



MODOC COUNTY
TRANSPORTATION COMMISSION

108 S. Main Street
Alturas, CA 96101-3936
(530) 233-6410 Phone

Meets Regularly
First Tuesday of
Even Numbered Months
at 1:30 p.m.

Commissioners

John Dederick
Chairman
City Representative

Kathie Rhoads
Vice Chair
County Supervisor III

Brian Cox
Commissioner
City Councilmember

Elizabeth Cavasso
Commissioner
County Supervisor IV

Cheryl Nelson
Commissioner
City Councilmember

Mark Moriarity
Commissioner
County at Large Citizen

Ned Coe
Alternate
County Supervisor I

Paul Minchella
Alternate
City Councilmember

Staff

Debbie Pedersen
Executive Director

Michelle Cox
Executive Assistant Secretary

AGENDA

REGULAR MEETING

Sage Stage Conference Room

108 S. Main St. Alturas

APRIL 4, 2023, at 1:30 p.m.

Teleconference Number (712) 451-0647

Access Code 113785

1. Call to Order

- Pledge of Allegiance
- Introductions – guests and visitors

2. Public Forum –

Citizens may address the Commission with matters that are related directly to Commission responsibilities. If any matters call for action by the Commission, they will be placed on subsequent agendas. Because the Chairman may limit speakers to five (5) minutes each, citizens are encouraged to contact the Chairman or staff for assistance before the meeting.

3. Confirm Agenda

Action

4. Consent Agenda

Action

- Approve the minutes from the MCTC meeting on February 7, 2023.

5. Regular Business

- Consider adopting the final FY 2023-24 Overall Work Plan. **Action**
- Public Hearing – Unmet Transit Needs. Consider adopting Resolution 23-02 defining Unmet Transit Needs and Needs Reasonable to Meet. **Action**
- Consider adopting Resolution 23-03 Local Transportation Fund and State Transit Assistance Allocations. **Action**
- Consider approving the FY 2023-24 LTF and STAF Claims **Action**
- Consider adopting Resolution 23-01 Fiscal Year 23-24 Budget **Action**
- Consider adopting Resolution 23-04 Fiscal Year 2023-24 Planning, Programming, and Monitoring funds. **Action**
- Caltrans will provide an update on the Clean California Modoc projects **Information**
- Update on Office staffing. **Information**

6. Agency Updates and Project Reports

Information/Discussion

- City of Alturas Public Works Department
- Modoc County Road Department
- Caltrans District 2
- Modoc County Transportation Commission

7. Staff Update, Correspondence and Calendar

Information

- Address outstanding issues, correspondence, information, and materials received.
- Future dates and events of interest.

8. Adjourn until next MCTC Regular meeting

Action

Tuesday, June 6, 2023, at 1:30 p.m., or soon thereafter, in the Sage Stage Conference Room at 108 S. Main Street, Alturas, CA.

Report to Modoc County Transportation Commission	
Subject	Meeting Date
Consent Agenda	April 4, 2023
Presented by	Agenda Item
Not Applicable	4

ATTACHMENTS – shown in **bold** below

- a. Approve the **minutes from the February 7, 2023, meeting.**



MODOC COUNTY
TRANSPORTATION COMMISSION

108 S. Main St., Alturas, CA 96101
Phone (530) 233-6410

MINUTES
Regular Meeting
February 7, 2023

Commissioners Present

Kathie Rhoads, Vice Chair
Cheryl Nelson
Elizabeth Cavasso
Mark Moriarity
Brian Cox

Board of Supervisors, District III, Modoc County
Councilmember, City of Alturas
Board of Supervisors, District IV, Modoc County
Modoc County, Member at Large
Councilmember, City of Alturas

Commissioners Absent

John Dederick, Chair
Ned Coe (Alternate)
Paul Minchella (Alternate)

Representative, City of Alturas
Board of Supervisors, District I, Modoc County
Councilmember, City of Alturas

Staff Present

Debbie Pedersen
Michelle Cox

Executive Director
Executive Assistant Secretary

Public Present

Mitch Crosby
Lilly Toaetolu
Cherie Clark
Javed Iqbal
Kathy Grah
Lorissa Soriano

Modoc County Road Commissioner
Modoc County Roads Administration & Project Delivery
Caltrans District 2, Regional Planning Liaison
Caltrans District 2, Project Manager
Caltrans District 2, Community & Regional Planning Chief
Modoc Economic Development Corporation

1. **Call to Order** – Vice Chair Kathie Rhoads called the meeting to order at 1:34 p.m. in the Sage Stage Conference Room, 108 S. Main Street, Alturas, CA.
 - a. Rhoads led those present in the Pledge of Allegiance.
 - b. All attendees took turns introducing themselves.
2. **Public Forum** – There were no public comments.
3. **Confirm Agenda-**
MCTC Executive Director, Debbie Pedersen announced Agenda item 5. Regular Business item 4. has been changed from an action item to an information item.

Motion by Commissioner Cavasso to Confirm Agenda with the change to Agenda item 5. Regular Business item 4., seconded by Commissioner Cox. All Ayes; motion carried.

4. Consent Agenda-

- a. Approve minutes from the December 6, 2022, MCTC Regular Meeting.**

Motion by Commissioner Cox to approve Consent Agenda, seconded by Commissioner Nelson. All Ayes; motion carried.

5. Regular Business

- a. Draft FY 2023-24 Overall Work Program status.**

Executive Director, Debbie Pedersen reported the FY 2023/24 draft Overall Work Program was submitted to Caltrans Headquarters and District 2 on January 23, 2023, for review and comments. A draft copy of the OWP is available upon request or on the MCTC website.

- b. Consider approving the update to the Human Resources Manual.**

The State Disability Policy was adopted by the Commission on December 6, 2022. After review of the policy update, the Commission requested to add a qualified medical examiner (state doctor). With this addition the wording should read, an employee's primary physician or qualified medical examiner may determine that the employee can work light duty.

Motion by Commissioner Cox to approve the update to the Human Resources Manual with the addition of state doctor, seconded by Commissioner Moriarity. All Ayes; motion carried.

- c. Update on Office staffing.**

Pedersen reported the Chief Fiscal Officer position remains vacant. We have received no applicants or interest in the position. We need another person in the office and have Assistant Secretary 1 and 2 positions on the salary schedule. CPA, Monica Derner has agreed to prepare many financial items including payroll, reconciliations, budgets, financial transaction report, and other tasks. Another position will need to be created to define the duties the Executive Assistant Secretary has undertaken including payables, bus maintenance/documentation, route summaries, and other tasks.

- d. Consider approving a contract with Monica Derner for financial consultant services.**

Monica Derner will be providing financial consultant services at a monthly rate and special projects at an hourly rate. Special projects include tasks such as a State Disability Insurance (SDI) reports, auditing leave balances for the Executive Director, and other tasks as needed. Derner will provide a contract for approval at a future date.

- e. Consider approving the updated 2023 Salary Schedule.**

The MCTC Salary Schedule has not been updated since 2018. The beginning salary step for the Assistant Secretary 1 is below the 2023 California minimum wage. Comparisons have been made and are noted on the proposed 2023 Salary Schedule.

Motion by Commissioner Cox to approve the updated 2023 Salary Schedule, seconded by Commissioner Cavasso. All Ayes; motion carried.

- f. Progress report for Goose Lake Rail's Short Line Rail Improvement Project.**

Goose Lake Railway is required to deliver a quarterly project report to Caltrans and MCTC for PPNO TC126, Track Rehabilitation along the Pit River in Modoc County. The California Transportation Commission's (CTC) Short-Line Railroad Improvement Program (SLRIP) guidelines require a Regional Transportation Planning Agency submit the project funding plan for probable nominees. MCTC adopted Resolution 20-09 on October 29, 2020, nominating the Goose Lake Railway for the freight mobility project funding plan. Goose

Lake Railway was awarded \$432,962 for the project. SLRIP guidelines require the MCTC to monitor the project as necessary.

6. Agency Updates and Project Reports

a. Alturas Public Works Dept. – City Streets

In the absence of Joe Picotte, City of Alturas Public Works Director, Commissioner Cox, and Executive Director Pedersen reported GHD, the consultant for the City of Alturas has been contacted for PS&E on Court Street (PPNO 2591) and West 8th Street (PPNO 2584).

Once the weather is good the East Street Project will resume construction and repairs will be made to a residential sprinkler system and driveway. After these final steps are complete the project will be ready for close out.

b. Modoc County Road Dept. – County Roads

Mitch Crosby, Modoc County Road Commissioner, reported County Road 111 STIP Project is in the PS&E phase and is moving along. Construction for Co. Rd. 111 is programed for 2024.

County Road 55 STIP Project is in the PS&E phase and will need a time-extension for the environmental due to archeological lands.

Lilly Toaetolu, Modoc County Road Department, reported last week that the Road Department received news that they were awarded \$12.9 million in funding for the Safe Streets and Roads for All Grant. Modoc County was in competition with the entire United States for this National Grant Funding. The funds will be used for safety measures on County Road 91 in the Lookout area and County Road 1 in Surprise Valley.

c. Caltrans District 2

Javed Iqbal, Caltrans District 2, Project Manager presented a power point presentation on the proposed design for the State Clean California Project in Modoc County. The proposed project design was not what the meeting attendees had expected, the proposed design had transformed into something much different than what was discussed in the early stages. The MCTC Commissioner's and staff are not in favor of the proposed design plans. Iqbal will report back to Caltrans with the comments and concerns.

The Modoc County Drainage rehabilitation Project on Highway 139 is in the construction phase. Construction should be complete in 2 or 3 months, reported Iqbal.

Iqbal provided updates to the Secret Valley Roadside Rest Area (SRRA) Project located in Lassen County. Over the years the (SRRA) has had issues with maintenance, cleanliness, no running water, and consistency of being open or not and the MCTC has been involved in seeking solutions to the issues. In April 2022 Caltrans provided MCTC with a projected minor improvement plan and a projected long-term improvement plan. The minor plan was to replace the existing building with a new modular and search out a contractor to maintain the facility. The long-term plan was to relocate the SRRA to Hwy 395 at Grasshopper Road in Termo, CA. The new proposed location has access to electricity, running water, and a much larger parking area. A contractor is now maintaining the existing building and Caltrans has decided not to pursue the minor plan. Caltrans plans to pursue the projected long-term plan and construction will begin in 2026.

d. Modoc County Transportation Commission

Executive Director, Pedersen reported the 2021 Performance Audit identified the need for a new Short-Range Transit Plan. Sustainable Planning Grants currently has a call for projects. Pedersen is preparing projects for the Agencies to submit before the March 9, 2023, deadline. A consultant will be hired to prepare the plan if we are awarded the grant funding.

7. Staff Update and Calendar

Pedersen reminded the Commission Form 700 is due by April 3, 2023.

Calendar – consider future dates and events of interest:

02/13/23 Lincoln's Birthday Holiday; Office Closed, Sage Stage Bus Operating
02/20/23 Presidents' Day Holiday; Office Closed, No Bus Service
03/08/23 Modoc TAC Meeting 1:00 p.m. Sage Stage Conference Room
04/04/23 MCTC and MTA Meetings 1:30 Sage Stage Conference Room

8. Motion to Adjourn –motioned by Commissioner Cox; seconded by Commissioner Moriarity to adjourn the meeting at 2:46 p.m. All Ayes; motion carried. The next regular meeting will be Tuesday, April 4, 2023, at 1:30 p.m., or soon thereafter, in the Sage Stage Conference Room, 108 S. Main Street, Alturas, CA.

Submitted by,

Michelle Cox

Executive Assistant Secretary

Report to Modoc County Transportation Commission	
Subject	Meeting Date
Regular Business	April 4, 2023
Presented by	Agenda Item
MCTC Staff	5

ATTACHMENTS – shown in **bold** below

1. Consider adopting the final FY 2023-24 Overall Work Plan (OWP). *Action*
The draft 2023-24 was submitted to Caltrans on January 23, 2023. Comments were received on March 2, 2023; the Final OWP addresses Caltrans' comments. Staff recommends adoption of the FY 2023-24 OWP.
2. **Public Hearing** – Unmet Transit Needs. *Action*
 1. 1:05, or soon thereafter. Public Hearing – Consider adopting **Resolution 23-02 defining the Fiscal Year 2023/24 Unmet Transit Needs and Needs Reasonable to Meet.**
 - a. Open Public Hearing to consider Unmet Transit Needs
 - b. Other Public Comments (written or verbal) – None to date.
 - c. Other written comments
 - d. Close Public Hearing
 - e. Discussion and action by Commissioners

Staff recommends adoption of Resolution 23-02 for the 2023 Unmet Transit Needs and Transit Needs reasonable to meet.
3. Consider adopting Resolution 23-03 Local Transportation Fund (LTF) and State Transit Assistance Funds (STAF) Allocations. *Action*
4. Consider approving the FY 2023-24 LTF and STAF Claims *Action*
5. Consider adopting Resolution 23-01 Fiscal Year 23-24 Budget *Action*
6. Consider adopting Resolution 23-04 Fiscal Year 2023-24 Planning, Programming, and Monitoring funds. *Action*
7. Caltrans will provide an update on the Clean California Modoc projects *Information*
8. Update on Office staffing. *Information*

Ms. Pederson, Executive Director
March 2, 2023
Page 1

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 2 OFFICE
1657 Riverside Drive Redding, CA 96001
(530) 782-3152 TTY 711
www.dot.ca.gov



March 2, 2023

Ms. Debbie Pederson
Executive Director
Modoc County Transportation Commission
108 S. Main Street
Alturas, CA 96101

Dear Ms. Pederson,

Thank you for the opportunity to review the Modoc County Transportation Commission (MCTC) Draft Overall Work Program (OWP) for Fiscal Year (FY) 2023-24. The California Department of Transportation (Caltrans) has the following comments:

We commend MCTC for providing a detailed discussion of purpose and ongoing tasks related to each work element. We appreciate MCTC including a detailed schedule.

General Comments

- Please double check all references to Fiscal Year within the entire document. This OWP is for FY 2023-24, however, there are a number of references to FY 2022-23 in the wrong context, with the appearance the prior FY OWP was a copy and paste for the current draft. **Fiscal years have been corrected.**
- Work Elements "Previous Tasks" need to include tasks/activities that were completed or expect to be completed during the 2022-23 FY. **Noted**
- Work Elements "Due Dates" need to be within July 2023 – June 2024. **Corrections made.**
- Work Element Products should be tangible, consider rewording products to read less like tasks. **Products have been edited.**

Work Element Specific Comments

Introduction

- In the “Public Lands in Modoc” pie chart, please clarify if the tribal government lands are considered part of the 71% federal lands or the 29% private lands. This chart also has text cut off. **The table has been changed and includes Tribal lands reference.**
- Page 4 is missing its page number. Also, on page 4, Figure 1 – Modoc County Tribes is hard to read. The quality of map needs to be improved. **Page 4**
- In addition to MCTC’s organization chart, please identify what interagency agreements MCTC has in place and with which organizations. **We don't have any.**
- Please explain more on how the OWP reflects the larger context of what MCTC plans to accomplish in the upcoming FY that addresses the surface transportation issues within its regional boundaries. **Please see page 6.**
- What decision-making steps does MCTC take to choose its projects? **Please see page 6.**

Organization

- Page 5, Positions include Chief Fiscal Officer, should this position be updated? **The Org Chart has been updated to reflect our current office structure.**

Revenue Sources

- Page 8, “FY 2023/24 Overall Work Program Funding” needs to be labeled as Table 1. **Corrected.**
- Please be more specific with the Planning Factors per Work Element, instead of identifying as 1-10. **See page 4.**
- Page 8, Table 2: Update 7002.2 Title VI Plan to include “non-transit” for consistency. **Non-transit has been added on page 8 and in the Table of Contents.**

Work Element 7001 – OWP Development

- Products and Due Dates – Please update all dates to reflect the correct FY 2023-24 OWP cycle. **Please see page 11.**

Work Element 7002 – Public Participation and Interagency Coordination

- Previous Tasks – The acronym “DEAL” should be defined within the OWP. **See page 11.**
- Products – Are there any Public Participation products that are specific to this OWP cycle? What specific meetings will be held and what plans or findings will come of those meetings? **See page 11.**
- Ongoing Tasks – k, consider adding “NSSR” if participating in the meetings. **NSSR was added. See page 11 k.**

Work Element 7002.1 – Public Participation Plan

- Products and Due dates – all dates need to be within FY 2023-24. **Done.**
- Previous Tasks – The tasks should reflect what was completed in FY 2022-23. **See page 12.**
- Ongoing Tasks – Consider rewording to show continuing researching public participation opportunities for update of PPP in 2025. **See page 12.**

Work Element 7003 – Regional Transportation System Management

- Ongoing Tasks – There are several tribes in your region, are you only planning on working with the Cedarville Indian Rancheria in FY 2023-24? If there are more plans in FY 2023-24, please update this Work Element. See page 14.

Work Element 7003.1 – Regional Transportation Plan

- The “2024 Regional Transportation Plan Update” timeline should be labeled as a table with number. Please see page 16.
- Products and Due dates – The tasks in the “2024 Regional Transportation Plan Update” table should be added to the Products that fall within FY 2023-24. Remove all other products that are outside of FY 2023-24. See page 14.
- Ongoing Tasks/Products – consider moving “confirm consistency between the Regional Transportation Plan and regional projects programmed with various State and Federal funds” from Products to Ongoing Tasks. See page 15.
- Ongoing Tasks/Products – consider moving “update demographics and data to be consistent with State and local plans” from Products to Ongoing Tasks and Product to reflect “Updated demographic data”. See page 15.
- Ongoing Tasks/Products – consider moving “Update maintained mileage inventory in coordination agencies; support agency efforts to collect pavement condition surveys” from Products to Ongoing Tasks and Product to reflect “Updated mileage inventory and pavement condition surveys”. Added.

Work Element 7003.2 – Regional Transportation Improvement Program

- Previous Tasks – Consider removing “Adopted the 2020 RTIP and submitted it to the CTC for inclusion in the 2020 STIP”. See page 17.
- Products Table – Should the first listed product show “RTIP/STIP” or TIP/STIP? Possible text missing. The typo has been corrected.

Work Element 7004 – Multimodal and Public Transportation

- Ongoing Tasks – f. When does MCTC plan to conduct outreach, this should be listed as a Product with a Due Date. See page 17.
- Products – Consider re-wording to show tangible products such as “completed surveys” and “Updated Transit Asset Management Plan”. See page 18.

Reminders

Final OWP package is due to Caltrans by May 30, 2023. The following items must be included in the final OWP package:

- Response letter acknowledging Caltrans comments on the draft OWP. The response needs to demonstrate where Caltrans comments were addressed within the Final OWP.
- Electronically signed Overall Work Program Agreement (OWPA)
- Budget Revenue Summary (BRS)

Ms. Pederson, Executive Director

March 2, 2023

Page 4

- Board Resolution approving the OWP
- Electronically signed Certifications and Assurances
- Final OWP and Appendices

If you have questions, please contact Cherie Clark at (530) 768-7429 (cell) or by email at cherie.clark@dot.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Grah".

KATHY GRAH, Chief

Chief

Office of Community & Regional Planning

c: Cherie Clark, Caltrans D2
Megan Brunner, Caltrans, ORP



Draft 2023/24 Overall Work Program Modoc County Transportation Commission

108 S Main Street
Alturas, CA 96101
530-233-6410

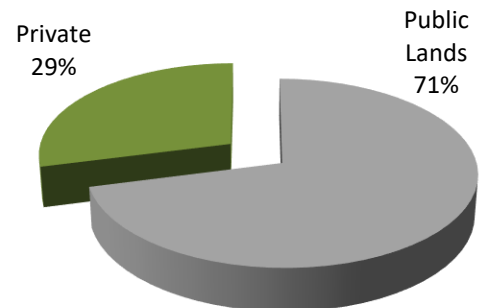
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INTRODUCTION

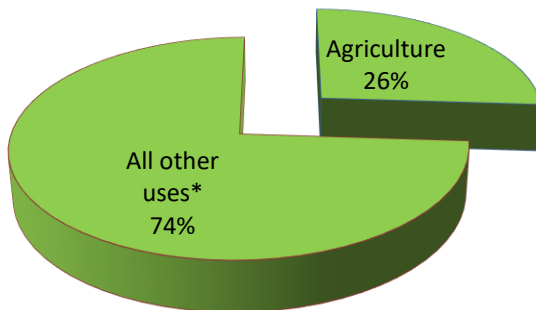
Modoc County is a land of rugged lava plateaus, fertile valleys, and immense mountains. The land area covers 3,944 square miles or about 2.5 million acres. The terrain is mountainous with high-desert vegetation and timber; numerous valleys or basins are suited for agricultural use. Predominant geographic features include the Modoc Plateau, Warner Mountains, and Surprise Valley with three often dry alkaline lakes. Public lands comprise a large percentage of land ownership.

Public Lands in Modoc



* 71% federal government including tribal lands; 1% State, County, and City.

Private Lands in Modoc



There are five general land-use categories within the Modoc region: residential, commercial, industrial, agricultural, and public/quasi-public holdings. Agricultural lands comprise a large use within the county.

The population of the county is among the smallest in the state ranking 56th of the 58 counties. The Department of Finance estimated population for Modoc January 1, 2022, was 8,690; this equates to about 2.41 persons per square mile; the statewide average is 241.10 people per square mile. This is an increase from the January 21, 2021, population of 8,606.

The regional personal income statistics are comparatively lower than state average trends and local unemployment levels of 5.1% in December 2021 which is lower than the statewide unemployment rate of 6.5%.

The City of Alturas is the County Seat and the only incorporated city in Modoc County. The unincorporated communities include Fort Bidwell, Lake City, Cedarville, and Eagleville along the east; Newell in the northwest, Canby, Adin, and Lookout to the southwest, Likely in the southeast and Davis Creek in the northeastern part of the county. Many of these communities are located along the State Routes 139, 299, and US 395 in Modoc which serve as main streets. Elevation and temperate ranges and annual precipitation are shown below. Please see Figure 1 for an area map.

Elevations

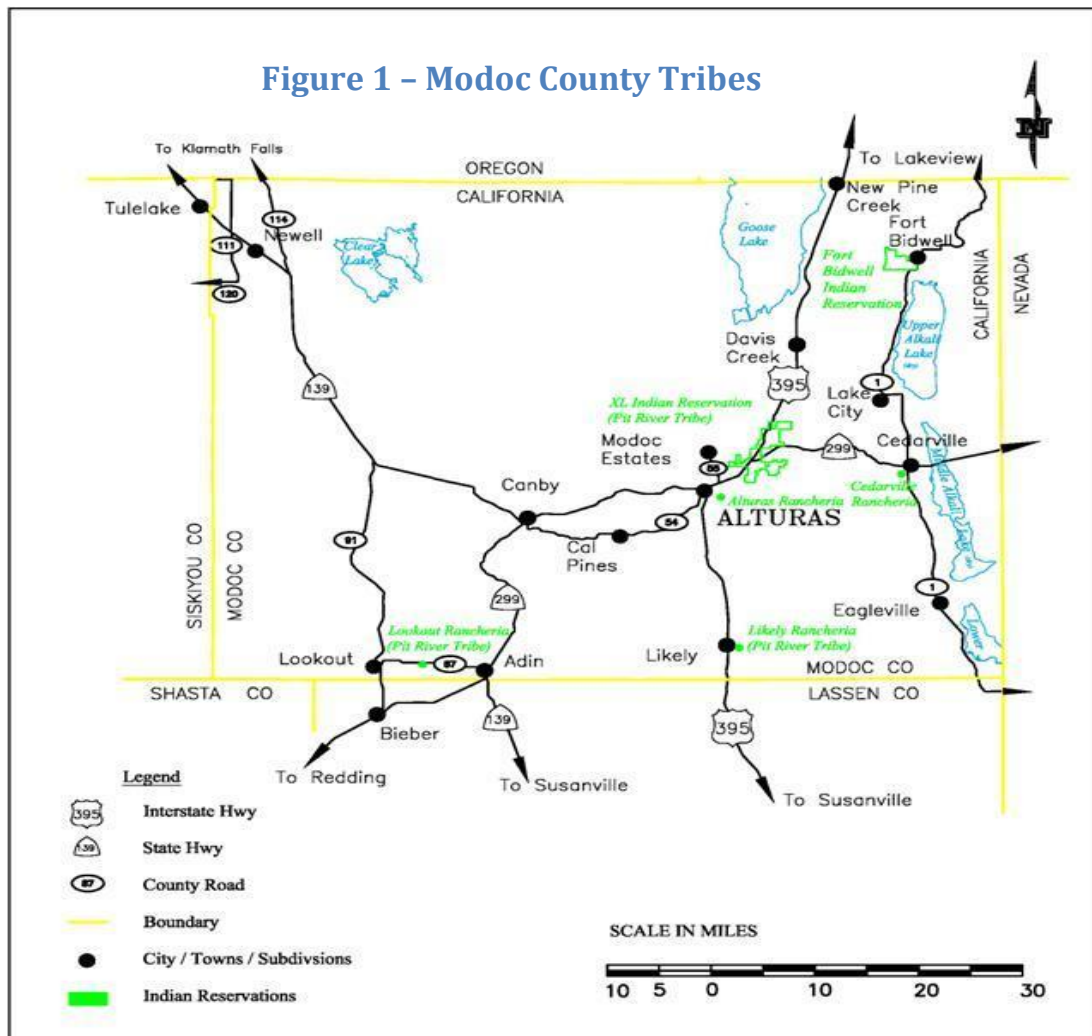
Day Bench 3500 ft
 Eagle Peak 9934 ft

Temperatures

Lows 16 ° F
 Highs 88 ° F

Annual Precipitation

9-16" valleys
 up to 35" mountains



There are 6 Federally recognized tribes in Modoc County as shown in Figure 1. MCTC coordinates and consults with these tribes throughout the year. The Pit River XL Tribe has expressed interest in an MOU with MCTC for consultation regarding ancestral lands. The Cedarville Indian Rancheria (CIR) is interested in partnering with the City of Alturas to jointly fund some City STIP street projects.

BACKGROUND

Regional transportation planning is integrated involving all regional stakeholders (agency representatives from Federal, tribal governments, State, City and County agencies and the private sector) working together to improve mobility. Many simultaneous and consecutive plans, programs,

goals, and objectives occur over different periods of time within the region. The Overall Work Program (OWP) identifies planning activities and funding to implement goals and objectives during a 12-month fiscal year period (beginning July 1- and ending June 30 of the following calendar year). The program outlines transportation activities for decision making, partnering, coordination, public participation and financing of plans and programs through work elements and scope of work. The OWP defines the annual scope of work and estimated costs tied to specific funding using four core Work Elements (WE) 7001 through 7004; work on Modoc County Transportation Commission (MCTC) policies (an on-going effort to develop and update policies and procedures), has been incorporated into WEs 7001 and 7003. One of the core products of the OWP is the Regional Transportation Plan (RTP). The OWP and RTP are consistent with federal and state planning goals, programs, plans and objectives; it represents a unified approach of the regional transportation (multimodal) network.

Some of the transportation plans (OWP and RTP), programs, and projects are interlinked including these key programs:

- Regional Transportation Improvement Program (RTIP)
- State Transportation Improvement Plan (STIP)
- Federal State Transportation Improvement Program (FSTIP)
- State Interregional Transportation Improvement Program (ITIP)
- State Highway Operation and Protection Program (SHOPP)

ORGANIZATION

The Modoc County Transportation Commission (MCTC) was created by the Transportation Development Act (TDA) and established by resolution of the Modoc County Board of Supervisors in 1972. The MCTC governing board consists of six regular and two alternate members; three regular and one alternate member are appointed each by the County of Modoc (County) and City of Alturas (City).

The MTA/Sage Stage governing board was established in 1997, specifically to operate public transit through a third-party contract operator. Although the MCTC and the MTA are separate and distinct entities, the composition of their governing boards and management staff includes the same persons or appointees. The MTA has been designated as the Consolidated Transportation Service Agency (CTSA) as defined by the TDA.

Three employees staff the offices and handle the day-to-day operations for the two separate local transportation entities. These positions include the Executive Director, Chief Fiscal Officer, and Executive Assistant Secretary. All operations are supported by dedicated transportation funding and grants from federal, State, and local transportation programs. State Rural Planning Assistance funds provide for transportation planning activities within the region and fund most of the work outlined in the OWP.

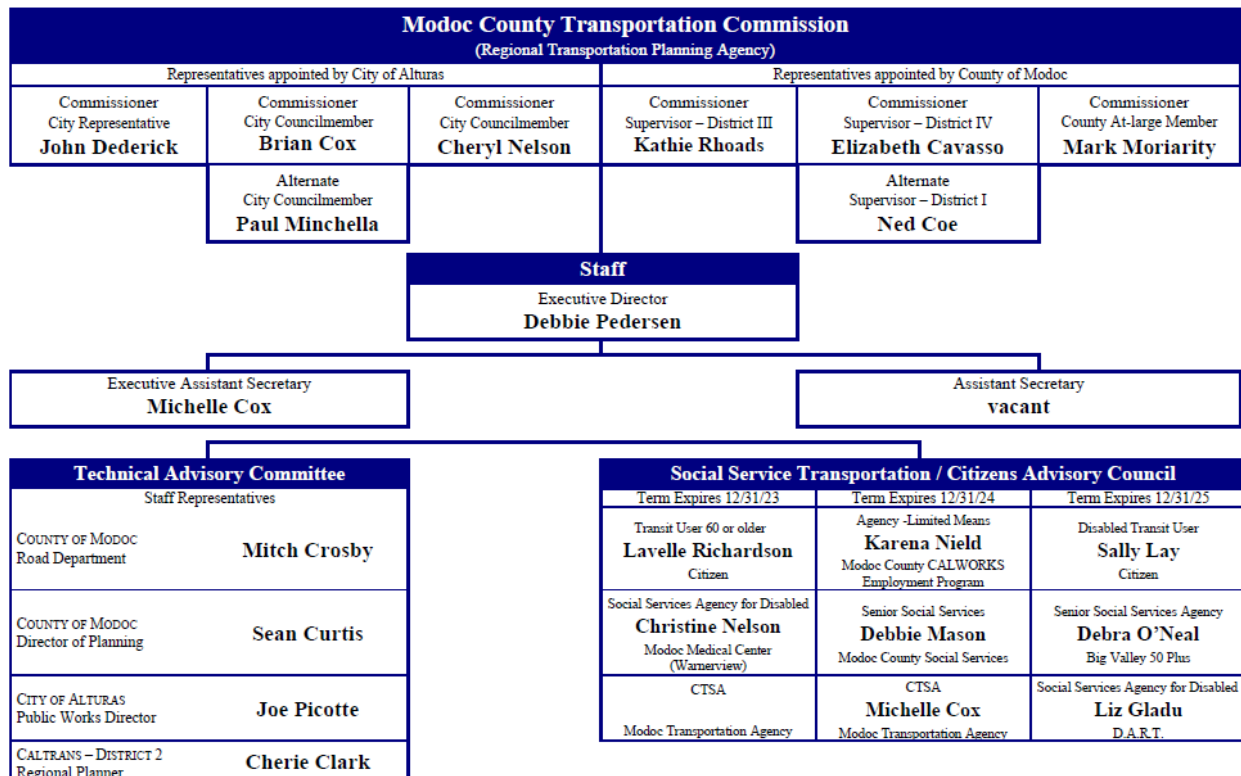
The Modoc Technical Advisory Committee (TAC) consists of representatives from related City and County road and public works departments, county planning Commission, and Caltrans District 2 staff. The TAC meets prior to each MCTC meeting to review and comment on the MCTC meeting agenda, report on the status of State Transportation Improvement Projects (STIP), and to provide input relative to their respective agency. The TAC provides technical assistance to the Commission and staff in various matters and activities relating to specific programs and projects.

The Social Service Transportation Advisory Committee (SSTAC) helps ensure broad citizen participation, assists with the annual Unmet Transit Needs Finding and subsequent MCTC TDA allocations. The SSTAC is a “mechanism to solicit input of transit dependent and transit disadvantaged persons, including the elderly, handicapped and persons of limited means.” Per legislative intent, the SSTAC also serves as the Citizens Advisory Committee (CAC) to facilitate

community and public input during regional transportation planning activities. Data and input gathered or updated annually are used to inventory existing public and social service agency transportation services, facilitate coordination of services, and to identify area gaps and needs.

The MCTC organization chart is displayed in Figure 2.

Figure 2 – Organization Chart



The Regional Planning Assistance funds assist MCTC in meeting State requirements for the RTP, RTIP, etc. In addition, the funds support efforts to assist with State highway projects within Modoc County. The Modoc TAC assesses what projects are needed within each of their jurisdictions and formulates a recommended RTIP to the MCTC. Staff assists the agencies with programming, timely use of funds, and other STIP milestones.

OVERALL WORK PROGRAM

MCTC is responsible for on-going administration and regional transportation planning based on the “3Cs” expressed in federal transportation law: continuing, cooperative, and comprehensive. Transportation goals and objectives are considered during the planning and programming processes. Each federal reauthorization specifies planning factors to guide continuing, cooperative, and comprehensive transportation planning, as on-going activities rather than a single completed action. Typically, federal agencies encourage planning organizations to focus work activities on broad planning objectives as relevant to their respective regions and local communities. State and local interests align with those objectives by providing common ground for shared approaches. It is noted that MCTC receives State Rural Planning Assistance funds (no federal funds) and uses the federal planning factors to develop planning goals consistent with our rural needs.

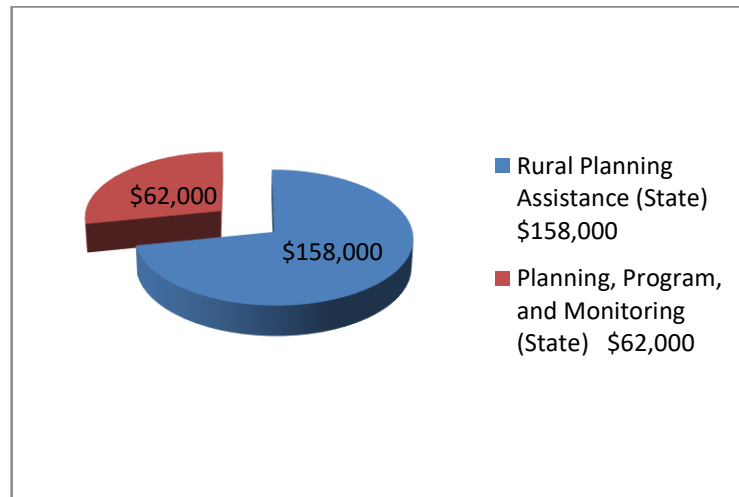
MCTC participates in area task force meetings, is a member of the North State Super Region, and ongoing government to government relations with our tribal governments in the region. The primary regional transportation concerns are to preserve, rehabilitate and improve safety on existing transportation facilities, and to coordinate project sequences and transportation services to maximize efficiency and effectiveness of all available funding.

REVENUE SOURCES

The FY 2023/24 Overall Work Program for the Modoc region uses total funding of \$220,000. The anticipated revenue sources are described by fund source below and amounts are included in Tables 1 and 2. This OWP is financed using a combination of State funding sources identified below, which are approved / revised by separate MCTC resolution:

Rural Planning Assistance funds - Provided by subvention through Caltrans, Rural RPA funds are estimated to be \$6.5 million, pending adoption of the State budget. RPA funds are available for specific eligible uses on a reimbursement basis with a maximum twenty-five percent (25%) carryover allowed between fiscal years.

State Transportation Improvement Program (STIP) Planning, Programming, and Monitoring (PPM) funds – The Commission may use up to five percent (5%) of its Regional Improvement Program (RIP) share for eligible PPM activities associated with the STIP requirements. MCTC provides support to the City and County for preparing Project Study Reports for STIP projects. In addition, these funds are utilized to support region wide transportation planning efforts (RTP, pavement management systems, etc.).

Table 1 FY 2023/24 Overall Work Program Funding**Table 2: Overview of Funding by Work Element**

WE	Subset	Description	PF*	RPA	% RPA	PPM	Total by WE
7001		OWP Development	1, 5-8	\$33,000	21%	\$15,000	\$48,000
7002		Public Participation and Interagency Coordination	2-10	\$39,000	25%	\$8,000	\$47,000
	7002.1	Public Participation Plan		\$500	0%	\$500	\$1,000
	7002.2	Title VI Plan-Non Transit		\$500	0%	\$500	\$1,000
7003		Regional Transportation System Management	1, 2, 4-7, 10	\$15,000	9%	\$3,000	\$18,000
	7003.1	Regional Transportation Plan		\$35,000	22%	\$25,000	\$60,000
	7003.2	Regional Transportation Improvement Program		\$4,000	3%	\$3,000	\$7,000
7004		Multimodal and Public Transportation	1-9	\$31,000	20%	\$7,000	\$38,000
Total by fund source				\$158,000	100%	\$62,000	\$220,000

*Planning Factors as defined in current the Federal Highway Act (FAST Act) and are included in Appendix C. Please Note: MCTC receives RPA State Funds and no Federal Planning Funds because we are a rural RTPA.

Work Element 7001 - OWP Development

Purpose

1. Provide for efficient and effective administration and implementation of the Overall Work Program.
2. Support the Modoc County Transportation Commission (MCTC), committees, and advisory groups; keep the public informed on transportation matters.
3. Manage the following: MCTC personnel, financial, and organizational policies, and procedures; daily operations and ensure compliance with applicable laws, rules, and regulations.
4. Manage, support, and maintain direct charges to all work elements and regional transportation planning processes.

Previous Tasks

Prepared the FY 2022/23 OWP/PPM Annual Budget; monitored revenues and expenditures, prepared materials for MCTC and TAC meetings, reviewed and approved OWP agreements, amendments, reimbursement requests, maintained organizational charts for MCTC and Committees and attended transportation planning workshops, meetings, and staff training.

Ongoing Tasks

- a. Prepare the OWP/PPM Annual Budget, draft and final OWP for upcoming year, and final expenditure report.
- b. Monitor expenditures and revenues in relation to the budget; prepare and manage MCTC RPA and PPM financials, reimbursement requests, and assess the need for amendments. OWP and PPM charges and revenues are tracked separately.
- c. Prepare agendas, minutes, legal notices (including publication costs), and staff reports for MCTC, TAC, and MCTC Committee meetings and workshops.
- d. Prepare correspondence, resolutions, and reports to communicate MCTC policies and procedures.
- e. Maintain the organizational charts for MCTC and MCTC Committees.
- f. Attend transportation planning workshops, meetings, conferences, including related staff training.

Products	Due Dates
Agendas, staff reports and minutes for board /advisory groups	Monthly
OWP quarterly reports with invoice for reimbursement	10/22; 01/23; 04/23; 07/23
Amendments to FY 2023/24 OWP	Mid-year, as needed
Prepared draft FY 2023/24 Overall Work Program (OWP)	Jan-Feb 2023
MCTC adopt Final 2023/24 OWP and execute agreements	By June 30, 2023
Execution of OWP agreements, and documents	On-going; Annually
Interagency communication: electronic mail, memos, and correspondence.	On-going
Maintain orderly files, archives, and reference library	On-going

Work Element 7001 Budget		
Type	Description	Amount
Revenues	RPA	\$ 33,000
	PPM	\$ 15,000
TOTAL		\$ 48,000
Expenditures	Staff	\$ 47,000
	Legal notices	\$ 1,000
TOTAL		\$ 48,000

Work Element 7002 – Public Participation and Interagency CoordinationPurpose

1. To encourage involvement and feedback during the continuous regional planning process, and to ensure compliance with State and federal requirements; and
2. To coordinate regional transportation planning through consultation and collaboration in these ways:
 - a. Integrate local land use and regional transportation planning.
 - b. Promote cooperation among regional, State and Federal agencies to enhance transportation planning; consult and coordinate with Caltrans, neighboring jurisdictions, and agencies to undertake transportation planning studies (e.g., corridor studies, project study reports, special studies, coordinated research, etc.).
 - c. Coordinate and consult with regional goods movement and freight providers.
 - d. Coordinate and consult with regional bicycle groups and promote walkable communities.
 - e. Review local agency goods movement and freight planning policies.
 - f. Work with partners to enhance movements of people, goods, services, and information.
 - g. Coordinate local transportation services with regional and interregional providers to improve connections, interregional mobility, and access to basic life activities.
 - h. Consult with and consider interests of the community, Native Americans (individuals), Tribes (sovereign nations), Latino groups, and all under-represented groups.

Previous Tasks

Prepared and published workshop and meeting notices for the Main Street Committee public outreach, documented communication files to monitor related inquiries, monitored Brown Act changes due to COVID restrictions, monitored, and attended City Council and County Board of Supervisor meetings for transportation related items, and provided information to public, organizations, and agencies regarding transportation related topics. Participated in the following meetings: Rural Counties Task Force, North State Super Region, DEAL East., District 2 Planning, Modoc CAPM PDTs, and other workshops.

Ongoing Tasks

- a. Prepare and publish workshop notices and maintain on-going communication elements.
- b. Continue coordination with goods movement industry and review and comment on plans and documents.
- c. Regularly consult, coordinate, and communicate with Tribal councils, disadvantaged and ethnic communities, and organizations to maintain good working relationships.
- d. Attend Project Development Team meetings for District 2 SHOPP projects and Clean California Program funded project(s).
- e. Administer public notification in accordance with the Brown Act. Attend training for the Act to maintain compliance.
- f. Monitor local government and agency meeting agendas (City Council, County Board of Supervisors, social service agencies, Tribal Councils); attend meetings for topics related to regional transportation and multimodal issues. Document outcomes.
- g. Participate in local economic development meetings to help integrate transportation and community goals for land use, economic vitality, social welfare, and environmental preservation.
- h. Provide information and documents about regional transportation issues to interested parties and organizations.

- i. Prepare newspaper articles, press releases, display ads and other informational materials related to project planning, workshops, program development, preparation of RTIPs, etc.
- j. Use partnerships, collaborations, and consultation to identify and implement policies, strategies, programs, and projects to enhance regional movements of people, goods, services, and information.
- k. Participate in Rural County Task Force (RCTF), Regional Transportation Planning Agency (RTPA) group, NSSR, District 2 RTPA Task Force and District External Advisory Liaison (DEAL) East meetings and other workshops, as reasonable and feasible.
- l. Consult via regional, state, and federal policy and technical advisory committees.
- m. Participate in relevant coordination training, workshops, and conferences.
- n. Serve as local clearinghouse for transportation funding opportunities – grants and programs.
- o. Assist transportation planning, programming, and monitoring activities for specific RTIP projects.

Products	Due Dates
Materials for public hearings, workshops, and meetings, including surveys and fact sheets.	As needed
Press releases, public service announcements and public notices for project planning workshops, preparation of RTIPs and varied supporting studies.	As required
Maintained current (interested parties) mailing list.	On-going
Documented Tribal Government-to-Government relations.	On-going
Attended PDT meetings for the Alturas and Cedarville CAPM projects. Provided information and contacts to assist the Project Development Team.	Quarterly/as scheduled

Work Element 7002 Budget		
Type	Description	Amount
Revenues	RPA	\$ 39,000
	PPM	\$ 8,000
TOTAL		\$ 47,000
Expenditures	Staff	\$ 47,000
TOTAL		\$ 47,000

Work Element 7002.1 – Public Participation Plan

Purpose

Review and revise the Public Participation Plan to ensure that all opportunities for involvement and feedback are included; ensure compliance with State and Federal requirements.

Previous Tasks

Reviewed RTPAs PPP and researched outreach methods.

Ongoing Tasks

- a. Research public participation opportunities and in preparation for the 2025 update..

Products	Due Dates
Review and revise PPP	As needed
MCTC adopt updated PPP	Feb 2025
Post PPP to MCTC Website	As updated

Work Element 7002.1 Budget		
Type	Description	Amount
Revenues	RPA	\$ 500
	PPM	\$ 500
TOTAL		\$ 1,000
Expenditure	Staff	\$ 1,000
TOTAL		\$ 1,000

Work Element 7002.2 – Title VI (non-transit)Purpose

To ensure that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of its program, activities, or services based on race, color, or national origin. All persons, regardless of their citizenship, are covered under this regulation to comply with State and federal regulations.

Previous Tasks

Prepared and adopted the FTA Title VI Plan February 2, 2021; posted the plan to MCTC website Feb 4, 2021.

Ongoing Tasks

- a. Monitor State and Federal Transit Administration regulations to maintain compliance.
- b. Amend the plan as needed.

Products	Due Dates
Revised Title VI Plan/new draft Title VI Plan	As needed
Final updated Title VI Plan	Feb 2024
Post Plan MCTC Website	As updated

Work Element 7002.2 Budget		
Type	Description	Amount
Revenues	RPA	\$ 500
	PPM	\$ 500
TOTAL		\$ 1,000
Expenditures	Staff	\$ 1,000
TOTAL		\$ 1,000

Work Element 7003 - Regional Transportation System Management

Purpose

1. Determine and establish policies, safety needs, deficiencies and multimodal improvement programs for streets, roads, and highways in the region, coordinating with local transportation partners and Caltrans, particularly District 2 staff, and functional units including project coordination meetings and attend project development team meetings.

Previous Tasks

Coordinated with Caltrans District 2 on outreach for Main Street Design Committee; managed and maintained the Pavement Management System. Performed outreach and supported multimodal improvements. Reviewed RTP consistency with agency's plans and programs. Assisted transportation partners (City, County, and Lake Rail) regarding funding programs and transportation grant applications. Participated as a stakeholder for the Modoc County Local Road Safety Plan.

Ongoing Tasks

- a. Review RTP consistency with plans and programs.
- b. Consult extensively with shareholders and the public, including outreach to targeted minority groups, regarding regional transportation projects.
- c. Meet with local agencies regarding their efforts to maintain and improve airports, including annual visits, and monitor maintenance of and improvements to general aviation facilities within the region.
- d. Consult with Tribal Governments and advisory groups for various transportation plans and projects. Meet with area Tribes to discuss projects in the region.
- e. Meet with County of Modoc Road and Planning Departments, City of Alturas Public Works, Caltrans, Tribal Governments, transportation providers, and stakeholders.
- f. Manage the Pavement Management System.

Products	Due Dates
Meeting agendas for committees related to b, e, and f, above.	Ongoing as needed
Document consultation and advisory meeting outcomes.	Ongoing
Pavement Condition data.	Ongoing
Responses to survey/information requests from Caltrans, agencies, and organizations.	As requested
Final/submitted regional transportation grant applications.	By deadlines
Provided support letters for local agency transportation grants.	As requested

Work Element 7003 Budget		
Type	Description	Amount
Revenues	RPA	\$ 15,000
	PPM	\$ 3,000
TOTAL		\$ 18,000
Expenditures	Staff	\$ 18,000
TOTAL		\$ 18,000

Work Element 7003.1 - Regional Transportation Plan

Purpose

1. Update elements of the Regional Transportation Plan (RTP) – in collaboration with federal, State, and local agencies, Caltrans, and the public to maintain consistency with State laws and guidelines and local General and Housing plans.

Previous Tasks

Reviewed 2020 Census data for use in the 2024 RTP update. Reviewed the RTP for grant application consistency.

Ongoing Tasks

- a. Review projects for consistency with the RTP.
- b. Amend the Regional Transportation Plan as needed.
- c. Begin developing the 2024 Regional Transportation Plan.

Products	Due Dates
2019 Regional Transportation Plan amendments	As needed
Confirmed consistency between the Regional Transportation Plan and regional projects programmed with various State and Federal funds.	Ongoing
Updated demographics data.	Ongoing/2024 RTP
Prepared CEQA and circulate draft/adopt final CEQA (NOD)	November 2024
Updated maintained mileage inventory and pavement condition surveys	Ongoing/2024 RTP

Work Element 7003.1 Budget		
Type	Description	Amount
Revenues	RPA	\$ 35,000
	PPM	\$ 25,000
TOTAL		\$ 60,000
Expenditures	Staff	\$ 60,000
TOTAL		\$ 60,000

Table 3 2024 RTP Update Timeline and Deliverables

2024 Regional Transportation Plan Update Tentative Project Timeline/Deliverables						
	Fiscal Year 23/24					
	Jan	Feb	Mar	Apr	May	Jun
Outreach - Prepare Draft						
Solicit Agency input						
Update Data						
Gov't to Gov't Meetings						
Draft RTP						
Prepare draft and checklist						
Circulate draft to Agencies						

Work Element 7003.2 - Regional Transportation Improvement Program

Purpose

1. To develop the RTIP following the CTC's Fund Estimate
2. Assist Agencies in project delivery, STIP amendments/allocations, and monitor timely use of funds.

Previous Tasks

Assisted agencies with STIP Amendments and Time Extensions. Attended the CTC Workshops regarding timely use of funds modifications and COVID Relief Funding. Submitted a letter to the CTC regarding not programming any new projects in the 2022 RTIP due to reduced county shares.

Ongoing Tasks

- a. Assist agencies with STIP Amendments and Time Extensions.
- b. Attend CTC workshops to discuss the Fund Estimate.
- c. Attend Coordination meetings with District 2 for potential partnership projects.
- d. Support the development of Project Study Reports, STIP Amendments, monitor timely use of funds.
- e. Conduct interagency and public outreach during the development of the RTIP.
- f. Facilitate interagency collaboration to identify and develop new projects, explicitly integrating environmental considerations for efficient and timely project delivery.
- g. Participate during CTC, Caltrans HQ and D2, RCTF, NSSR and RTPA group meetings / workshops regarding RTIP / STIP preparation, adoption, guidelines development, project criteria, etc.
- h. Coordinate with CTC staff to process STIP amendments and assess funding options; support agency projects and address project issues.

Products	Due Dates
RTIP/STIP amendments, allocation requests, time extensions, etc.	Ongoing; As needed
Review the draft and final Fund Estimate	June-Aug 2023
Set targets for agencies; review programming documents for consistency with STIP Guidelines	June-Sept 2023
Adopt the 2024 RTIP and submit to the California Transportation Commission	By Dec 15, 2023
Manage adopted STIP - Timely use of funds, allocations, etc.	Ongoing

Work Element 7003.2 Budget		
Type	Description	Amount
Revenues	RPA	\$ 4,000
	PPM	\$ 3,000
TOTAL		\$ 7,000
Expenditures	Staff	\$ 7,000
TOTAL		\$ 7,000

Work Element 7004 – Multimodal and Public Transportation

Purpose

1. To review and comment on various projects for transportation impacts.
2. Ensure consistency with the Regional Transportation Plan.
3. Coordinate among public, private, Tribal, and social service transportation providers to support regional mobility.
4. Continuity between the Modoc Public Transit / Social Services Transportation - Coordination Plan document and the Modoc Regional Transportation Plan (RTP) document.

Previous Tasks

Updated the Coordinated Public Transit – Human Services Transportation Plan December 2019 and posted it to the MCTC website. Provided Lake Rail’s dba Goose Lake Rail application for and award of a Short Line Rail Improvement Program grant. Provided support for the Modoc County’s Alternative Transportation Plan grant application. Investigated the viability of a Bicycle Transportation Plan; Modoc is a small rural area. The climate is not conducive for bicycle commuters about 7-9 months of the year (high terrain, low winter temperatures, snow, ice, etc.). ATP and Bicycle projects are in the 2019 Modoc RTP. Updated the Transit Asset Management Plan.

Ongoing Tasks

- a. Continue to support regional agency’s efforts to enhance bicycle and pedestrian options; provide RTPA support for local agency grant applications/projects.
- b. Monitor activities related to non-motorized transportation (bicycle, pedestrian, and transit), general aviation airports within the region, and rail transportation plus ancillary activities, including railroad museum and support *Rails to Trails* initiatives and provide information on grants that may be beneficial to related agencies.
- c. Revise and circulate surveys; assess existing and proposed services regarding public transportation, and multimodal needs. Update the Transit Asset Management Plan.
- d. Attend community meetings to discuss and promote multimodal options.
- e. Identify funding opportunities to support multimodal opportunities, community transportation, planning, and coordination of regional transportation services.
- f. Provide information to local partners about Alternative Transportation Program (ATP) funding cycles. Work with public health departments to support walkable communities.

Products	Due Dates
Provided support letters, resolutions, and assistance for agency’s multimodal grant applications	On-going, as needed
Completed surveys and utilize the information in transportation plans and services.	On-going, as needed
Updated the Transit Asset Management Plan	Dec 2023

Work Element 7004 Budget		
Type	Description	Amount
Revenues	RPA	\$ 31,000
	PPM	\$ 7,000
TOTAL		\$ 38,000
Expenditures	Staff	\$ 38,000
TOTAL		\$ 38,000

Appendix A

Certifications and Assurances

Certifications and Assurances

Fiscal Year 2023

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision. Refer to FTA's accompanying Instructions document for more information.

Text in italics is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

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- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

Certifications and Assurances

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- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
 - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - (2) Notification of violating facilities pursuant to EO 11738;
 - (3) Protection of wetlands pursuant to EO 11990;
 - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
 - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
 - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

Certifications and Assurances

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- animals held for research, teaching, or other activities supported by this award of assistance.
- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
 - (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, "Audit Requirements", as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
 - (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
 - (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:
 - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
 - (3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget's standard form 424D "Assurances—Construction Programs" and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work confirms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

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1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.324, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.326 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

Certifications and Assurances

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- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.

The applicant certifies:

- (a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (a) The applicant certifies that the applicant has not furloughed any employees.

1.6. American Rescue Plan Act Funding.

The applicant certifies:

- (a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA's state safety oversight programs, and each State that is required to draft and certify a public transportation agency safety plan on behalf of a small public transportation provider pursuant to 49 CFR § 673.11(d). This certification is required by 49 U.S.C. § 5329(d)(1) and 49 CFR § 673.13.

This certification does not apply to any applicant that receives financial assistance from FTA exclusively under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs.

If the applicant is an operator, the applicant certifies that it has established a public transportation agency safety plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673.

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If the applicant is a State, the applicant certifies that:

- (a) It has drafted a public transportation agency safety plan for each small public transportation provider within the State, unless the small public transportation provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own public transportation agency safety plan; and
- (b) Each small public transportation provider within the State has a public transportation agency safety plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5) and Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2021, Pub. L. 116-260, div. E, title VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.

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This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

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

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

4.2. Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

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Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
 - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:

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- (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
- (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
- (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 CFR Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.**7.1. Rolling Stock Buy America Reviews.**

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will

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receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;
- (c) Will maintain equipment and facilities in accordance with the applicant’s transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);

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- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
 - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
 - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and

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- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

**CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE
EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS
PILOT PROGRAM.**

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act's Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

**CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO
EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.**

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula

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Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

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- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act ("TIFIA") Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks ("SIB") Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

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Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA's Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA's regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 672, "Public Transportation Safety Certification Training Program"; and
- (b) Compliant with the requirements of 49 CFR Part 674, "State Safety Oversight".

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;

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- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), "flex funds" from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v), a new subsection added by the National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116-92, § 7613 (Dec. 20, 2019). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

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**CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS
FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT
PROGRAMS).**

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
 - (1) It will have a procurement system that complies with U.S. DOT regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR Part 200, for Awards made on or after December 26, 2014,
 - (2) It will have a procurement system that complies with U.S. DOT regulations, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
 - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
 - (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
 - (2) Category 06 (Transit Asset Management Plan),

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- (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
- (4) Category 09 (Formula Grants for Rural Areas),
- (5) Category 15 (Alcohol and Controlled Substances Testing), and
- (6) Category 17 (Demand Responsive Service).

CATEGORY 21. EMERGENCY RELIEF PROGRAM.

An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

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**FEDERAL FISCAL YEAR 2023 CERTIFICATIONS AND ASSURANCES FOR FTA
ASSISTANCE PROGRAMS**

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: Modoc County Transportation Commission

The Applicant certifies to the applicable provisions of all categories: (*check here*) X.

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

Certifications and Assurances

Fiscal Year 2023

12	Enhanced Mobility of Seniors and Individuals with Disabilities Programs	_____
13	State of Good Repair Grants	_____
14	Infrastructure Finance Programs	_____
15	Alcohol and Controlled Substances Testing	_____
16	Rail Safety Training and Oversight	_____
17	Demand Responsive Service	_____
18	Interest and Financing Costs	_____
19	Cybersecurity Certification for Rail Rolling Stock and Operations	_____
20	Tribal Transit Programs	_____
21	Emergency Relief Program	_____

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**AFFIRMATION OF APPLICANT**Name of the Applicant: Modoc County Transportation Commission

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted 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 provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

Certifications and Assurances

Fiscal Year 2023

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 accurate.

Signature  Date: March 17, 2023

Name Debbie Pedersen Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Modoc County Transportation Commission

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, 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 it.

I further affirm 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 its FTA assisted Award.

Signature  Date: 03/20/2023

Name DeeAnne Gillick Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

Appendix B- **Debarment and Suspension Certification**

Fiscal Year 2023/2024 California Department of Transportation Debarment and Suspension Certification


*As required by U.S. DOT regulations on governmentwide Debarment and Suspension
(Nonprocurement), 49 CFR 29.100:*

- 1) The Applicant certifies, to the best of its knowledge and belief, that it and its contractors, subcontractors and subrecipients:
 - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b) Have not, within the three (3) year period preceding this certification, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) transaction or contract under a public transaction, violation of Federal or state antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state, or local) with commission of any of the offenses listed in subparagraph (1)(b) of this certification; and
 - d) Have not, within the three (3) year period preceding this certification, had one or more public transactions (Federal, state, and local) terminated for cause or default.
- 2) The Applicant also certifies that, if Applicant later becomes aware of any information contradicting the statements of paragraph (1) above, it will promptly provide that information to the State.
- 3) If the Applicant is unable to certify to all statements in paragraphs (1) and (2) of this certification, through those means available to Applicant, including the General Services Administration's *Excluded Parties List System (EPLS)*, Applicant shall indicate so in its applications, or in the transmittal letter or message accompanying its annual certifications and assurances, and will provide a written explanation to the State.

**CALIFORNIA DEPARTMENT OF TRANSPORTATION
DEBARMENT AND SUSPENSION CERTIFICATION
FISCAL YEAR 2023/2024**

SIGNATURE PAGE

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 March 17, 2023

Printed Name Debbie Pedersen

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has the 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, these certifications and assurances have been legally made and constitute legal and binding obligations of 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 described project.

AFFIRMATION OF APPLICANT'S ATTORNEY

For Modoc County Transportation Commission (Name of Applicant)

Signature  Date 03/20/2023

Printed Name of Applicant's Attorney DeeAnne Gillick

Appendix C

2023 Planning Factors and Planning Emphasis Areas

Please Note: MCTC is a Rural RTPA and does not receive any Federal Planning funding, only State Regional Planning Assistance (RPA) and Planning and Program Monitoring (PPM) funding.

- 1.Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
- 2.Increase the safety of the transportation system for motorized and non-motorized users
- 3.Increase the security of the transportation system for motorized and non-motorized users
- 4.Increase accessibility and mobility of people and freight
- 5.Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns
- 6.Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight
- 7.Promote efficient system management and operation
- 8.Emphasize the preservation of the existing transportation system
- 9.Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation
- 10.Enhance travel and tourism

The Federal and California Planning Emphasis Areas (PEAs)

- 1.Tackling the Climate Crisis – Transitioning to a Clean Energy, Resilient Future
- 2.Equity and Justice 40 in Transportation Planning
- 3.Complete Streets
- 4.Public Involvement
- 5.Strategic Highway Network (STRAHNET)/U.S. Department of Defense (DOD) Coordination
- 6.Federal Land Management Agency (FLMA) Coordination
- 7.Planning and Environmental Linkages (PEL)
- 8.Data in Transportation Planning

MODOC COUNTY TRANSPORTATION COMMISSION

RESOLUTION No. 23-02

FY 2023/24 Unmet Transit Needs Finding and Reasonable to Meet Criteria

WHEREAS, the Modoc County Transportation Commission (MCTC) is the regional transportation planning agency with responsibility to allocate Transportation Development Act (TDA) funding;

WHEREAS, the California Public Utilities Code, Section 99401.5 (TDA) requires the MCTC to define “Unmet Transit Needs” and “transit needs that are reasonable to meet;”

WHEREAS, the MCTC hereby defines “Unmet Transit Needs” as travel by public transit (bus) for the following purposes:

1. Trips made by the general public, including elderly and handicapped, within the region to access the following services in order of priority:
 - a) to obtain non-emergency medical and health care services;
 - b) to attend school, college or programs for functioning individuals, who are elderly or disabled as defined by the Americans with Disabilities Act (ADA);
 - c) to obtain, maintain or prepare for employment, including vocational training, college and workshops teaching job search or employment skills;
 - d) to shop for food, clothing or specialized items;
 - e) to transact personal business, such as banking, paying bills, posting mail, etc.; and
 - f) for religious, social and recreational purposes.

WHEREAS, the MCTC hereby defines “transit needs that are reasonable to meet,” as it pertains to the allocation of regional TDA funds as follows:

An operation that provides public transit services to the general public, including school aged children, for established fares originating in Modoc. Said service must demonstrate that it meets and maintains compliance with the: California State Controller’s Office, Highway Patrol, Public Utilities Commission and Departments of Transportation and Motor Vehicles; Nevada and Oregon Departments of Transportation, Highway Patrols and Motor Vehicles; and U.S. Department of Transportation Federal Transit Administration, Federal Highway Administration, and Federal Motor Carrier Safety Administration.

WHEREAS, the MCTC hereby establishes a farebox ratio of 10% as required by the Transportation Development Act § 99268.4 that one paying fare is required for an intercity service to operate and services and or routes funded with other grants are provided TDA funding priority.

NOW, THEREFORE BE IT RESOLVED, that the Modoc County Transportation Commission hereby adopts this resolution and a) finds that there are Unmet Transit Needs including those that are reasonable to meet; b) defines reasonable to meet transit needs; and c) establishes criteria for public transit operations serving the Modoc County region.

BE IT FURTHER RESOLVED THAT nothing in this resolution construes that any jurisdiction has financial responsibility beyond available Transportation Development Act funding.

PASSED AND ADOPTED this 4th day of April 2023 by the following vote:

AYES: Commissioners:

NOES:

ABSENT: Commissioners:

John Dederick, Chairman
Modoc County Transportation Commission

ATTEST:

Debbie Pedersen, Executive Director
Modoc County Transportation Commission

MODOC COUNTY TRANSPORTATION COMMISSION
RESOLUTION No. 23-03

FY 2023/24 Local Transportation Fund (LTF)
FY 2023/24 State Transit Assistance Fund (STAF) and
FY 2023/24 State of Good Repair (SGR)
Allocation Instructions

WHEREAS, the California Code of Regulations, Title 21, Division 3, Chapter 2, Article 3, Section 6620 requires the County Auditor and the State Board of Equalization, prior to February 1 of each year, to provide MCTC with an estimate of moneys to be available for apportionment and allocation during the ensuing fiscal year and are estimated as follows:

Fiscal Year 2022/23 LTF is estimated at \$290,000

Fiscal Year 2022/23 STAF is estimated at \$112,526

Fiscal Year 2022/23 SGR is estimated at \$15,116; and

LTF Allocation Instructions:

WHEREAS, the California Public Utilities Code, Chapter 4, also known as the Transportation Development Act (TDA) Article 3, Section 99230 annually requires the regional transportation planning agency or the Modoc County Transportation Commission (MCTC) to determine Local Transportation Fund (LTF) allocations; and

WHEREAS, the California Code of Regulations, Title 21, Division 3, Chapter 2, Article 5, Section 6659 requires MCTC to convey allocation instructions to the County Auditor by the resolution to authorize allocation; and

WHEREAS, as the sole public transit operator in the region, the Modoc Transportation Agency (MTA) shall operate the *Sage Stage Bus* to provide fixed-route with deviation services from Alturas to Klamath Falls, Reno/Susanville, Redding; and Dial-A-Ride service within 10-miles of Alturas in accordance with local performance criteria adopted by MCTC Resolution No. 23-02, and

WHEREAS, California Public Utilities Code section 99233.1 authorizes the MCTC as eligible claimant for administration of TDA activities as necessary; and

WHEREAS, the MCTC hereby instructs the County Auditor to pay Local Transportation Funds (Trust Fund 255) as they become available and as requested by the Chairman or Executive Director for the following total amounts:

LTF - MCTC Administration	\$ 140,000
LTF - MTA Transit Operations	\$ 40,050
LTF - City of Alturas	\$ 32,468
LTF - County of Modoc	\$ 77,482
Total FY 2023/24 LTF	\$ 290,000

STA Allocation Instructions:

WHEREAS, the California Public Utilities Code, Chapter 4, also known as the Transportation Development Act (TDA), Article 6.5, Section 99314.3 requires the Modoc County Transportation Commission (MCTC) to annually allocate the State Transit Assistance Fund (STAF) apportionment to public transit operators in its jurisdiction; and

WHEREAS, the California Code of Regulations (CCR), Title 21, Chapter 3, Subchapter 2.5, Article 5, Section 6753 requires the MCTC to adopt a resolution for allocating STAF that defines the effective fiscal year, amount and any terms and conditions; and Section 6754 requires the MCTC to make applicable findings within the resolution; and

WHEREAS, as the sole public transit operator in the region, the Modoc Transportation Agency (MTA) shall operate the *Sage Stage Bus* to provide intercity service with deviation services from Alturas to Klamath Falls,

Reno through Susanville, Redding, Canby and Dial-A-Ride service within 10-miles of Alturas in accordance with local performance criteria adopted April 4, 2023 by MCTC Resolution No. 23-02; the proposed expenditures are in conformity with the Regional Transportation Plan, the level of passenger fares and charges meets the fare revenue requirements of TDA, and the MTA is making full use of federal funds available under the Urban Mass Transportation Act of 1964 as amended; and

WHEREAS, the MCTC hereby instructs the County Auditor to transfer funds from Trust Fund 257, as funds become available and as requested by the Chairman or Executive Director as follows:

STAF to MTA Transit Operations - \$112,526

SGR to MTA Transit Capital - \$15,116

NOW, THEREFORE BE IT RESOLVED that the Modoc County Transportation Commission hereby adopts this resolution allocating Transportation Development Act (LTF and STAF) to the MCTC for administration costs and the Modoc Transportation Agency to provide contracted public transit services that satisfy reasonable unmet transportation needs, and that such services were coordinated with existing transportation providers in accordance with the TDA, Article 8, Section 99400(c), (d) and (e).

PASSED AND ADOPTED this 4th day of April 2023 by the following vote:

AYES: Commissioners:

NOES: None:

ABSENT: Commissioners:

John Dederick, Chairman

ATTEST:

Debbie Pedersen, Executive Director

LOCAL TRANSPORTATION FUND (LTF) AND STATE TRANSIT ASSISTANCE (STA) FUND
ANNUAL PROJECT AND EXPENDITURE PLAN

Claimant: Modoc County Transportation Commission

Fiscal Year 2023-24

See Chapter 10 of MCTC's Transportation Development Act Workbook for detailed instructions on how to complete this form.

PROJECT TITLE	SOURCE OF FUNDING						TOTAL
	TDA - LTF		TDA - STA		Local Fund Balance	Other	
	LTF \$ amount	PUC Article & Section	STA \$ amount	CCR Section			
							-
Administration	140,000.00	Article 8 / 99400(d)					140,000.00
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LOCAL TRANSPORTATION FUND (LTF) AND STATE TRANSIT ASSISTANCE (STA) FUND
ANNUAL PROJECT AND EXPENDITURE PLAN

Claimant: Modoc Transportation Agency

Fiscal Year 2023-24

See Chapter 10 of MCTC's Transportation Development Act Workbook for detailed instructions on how to complete this form.

PROJECT TITLE	SOURCE OF FUNDING						TOTAL
	TDA - LTF		TDA - STA		Local Fund Balance	Other	
	LTF \$ amount	PUC Article & Section	STA \$ amount	CCR Section			
							-
Transit Operations	\$40,050.00	Article 8 / 99400 (c)	\$112,526.00	21 CCR6731(b)			152,576.00
Transit Capital (SGR)			15,116.00	99313 / 99314			15,116.00
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MODOC COUNTY TRANSPORTATION COMMISSION
RESOLUTION No. 23-01
Fiscal Year (FY) 2023/24 Budget

WHEREAS, the Modoc County Transportation Commission (MCTC) is responsible for adopting an annual Budget each fiscal year that identifies anticipated revenues and expenditures; and

WHEREAS, the MCTC apportioned the FY 2023/24 Transportation Development Act (TDA) funds on April 4, 2023, in the Findings of Apportionment and MCTC Resolution 23-03 for LTF and STAF Allocation instructions to claimants MCTC planning & administration, the Modoc Transportation Agency/Transit Operations, the Modoc County Road Department and the City of Alturas; and

WHEREAS, the MCTC FY 2023/24 Budget, as shown in Attachment A, includes revenues from TDA Funds, Regional Planning Assistance, and State Transportation Improvement Program (STIP) Planning, Programming, and Monitoring (PPM) funds, Regional Surface Transportation Program funds and programs identified in Resolution 22-06 Authorized Signatories for Plans and Programs; and

WHEREAS, the MCTC FY 2023/24 Budget, as shown in Attachment A, identifies estimated expenditures to administer the revenue from the Commission grants and programs; and

WHEREAS, the MCTC authorizes the Executive Director or Chairman to modify line item amounts within the budget for daily operations so long as the overall revenues and expenditures are in accordance with amounts shown in Attachment A, and with subsequent approval by MCTC.

NOW, THEREFORE, BE IT RESOLVED that the Modoc County Transportation Commission hereby adopts the FY 2023/24 MCTC Budget (\$472,028).

PASSED AND ADOPTED this 4th day of April, 2023 by the following vote:

AYES:	Commissioners:
NOES:	None:
ABSENT:	Commissioners:

ATTEST:

John Dederick, Chairperson

Debbie Pedersen, Executive Director

Modoc County Transportation Commission
FY 2023/24 Budget
Resolution 23-01 - Attachment A

Adopted 04/04/23 (Res. 23-01)		
<u>REVENUES</u>	Operating	LTF Trust Acct
Local Transportation Fund (LTF)		
Estimate - Sales Tax Revenues (FY 23/24)	\$ 140,000	
LTF Trust Account (MCTC)		\$ 109,950
Special Programs		
Rural Planning Assistance (FY 23/24)	\$ 158,000	
STIP PP&M - FY 23/24 (\$40k PPM) (\$22k COVID)	\$ 34,000	
RSTPG (23/24) Estimate	\$ 30,078	
Tota Revenues	\$ 362,078	\$ 109,950
	\$	472,028
<u>EXPENSES</u>		
Commissioner Per Diem Expenses	\$ 8,400	
Facility Lease & Overhead Agreement	\$ 17,200	
Insurance (Building & Liability)	\$ 20,000	
IT Equipment (Computers, Misc.)	\$ 1,000	
Legal Notices	\$ 1,000	
Office Supplies	\$ 2,000	
Planning Support & Services	\$ 4,978	
Professional / Specialized		
Accounting / Auditor Services	\$ 39,000	
Actuarial Audit / GASB 68	\$ 5,000	
Payroll Services/PARS Admin	\$ 9,000	
Pavement Management System	\$ 5,500	
IT Service & Support (<i>Monthly Services</i>)	\$ 10,000	
Legal Services	\$ 5,000	
Miscellaneous Services	\$ 1,000	
Salaries / Labor	\$ 230,000	
Travel / Staff Training / Memberships	\$ 3,000	
<u>CAPITAL, RESERVE & TRUST</u>		
LTF to City of Alturas (FY 23/24)		\$ 32,468
LTF to County of Modoc (FY 23/24)		\$ 77,482
Total Expenses	\$ 362,078	\$ 109,950
	\$	472,028

MODOC COUNTY TRANSPORTATION COMMISSION
RESOLUTION No. 23-04

STIP Planning, Programming and Monitoring (PP&M) Funds
FY 2023/24 (\$34,000)

WHEREAS, the State Transportation Improvement Program (STIP) allows up to five percent (5%) of the Regional STIP county share to be used for Planning, Programming, and Monitoring (PP&M); and

WHEREAS, the California Transportation Commission adopted the 2022 STIP March 16, 2022, which programmed \$34,000 in FY 2023/24 to the Modoc County Transportation Commission for Planning, Programming and Monitoring funds (PPNO 2051); and

WHEREAS, the State Department of Transportation will remit the FY 2023/24 PP&M to the Modoc County Transportation Commission for said purposes upon execution of fund transfer agreement and other required documents.

NOW, THEREFORE, BE IT RESOLVED that the Modoc County Transportation Commission hereby authorizes staff to request allocation of FY 2023/24 STIP PP&M funds (\$34,000); execute the Fund Transfer Agreement between the State of California and the Modoc County Transportation Commission; directs staff to administer said funds.

PASSED AND ADOPTED this 4th day of April 2023 by the following vote:

AYES: Commissioners:

NOES:

ABSENT: Commissioners:

John Dederick, Chairman

ATTEST:

Debbie Pedersen, Executive Director

04/05/22 Mtg



MODOC COUNTY
TRANSPORTATION COMMISSION

Modoc County Transportation Commission
108 S. Main Street
Alturas, CA 96101
(530) 233-6410 Phone

ATTACHMENT A

MCTC Resolution No. 23-04

**STIP Planning, Programming and Monitoring Activities Plan
FY 2023/24 (\$34)**

Lead Agency

MCTC

Time period

07/01/23-06/30/25

Activity

Amount

Admin, IT & Equip Support	\$ 5,000
Public Participation and Coordination	\$ 8,000
Public Participation Plan	\$ 500
Title VI Plan - non transit	\$ 500
Regional Transportation System Management	\$ 5,000
Regional Transportation Plan	\$ 6,000
Regional Transportation Improvement Program	\$ 6,000
Multimodal & Public Transportation	\$ 3,000

Total \$ 34,000

Report to Modoc County Transportation Commission	
Subject Agency Updates and Project Status Reports	Meeting Date April 4, 2023
Presented by Each Respective Agency	Agenda Item 6

a. Alturas Public Works Dept. - City Streets

Joe Picotte/Brian Cox/Dorothy Long

- West 8th Street (PPNO 2584)
- Court Street (PPNO) 2591
- East St.

b. Modoc County Road Dept. - County Roads

Mitch Crosby

- County Road 111 (PPNO 2581) – PS&E phase
- CR 55 (PPNO 2438) – E&P phase – Time extension for E&P submitted to Caltrans
- Active Transportation Program Cycle 6 – Cedarville Pedestrian Improvements
- County Clean California grant – Veteran’s Memorial Part Improvements

c. Caltrans District 2 – Regional Planning Liaison

Cherie Clark

- Update on the State Clean California projects in Modoc County.

d. MCTC -

Debbie Pedersen

- Sustainable Planning Grants – Short Range Transit Plan

Report to Modoc County Transportation Commission	
Subject Staff Update and Calendar	Meeting Date April 4, 2023
Presented by Debbie Pedersen, Executive Director	Agenda Item 7

Staff Updates, Correspondence, and Calendar

Heather Kolsen has been hired as an Assistant Secretary I; her first day of work was April 3, 2023.

Calendar

MCTC Meeting schedule – 1:30 Sage Stage Conference Room, Alturas, CA 96101

- 06/06/23
- 08/08/23

Modoc TAC Meeting Schedule - 1:00 p.m. Sage Stage Conference Room, 108 S Main St., Alturas

- 05/10/23
- 07/05/23

Office Holiday Schedule

- 05/29/23 - Memorial Day
- 07/04/23 – Independence Day