

To: James L. App, City Manager
From: Mike Compton, Director of Administrative Services
Subject: Approval of 2007 Certifications and Assurances
DATE: January 16, 2007

Needs:

For the Council to approve the 2007 Certification and Assurances as required by the Federal Transit Administration (FTA) and authorize the Director of Administrative Services to sign and submit to California Department of Transportation (CalTrans).

Facts:

1. FTA requires CalTrans to certify to FTA that all applicable Federal requirements are adhered to when administering Federal grants.
2. CalTrans requires sub-grantees to certify that they are adhering to Federal requirements for grant funds received.
3. As a designated "urban area", Paso Robles is eligible for and receives FTA 5307 for transit operations.
4. Receipt of these funds makes Paso is a sub-grantee under CalTrans. Thus, as a recipient of FTA 5307 grant funds, the City must certify compliance to Federal requirements for grant funds received.
5. Certification is achieved by completing and executing the attached Certification and Assurances form.

Analysis & Conclusion:

The City has been a sub-grantee recipient for three years of 5307 grant funds. The City has been filing the appropriate "certification and assurances" in order to receive said funds but the Council has not formally approved said "certification and assurances". It was recently learned that the Council should be approving said "certification and assurances".

Fiscal Impact:

None.

Options:

- a. That the Council approve the 2007 Certification and Assurances and authorize the Director of Administrative Services to sign and submit said certification to CalTrans; or
- b. Amend, modify, or reject the above option.

APPENDIX A

**FEDERAL FISCAL YEAR 2007 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

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

Name of Applicant: City of Paso Robles

The Applicant agrees to comply with applicable provisions of Categories 01 – 23. _____

OR

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

<u>Category</u>	<u>Description</u>	
01.	For Each Applicant.	<u>X</u>
02.	Lobbying.	<u>X</u>
03.	Procurement Compliance.	<u>X</u>
04.	Private Providers of Public Transportation.	<u>X</u>
05.	Public Hearing.	<u>X</u>
06.	Acquisition of Rolling Stock.	<u>X</u>
07.	Acquisition of Capital Assets by Lease.	<u>X</u>
08.	Bus Testing.	<u>X</u>
09.	Charter Service Agreement.	<u>X</u>
10.	School Transportation Agreement.	<u>N/A</u>
11.	Demand Responsive Service.	<u>X</u>
12.	Alcohol Misuse and Prohibited Drug Use.	<u>X</u>
13.	Interest and Other Financing Costs.	<u>X</u>
14.	Intelligent Transportation Systems.	<u>X</u>
15.	Urbanized Area Formula Program.	<u>X</u>
16.	Clean Fuels Grant Program.	<u>N/A</u>
17.	Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program.	<u>X</u>
18.	Nonurbanized Area Formula Program.	<u>X</u>
19.	Job Access and Reverse Commute Program.	<u>X</u>
20.	New Freedom Program.	<u>X</u>
21.	Alternative Transportation in Parks and Public Lands Program.	<u>N/A</u>
22.	Infrastructure Finance Projects.	<u>X</u>
23.	Deposits of Federal Financial Assistance to a State Infrastructure Banks.	<u>X</u>

APPENDIX A

FEDERAL FISCAL YEAR 2007 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: City of Paso RoblesName and Relationship of Authorized Representative: Michael J. Compton, Director of Admin. Serv.

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and directives applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2007.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in this document, should apply, as provided, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2007.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature _____ Date: _____

Name Michael J. Compton, Director of Admin. Serv.
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): City of Paso Robles

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature _____ Date: _____

Name Iris Yang
Attorney for Applicant

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