbody> <tr> <td>General Review</td> <td>3</td> </tr> <tr> <td>FTA Internal</td> <td>10</td> </tr> <tr> <td>Conditions of Award</td> <td>1</td> </tr> <tr> <td>DOL</td> <td>1</td> </tr> <tr> <td>FTA Project Description</td> <td>0</td> </tr> </tbody> </table>	Select Comment Type	#	General Review	3	FTA Internal	10	Conditions of Award	1	DOL	1	FTA Project Description	0		<p>Brief Desc: <input type="text" value="Comment Addressed"/></p> <p>Comment On: <input type="text"/></p> <p>Activity: <input type="text"/></p>
Select Comment Type	#													
General Review	3													
FTA Internal	10													
Conditions of Award	1													
DOL	1													
FTA Project Description	0													

Comment
Comment Addressed
Transit Vehicle Manufacturers
New Comment

- Application Status**
- Return to Recipient
  - Ready for FTA Review
  - Application Complete

Entered:

Updated:

Comment By: [Redacted]

**Comment Text**

Grantee addressed all initial review comments.

*Internal Comments about the project status.*

# Execute Award

Summary	Award
Recipient:	[REDACTED]
Project:	Partial Funding for 20 Replacement
Amend:	Partial Funding for 20 Replacement Buses
Status:	Active No MS/P Report, FFR Submitted
Project Type:	Grant Award
App. Type:	Paper <input type="radio"/> Electronic <input checked="" type="radio"/> Preaward Auth.: <input checked="" type="radio"/> Yes <input type="radio"/> No
Contract Awarded by:	User Name/Title Date/Time
[REDACTED]	[REDACTED] 7/15/2011 2:42:39 PM
Contract Executed by:	[REDACTED] 7/19/2011 1:06:18 PM

Purpose of the Investment	Rationale of the Agency for Funding this Investment:
<input type="checkbox"/> a. To preserve and create jobs and promote economic recovery.	<input type="checkbox"/> a. Project is ready to go (all applicable federal requirements are complete).
<input type="checkbox"/> b. To assist those impacted by the recession.	<input type="checkbox"/> b. Use of Recovery funds for this project frees up other FTA/state/local resources for other purposes.
<input type="checkbox"/> c. To provide investments needed to increase economic efficiency by spurring technological advances.	<input type="checkbox"/> c. Project is high local/regional priority.
<input type="checkbox"/> d. To invest in transportation infrastructure that will provide long term economic benefits.	<input type="checkbox"/> d. Project could not have been implemented without supplement funding.
<input type="checkbox"/> e. To stabilize State and local government budgets, in order to minimize reductions in essential services and counterproductive State and local tax increases.	<input type="checkbox"/> e. Funding accelerates completion and decreases over-all project costs.
	<input type="checkbox"/> f. Project provides equipment or facilities to increase transit ridership.
	<input type="checkbox"/> g. Project is a needed investment to bring assets to a state of good repair.
	<input type="checkbox"/> h. Project addresses immediate maintenance needs.

*FTA awards the project.*

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## Review/DOL Dates

Recipient: [redacted]

Project: [redacted] Support purchase of two CNG hybrids

Amendment: Support purchase of two CNG hybrids

Background/Award | DOL Certification

<input checked="" type="radio"/> Submit for Certification	Transmitted to DOL:	12/12/2008
<input type="radio"/> Submit for Information	DOL Certification Resubmitte	
<input type="radio"/> N/A	Date DOL Certified:	1/7/2009

Send Application to DOL?

Comments | General Review - 2 | FTA Internal - 11 | Conditions Of Award - 2 | DOL - 1 | FTA Project Desc. - 0

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*Shows how grants are sent to DOL electronically using TEAM.*

The Department of Labor handles the list of unions affected by the awards and sends FTA a letter once the grant funds are certified. The request for DOT certification is sent to DOT electronically through TEAM.

U.S. Department of Labor

Employment Standards Admi  
Office of Labor-Management  
Washington, D.C. 20210

January 7, 2009

[REDACTED]

Re: FTA Application(s)

[REDACTED]

[REDACTED]

Dear [REDACTED]

This is in reply to the request from your office that we review the above-captioned application for a grant under Title 49 of the U.S. Code, Chapter 53.

The [REDACTED] have previously agreed to become party to the agreement executed on July 23, 1975, by the [REDACTED] and transit employee labor organizations. The terms and conditions of the July 23, 1975 agreement provide protections to employees represented by the union which satisfy the requirements of 49 U.S.C., Section 5333(b) for operating assistance.

In connection with a previous grant application, the parties have also agreed that the terms and conditions of the July 23, 1975 agreement, as supplemented by a side letter dated September 20, 1991, shall be made applicable to capital projects. The July 23, 1975 agreement, as supplemented, provides to employees represented by the union protections satisfying the requirements of 49 U.S.C., Section 5333(b) for capital assistance.

The parties have agreed that the July 23, 1975 agreement, and the July 23, 1975 agreement, as supplemented for capital projects, shall be made applicable to the instant project.

Accordingly, the Department of Labor makes the certification called for under the statute with respect to the instant project on condition that:



1. This letter and the terms and conditions of the agreement dated July 23, 1975, shall be made applicable to the operating portion of the instant project and made part of the contract of assistance, by reference;
2. This letter and the terms and conditions of the July 23, 1975 agreement, as supplemented, shall be made applicable to the capital portion of the instant project and made part of the contract of assistance, by reference;
3. The term "project" as used in the July 23, 1975 agreement and the July 23, 1975 agreement, as supplemented, shall be deemed to cover and refer to the instant project;
4. The protective arrangements certified by the Secretary of Labor are intended for the primary and direct benefit of transit employees in the service area of the project. These employees are intended third-party beneficiaries to the employee protective arrangements referenced in the grant contract between the U.S. Department of Transportation and [REDACTED], and the parties to the contract so signify by executing that contract. Employees, not represented by any labor organization, or if so represented through their representative on their behalf, may assert claims with respect to the protective arrangements under this provision. This clause creates no independent cause of action against the United States Government;
5. Disputes over the interpretation, application and enforcement of the terms and conditions of the protective arrangements certified by the Department of Labor, which include this letter of certification, shall be resolved in accordance with the provisions in the aforementioned arrangements for the resolution of such disputes; and
6. Employees of mass transportation providers in the service area of the project who are not represented by a union party to, or otherwise referenced in the certification letter, shall be afforded substantially the same levels of protections as are afforded to the employees represented by the union(s) under the above referenced protective arrangements and this certification. Such protections include procedural rights and

remedies as well as protections for individual employees affected by the project.

Should a dispute remain after exhausting any available remedies under the protective arrangements and absent mutual agreement to utilize any other final and binding resolution procedure, any party to the dispute may submit the controversy to final and binding arbitration. With respect to a dispute involving a non-party or non-referenced union, if a component of its parent union is already subject to a protective arrangement, the arbitration procedures of that arrangement will be applicable. If no component of its parent union is subject to the arrangements, the Recipient or the union may request the American Arbitration Association to furnish an arbitrator and administer a final and binding resolution of the dispute under its Labor Arbitration Rules. If the employees are not represented by a union for purposes of collective bargaining, the Recipient or employee(s) may request the Secretary of Labor to designate a neutral third party or appoint a staff member to serve as arbitrator and render a final and binding determination of the dispute.

Sincerely,



cc:



Capitol Square for  
Labor Relations  
One DuPont Circle, N.W.  
Washington, D.C. 20540  
Phone: (202) 452-2000  
Fax: (202) 452-2001  
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DOL  
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### Milestones

Scope-ALI	Seq No		
	1		
	2		
	3		

Line Item: \_\_\_\_\_  
FTA Amount: \_\_\_\_\_ Total Eligible Cost: \_\_\_\_\_ Quantity: \_\_\_\_\_  
Milestone Detailed Description: \_\_\_\_\_

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*Milestone reports are required for all programs.*

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## Federal Financial Report

Work In Progress  Submit Report

Summary | Financial Status | Remarks and Certification

Recipient: [REDACTED]  
 Project: [REDACTED] Clean Fuels Progr  
 Amendment: [REDACTED] Clean Fuels Progr  
 DUNS Number: [REDACTED] EIN Number: [REDACTED]

**Report Type:**  
 Quarterly  Monthly  Annual  Other

Period:	2012 1st Quarter	Indirect Expense:	
Final Report?	No, Not Final Report	Type:	N/A
Paper Award?	Yes <input type="radio"/> No <input checked="" type="radio"/>	Rate:	0.00%
Initial Submission:		Base:	\$0.00
Last Update:		Period From:	
Pro-Award Authority?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Period To:	
Report Status:	No MS/P Report, No FFR	Amount Charged:	\$0.00
Project Status:	Pending Submission	Federal Share:	\$0.00

No quarterly report cost for the selected period: 2012, 1st Quarter

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*A Federal Financial Report must be submitted for each active/decanted grant.*