

DEPARTMENT OF TRANSPORTATION
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*Flex your power!
Be energy efficient!*

February 8, 2016

To : SECTION 5311 PROJECT APPLICANT:

This letter is to provide you pre-award authority under the Federal Transit Administration (FTA) Section 5311 (non-urban) Program for Federal Fiscal Year (FFY) 2016. The purpose of pre-award authority is to allow the California Department of Transportation (Caltrans), as well as the subrecipient, to incur expenses before the grant is awarded by the FTA. Before such authority can be approved by Caltrans, there are certain FTA requirements and conditions that must be met in order for subrecipients to be reimbursed for project expenditures incurred in advance of a grant award.

Caltrans, as the direct recipient of the grant, is responsible for ensuring that all requirements are met before granting such authority. If funds are expended for an ineligible project or activity, the FTA will be unable to reimburse Caltrans, as well as the subrecipient and, in certain cases, the entire project may be rendered ineligible. Pre-award authority is not a legal or implied commitment that the subject project will be approved for FTA assistance or that FTA will obligate federal funds.

The following conditions must be met by the subrecipient for pre-award authority:

- 1) All FTA statutory, procedural, and contractual requirements must be met.
- 2) No action will be taken by the subrecipient that prejudices the legal and administrative findings that the Federal Transit Administrator must make in order to approve a project.
- 3) Local funds (as identified in the FTA Section 5311 Grant Application) expended by the subrecipient after the date of the pre-award authority will be eligible for credit toward local match or reimbursement if FTA later makes a grant or grant amendment for the project.
- 4) The expenditure of local funds on activities such as land acquisition, demolition, or construction before the date of pre-award for those activities would compromise FTA's ability to comply with federal environmental laws and may render the project ineligible for FTA funding.
- 5) The federal amount of any future FTA assistance awarded to the subrecipient for the project will be determined on the basis of the overall scope of activities and the prevailing statutory provisions with respect to the federal/local match ratio at the time the funds are obligated.

- 6) All federal environmental, planning, and other grant requirements must be met at the appropriate time for the project to remain eligible for federal funding. **Please note that projects requiring Categorical Exclusion or FTA environmental project approval must be completed prior to the date of this pre-award letter to be eligible for the authority granted under this pre-award letter.**
- 7) The project must comply with the Clean Air Act, National Environmental Protection Act.
- 8) Federal procurement procedures must be followed, including but not limited to, Davis-Bacon Act (prevailing wage requirements), Third-Party Agreements (Circular 4220.1F), Disadvantaged Business Enterprise, and Buy America.

Based on the above conditions, your project is approved for pre-award authority, pending grant FTA approval. **This pre-award authority is applicable to only Operating Projects.**

If you have any questions, please contact me at (916) 651-6116.

Sincerely,



JAMES OGBONNA
Branch Chief
Rural Transit and Intercity Bus