



# **BOARD OF DIRECTORS OF THE EASTERN SIERRA TRANSIT AUTHORITY**

Regular Meeting  
Friday February 17, 2017  
11:30 a.m.

Town of Mammoth Lakes Council Chambers  
Minaret Village Shopping Center, Suite Z  
Mammoth Lakes, California

and by Videoconference from

City of Bishop Council Chambers  
301 West Line St  
Bishop, California

Note: In compliance with the Americans with Disabilities Act, if an individual requires special assistance to participate in this meeting, please contact Eastern Sierra Transit at (760) 872-1901 ext. 15 or 800-922-1930. Notification 48 hours prior to the meeting will enable the Authority to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 13.102-35.104 ADA Title II)

## **DISPOSITION**

### **1. CALL TO ORDER**

### **2. PLEDGE OF ALLEGIANCE**

### **3. ROLL CALL**

### **4. PUBLIC COMMENT**

INFORMATION

### **5. APPROVAL OF MINUTES:**

ACTION

Regular meeting of January 5, 2017

### **6. REDS MEADOW ROAD REHABILITATION FUNDING UPDATE**

DISCUSSION/ POSSIBLE ACTION

Staff recommendation: An update will be provided regarding further developments concerning a cooperative arrangement between the U.S. Forest Service and the Town of Mammoth Lakes to address needed improvements to the Reds Meadow Road, and ESTA's involvement to help fund the long term maintenance of the improved road.

- 7. BISHOP CREEK RECREATION AREA SUMMER SERVICE** ACTION  
 Staff recommendation: Information will be provided regarding proposed summer seasonal transit service from Bishop to the Bishop Creek Recreation Area. The Board is requested to approve inclusion of this new service for the summer of 2017 in the biannual service review for March of 2017, or to provide direction to staff regarding the possible initiation of the service.
- 8. JUNE LAKE SUMMER SHUTTLE** ACTION  
 Staff recommendation: The Board is requested to provide direction to staff regarding approval of the continuation of the June Lake Summer shuttle, incorporating certain cost saving and efficiency enhancing modifications.
- 9. 2017 BOARD MEETING CALENDAR – ESCOG DATES** ACTION  
 Staff recommendation: The Board is requested to provide direction regarding the desired start time for the ESTA Board of Directors meetings on dates that coincide with Eastern Sierra Council of Governments (ESCOG) meetings.
- 10. 2017 FEDERAL CERTIFICATIONS AND ASSURANCES APPROVAL** ACTION  
 Staff recommendation: The Board is requested to authorize the Executive Director to sign the Federal Fiscal Year 2017 Certifications and Assurances.
- 11. REVISED TITLE VI PROGRAM** ACTION  
 Staff recommendation: The Board is requested to pass and adopt Resolution 2017-08 approving the Authority’s Title VI, Public Participation, and Limited English Proficiency Plans.
- 12. 2015/16 AUDITED FINANCIAL STATEMENTS** RECEIVE AND FILE  
 The audited financial statements for FY 2015/16 will be distributed for the Board’s information.
- 13. FINANCIAL REPORT** RECEIVE AND FILE  
 FY 2016/17 report for the period ending February 15, 2017
- 14. OPERATIONS REPORT** RECEIVE AND FILE  
 January 2016
- 15. REPORTS** INFORMATION  
 a. Board Members  
 b. Executive Director
- 16. FUTURE AGENDA ITEMS**
- 17. ADJOURNMENT** ACTION  
 The next regular meeting is scheduled for March 17<sup>th</sup> in Bishop.

# EASTERN SIERRA TRANSIT AUTHORITY

## Minutes of Thursday, January 5, 2017 Regular Meeting

The Board of Directors of the Eastern Sierra Transit Authority met at 10:00a.m. on Thursday January 5, 2017 at the Town of Mammoth Lakes Council Chambers, Mammoth Lakes, California. The following members were present: Karen Schwartz, Bill Sauser, Joe Pecs, Jeff Griffiths, Kirk Stapp and Bob Gardner. Directors Cleland Hoff, and Mark Tillemans were absent. Director Schwartz led the pledge of allegiance.

Public Comment	The Chairperson opened the public comment period at 10:17a.m. There was no one from the public wishing to address the Board. Public comment was closed.
Approval of Minutes	Moved by Director Stapp and seconded by Director Sauser to approve the minutes of the regular meeting of October 19, 2016 and Special Meeting of November 9, 2016. Motion carried 5-0, with Director Gardner abstaining and Directors Hoff and Tillemans absent.
Closed Session	Open session was recessed at 10:19 a.m. to convene in closed session with Director Griffiths arriving at 10:20 a.m. and Directors Hoff and Tillemans absent, to consider Agenda Item #6 Conference with Labor Negotiators. (Pursuant to Government Code Section 54957.6) – Authority designated representative; John Helm. Bargaining Group; ESTA-EEA.
Report on Closed Session	Closed session was recessed at 10:30 a.m. to reconvene in open session with all Board Members present. There were no items discussed in closed session, which were required by law to be reported on in open session.
Approval of MOU with EEA and Personnel Rules with EEA and MCEA	Moved by Director Pecs and seconded by Director Stapp to adopt and approve the Memorandum of Understanding between ESTA and the Eastern Sierra Transit Authority Employees Association (EEA), and the Personnel Rules applicable to EEA and the ESTA Management and Confidential Employees Association (MCEA) and to authorize Resolution 2016-03, 2016-04 and 2016-05. Motion carried 6-0, with Directors Hoff and Tillemans absent.
Update of ESTA's Contribution to Cal PERS Health	Moved by Director Griffiths and seconded by Director Stapp to approve and adopt Resolution 2016-06, an action fixing the Authority's contribution for 2017 to the CalPERS Health Program

	<p>under the Public Employee' Medical and Hospital Care Act (PEMHCA) for all members of the Eastern Sierra Transit Employees Association (EEA). Motion carried 6-0, with Directors Hoff and Tillemans absent.</p>
<p>Reds Meadow Road Rehabilitation Funding Update</p>	<p>Director Sauser reviewed the Mammoth Lakes Town Council discussion of the Reds Meadow Road funding proposal. Mr. Helm reviewed the discussions that have taken place regarding an application for a federal grant to fund the rehabilitation of the Reds Meadow Road, and the concept of a surcharge to the Reds Meadow fare to help to fund the long-term maintenance of the road.</p>
<p>Mammoth Lakes Service Changes</p>	<p>Mr. Helm updated the Board on the service changes in the Town of Mammoth Lakes and the complaints received. Mono County Supervisor, Stacy Corless, addressed the Board on the impacts to the constituents. The Board provided direction to staff work with the Town of Mammoth Lakes staff to find alternative transit options for the Old Mammoth Road area. (This item was taken after Item #12 at the request of Director Griffiths)</p>
<p>Equal Employment Opportunity Policy Update</p>	<p>Moved by Director Pecsí and seconded by Director Griffiths to approve Resolution 2016-07 approving the Eastern Sierra Transit Authority's Equal Employment Opportunity Policy. Motion carried 6-0, with Directors Hoff and Tillemans absent.</p>
<p>Confirmation of Chairperson and Vice-Chairperson</p>	<p>Moved by Director Griffiths and seconded by Director Pecsí to confirm the selection of Director Schwartz as Chairperson and Director Stapp as Vice-Chairperson for 2017. Motion carried 6-0, with Directors Hoff and Tillemans absent.</p>
<p>2017 Board Meeting Calendar</p>	<p>Moved by Director Griffiths and seconded by Director Stapp to approve the ESTA Board meetings be held on the third Friday of each month and/or to coordinate Eastern Sierra Council of Governments (ESCOG) meeting dates. The meetings are to alternating between Bishop and Mammoth with two consecutive meeting in each location. ESTA Board meetings will begin at 8:30 am except on days when coordinating with ESCOG meetings, when the ESTA meeting will begin at 11:30am. The meeting date are scheduled as follows:</p> <p>February 17 in Mammoth *  March 17 in Bishop  April 21 in Bishop *  May 19 in Mammoth  June 16 in Mammoth *  July 21 in Bishop  August 11 in Bishop *</p>

	<p>September 15 in Mammoth  October 20 in Mammoth *  November 17 in Bishop  December 8 in Bishop *</p> <p style="text-align: center;">* Denotes meeting date in coordination with ESCOG</p>
Financial Report	Mr. Helm presented the Financial Report for the period ending 1/4/2017.
Operations Report	Mr. Helm presented the Operations Report for the month of November 2016.
Board Member Reports	Director Griffiths commented on the use of Google Transit in Mexico City.
Executive Director Report	<p>Mr. Helm announced the hiring of the new Administrative Analyst, Kari Bentley.</p> <p>Mr. Helm commented on the use of Twitter in the Mammoth area to communicate route adjustments during inclement weather.</p>
Future Agenda Items	None
Adjournment	<p>The Chairperson adjourned the meeting at 11:43 a.m.</p> <p>The next regular meeting of the Eastern Sierra Transit Authority Board of Directors is scheduled for February 17, 2017, in the Town of Mammoth Lakes.</p>

Recorded & Prepared by:

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Jill Batchelder  
Acting Board Clerk  
Eastern Sierra Transit Authority

Minutes approved:

## **STAFF REPORT**

Subject: Reds Meadow Road Rehabilitation Project Update

Initiated by: John Helm, Executive Director

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### **BACKGROUND:**

Information was presented to the ESTA Board last fall and at the January Board meeting regarding the discussions that have been underway between the U.S. Forest Service, the Town of Mammoth Lakes and other stakeholders regarding a plan to submit a Federal Lands Access Program (FLAP) grant for the rehabilitation of the Reds Meadow Road.

### **ANALYSIS:**

The FLAP grant for the rehabilitation of the Reds Meadow Road is due later this spring and, at this time, the Town is seeking to obtain commitments from interested stakeholders regarding the grant plan. A key aspect of the plan for the grant is an arrangement whereby the Town of Mammoth Lakes would be granted an easement by the U.S. Forest Service for the Reds Meadow Road. This easement would require the Town to be responsible for the long-term maintenance of the road. In order to fund the required ongoing maintenance and upkeep of the road, the Town is approaching stakeholders to assist with the provision of this funding. ESTA is such a stakeholder and conceptual discussions have taken place whereby ESTA might add a surcharge to the Reds Meadow ticket price that could be used to help offset the cost of maintaining the road.

One idea that has been discussed would be a \$1.00 surcharge for adult tickets. Over the past five years, an average of 56,000 adult tickets have been sold per season. Due to increased ridership in the past two years, the average for that period is over 65,000 per season. Based upon these numbers it is reasonable to assume that a \$1.00 surcharge on adult tickets could generate approximately \$60,000 per year for the maintenance of the road. The Reds Meadow Shuttle ticket prices have not been adjusted since the inception of ESTA's operation of the shuttle in 2009. Other stakeholders who have been approached to participate in funding for the project include: the National Park Service, Mono County Local Transportation Commission, Madera County, Inyo County, and Mammoth Lakes Tourism.

ESTA would benefit by improvements to the Reds Meadow Road by insuring a consistent and safe roadway for the operation of the Reds Meadow Shuttle service. The Reds Meadow Shuttle serves as an important summertime operation for ESTA and provides numerous jobs, allowing ESTA drivers to work fulltime during the summer and winter months with reduced hours during the shoulder seasons. This greatly reduces the recruiting and training costs that ESTA would incur if the summer operation of the Reds Meadow Shuttle did not exist. Revenue from the Reds Meadow Shuttle helps to offset many of ESTA's fixed costs of operation in the Mammoth Lakes area including facility costs and administrative support. In addition to these benefits, tourism to the Reds Meadow Valley serves as an important economic generator for the region and yields significant transient occupancy tax (TOT) and sales tax, both of which include a dedicated transit funding component. If the Reds Meadow Road were to deteriorate significantly, or fail, the resultant negative economic impact on ESTA would be substantial.

A representative from the Town of Mammoth Lakes is slated to make a presentation to the ESTA Board at today's meeting regarding the status of the grant project and the concept of ESTA's participation in helping to fund the long-term maintenance of the project. It is important to note that, at this time, the Town of Mammoth Lakes has not formally approved the easement arrangement with the Forest Service, and Town Council action would be necessary before any arrangement with ESTA were to be finalized.

### **RECOMMENDATION**

This item is presented today for the information of the ESTA Board, and to provide an opportunity for the Board to ask questions of Town staff regarding the plans. The Board may take action today by 1) approving a contingent commitment to provide funding for the long-term maintenance of the rehabilitated Reds Meadow Road, 2) defer a decision until next month, or 3) decline to support the request for road maintenance funding. The Town will need to receive commitments from interested stakeholders within the next six weeks in order to finalize the grant application by the deadline.

## **STAFF REPORT**

Subject: Bishop Creek Recreation Area Service

Initiated by: John Helm, Executive Director

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### **BACKGROUND**

The Eastern Sierra Transit Authority Short Range Transit Plan (SRTP) that was completed in 2016 identified a need for a seasonal Outdoor Recreation Pilot program transit service. The Plan indicated that such service should be investigated for the Bishop Creek Recreation Area, and the Whitney Portal Area. The Plan did not identify the specifics of the service that should be provided but, rather, recommended that ESTA look to craft service that would meet the needs of the community and visitors.

### **ANALYSIS**

The Bishop Creek Recreation Area southwest of Bishop is comprised of numerous lakes and streams and provides primary trailheads to Bishop Pass and to Paiute Pass which connect with the Pacific Crest Trail and the John Muir Trail, as well as the Sabrina Basin Trailhead originating at Lake Sabrina. These trailheads serve as potential transit trip generators for through-hikers who want to take a break from, or to rejoin the trail. The extensive recreation (fishing, hiking, camping) opportunities in this area also serve as a draw for residents and visitors to the Owens Valley.

A meeting was held on January 27<sup>th</sup> with interested stakeholders in the potential transit service to the Bishop Creek Recreation Area. Eight individuals participated in the meeting, representing businesses in the Bishop Creek Recreation Area, Bishop area businesses, the Bishop Paiute Tribe, and local government. The purpose of the meeting was to gain feedback from interested parties as to how the service should be designed if it were to be implemented. The participants provided valuable information about potential users of this new service. This input has guided the proposed service detailed below.

#### Service Days/Season:

Memorial Day weekend, then 7 days/week from June 17 (Father's Day weekend) through August 20 (day prior to school start), then weekends through October 15. This would result in a total of 84 service days

#### Schedule:

One round-trip in the morning departing Vons at 8:00am, making stops at City Park, Joseph's bus stop, DMV bus stop, and Elk's Park, then proceeding to South Lake (8:45), and Lake Sabrina (9:10) before returning to Bishop (9:45).



One round trip in the afternoon departing Vons at 3:15pm, making stops at City Park, Joseph's bus stop, DMV bus stop, and Elk's Park, then proceeding to South Lake (4:00), and Lake Sabrina (4:25) before returning to Bishop (5:00).

The bus would make "flag stops" as requested and as able based on safety considerations. Expected flag-stop locations would include Buttermilk Road at Hwy 168, North Lake Road at Hwy 168, Parchers Resort, Tyee Lakes Trailhead, and Aspendell, as well as campgrounds along the route.

Fares:

\$5.00 for a one-way trip, \$2.50 for discount categories (senior, disabled, youth). Ten-ride passes would be offered for a 10% discount (\$45 / \$22.50).

**FINANCIAL**

The Bishop Creek Recreation Area route is proposed to operate 84 days in 2017. The operating costs for the service would total \$16,632 as detailed below:

Labor	\$8,064	
Fuel	\$2,520	
Maintenance	\$1,764	
Administration	\$4,284	
TOTAL	\$16,632	
Estimated Fares	\$2,000	12.0%
TOTAL SUBSIDY	\$14,632	

The costs for the service can be included in the FY 2017/18 budget and could be funded with anticipated operating cost savings in FY 2016/17 as a result of moderate fuel prices.

**RECOMMENDATION**

The Board is requested to provide direction to staff regarding service to the Bishop Creek Recreation Area this summer as recommended in the Short Range Transit Plan, and whether the service should be included in the bi-annual service analysis and proposal next month and the FY 2017/18 budget.

## **STAFF REPORT**

Subject: June Lake Summer Shuttle Recap

Initiated by: John Helm, Executive Director

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### **BACKGROUND**

New summer seasonal transit service was initiated in the June Lake area this past summer. The route operated from the last weekend in June through Labor Day and was funded with excess state Local Transportation Fund revenue received the prior year. The route provided hourly frequency service between June Lake Beach and Silverlake Campground with multiple stops in between, including three stops in June Lake Village.

### **ANALYSIS**

Ridership on the new route during the inaugural summer of service was disappointing. A total of 405 trips were provided over the course of the 72 day operating season, an average of 5.63 trips per day, or 0.7 passenger trips per run. Fare revenue amounted to less than \$1.50 per service hour.

Marketing efforts for the new route included publication in local media (radio and television) as well as on ESTA's website. Informative posters were made for each of the bus stops which detailed the route map and stop times. A 3" by 8" route information card was produced and was delivered to businesses along the route on two different occasions during the summer. Despite these marketing efforts, the service was not well utilized.

The results of the first year of service were shared with the June Lake Community Advisory Committee (CAC) in December. Despite the low ridership, the Committee members indicated that they would like to see the shuttle operate again in 2017. The comment was made that it can take time for people to learn about and begin to use a new service. The Committee members indicated that they would be interested in cost saving efficiencies that might be implemented such as shortening the operating season and, perhaps, providing a financial contribution to the service. The Committee was informed that, in order for new service to qualify as an unmet need that is reasonable to meet, the service must demonstrate that it is capable of generating fare revenues

equal to at least 10% of the operating cost of the service. For 2016, the service generated less than a 2.5% farebox recovery ratio.

A specific modification that could be made to reduce the overall operating cost for the service in 2017 would be to reduce the operating season. Operating seven days per week from Saturday, July 1 through Sunday, August 13<sup>th</sup>, then weekends from August 19 through September 4 would reduce the number of operating days from 72 to 50. This service reduction in combination with a 10% of the operating cost contribution by the community could result in a 35% reduction in the total subsidy for the service, from \$28,600 to \$18,500 as detailed in the following table:

	2016	2017 (proposed)	Var. \$	Var %
Service Days	72	50	-22	-31%
Total Vehicle Service Hours	504	350	-154	-31%
Operating Cost/Hr	\$58.25	\$60.00	\$2	3%
Total Operating Cost	\$29,358	\$21,000	-\$8,358	-28%
Fare Revenue	\$720	\$2,500	\$1,780	247%
Total Subsidy	\$28,638	\$18,500	-\$10,138	-35%

### **FINANCIAL**

The operation of the service in 2016 was funded with one-time excess Local Transportation Fund revenue collected by Mono County. The required subsidy for the 2017 summer June Lake Shuttle service could be funded with 2015/16 State Transit Assistance revenue (\$32,869) that was not received until FY2016/17. The costs for the service could be incorporated in the FY 2017/18 budget, which will be approved later this year.

### **RECOMMENDATION**

The Board is requested to provide direction to staff regarding continuation of the June Lake Summer Shuttle in 2017.

## **STAFF REPORT**

Subject: Regular Meeting Start Time on ESCOG Dates  
Initiated by: John Helm, Executive Director

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### **BACKGROUND:**

Last month, the Board approved the following dates and times for ESTA's regular Board of Directors meetings for 2017.

<b>Date</b>	<b>Location</b>	<b>Time</b>
January 5th	Town of Mammoth Lakes	10:00a.m.
February 17th	Town of Mammoth Lakes	11:30a.m.
March 17th	City of Bishop	8:30a.m.
April 21st	City of Bishop	11:30a.m.
May 19th	Town of Mammoth Lakes	8:30a.m.
June 16th	Town of Mammoth Lakes	11:30a.m.
July 21st	City of Bishop	8:30a.m.
August 11th	City of Bishop	11:30a.m.
September 15th	Town of Mammoth Lakes	8:30a.m.
October 20th	Town of Mammoth Lakes	11:30a.m.
November 17th	City of Bishop	8:30a.m.
December 8th	City of Bishop	11:30a.m.

### **ANALYSIS/DISCUSSION:**

A starting time of 11:30am was chosen on dates that coincide with a meeting of the Eastern Sierra Council of Governments so that the ESTA meeting could follow the ESCOG meeting. Subsequent to the January ESTA Board meeting, it has been requested that the meeting time be rescheduled for discussion by the Board, as there may be a desire to modify the starting time for the ESTA Board meetings following ESCOG meetings.

### **RECOMMENDATION**

The Board is requested to provide direction regarding the desired start time for the ESTA Board of Directors meetings on dates that coincide with ESCOG meetings.

## **STAFF REPORT**

Subject: Federal Fiscal Year 2017 Certifications and Assurances

Initiated by: John Helm, Executive Director

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### **BACKGROUND:**

The Eastern Sierra Transit Authority, which is considered a sub-recipient by the California Department of Transportation (Caltrans) for federal funding, submits required certifications and assurances to Caltrans on an annual basis in conjunction with receipt of Federal funding for its transportation programs.

### **ANALYSIS/DISCUSSION:**

In order to receive Federal Transit Administration (FTA) assistance, recipients and sub-recipients must provide certain certifications and assurances required by Federal law or regulation. Submittal of these certifications and assurances is required on an annual basis.

The FTA certifications and assurances for 2017 have been consolidated into 23 groups. At a minimum, a Subrecipient must provide the assurances in Group 01 and, if the Subrecipient requests more than \$100,000, the Subrecipient must also provide the Lobbying certification in Group 02. Depending on the nature of the Subrecipient and its Project, the Subrecipient may need to provide some of the certifications and assurances in Groups 03 through 23. However, instead of selecting individual groups of certifications and assurances, the Subrecipient may make a single selection that will encompass all groups of certifications and assurances applicable to all FTA programs. The Preface states that applicants are responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its project, itself, any subrecipient, or any other third party participant in its project. The type of project and subrecipient will determine which certifications and assurances apply. The Certifications and Assurances clearly state that any provision of an Assurance that does not apply will not be enforced.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

### PREFACE

*Before the Federal Transit Administration (FTA or We) may award federal assistance for public transportation in the form of a federal grant, cooperative agreement, loan, line of credit, loan guarantee, master credit agreement, or State Infrastructure Bank (SIB) cooperative agreement certain pre-award Certifications and Assurances are required, except as FTA determines otherwise in writing. The Applicant must authorize a representative (Authorized Representative) to select and sign its Certifications and Assurances and bind the Applicant's compliance. You, as your Applicant's Authorized Representative, must select and sign all Certifications and Assurances that your Applicant must provide to support each application it submits to FTA for federal assistance during federal fiscal year (FY) 2017.*

*We request that you read each Certification and Assurance and select those that will apply to any application for which your Applicant might seek FTA assistance during FY 2017. As provided by federal laws, regulations, and requirements, FTA may award federal assistance only if the Applicant's Authorized Representative selects adequate Certifications and Assurances.*

*We have consolidated our Certifications and Assurances into twenty-three (23) Categories. At a minimum, you must select the Assurances in Category 01. If your Applicant requests more than \$100,000 in federal assistance, you must select the "Lobbying" Certification in Category 02, except if your Applicant is an Indian tribe, Indian organization, or an Indian tribal organization. Depending on the nature of your Applicant and the Award it seeks, you may also need to select one or more Certifications and Assurances in Categories 03 through 23. Instead of selecting individual Categories of Certifications and Assurances, however, you may make a single selection that will encompass all twenty-three (23) Categories of Certifications and Assurances that apply to our various programs.*

*FTA, the Applicant, and the Applicant's Authorized Representative, understand and agree that not every provision of these twenty-three (23) Categories of Certifications and Assurances will apply to every Applicant or every Award or Project included in an Award, even if you make a single selection encompassing all twenty-three (23) Categories. Nor will every provision of each Certification or Assurance within a single Category apply if that provision does not apply to your Applicant or the Award it seeks. The type of Applicant and its application will determine which Certifications and Assurances apply.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected that apply to its Award, itself, any Subrecipient, or any other Third Party Participant in its Award, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including,*

## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

*but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant as necessary to assure your Applicant's compliance with the applicable Certifications and Assurances selected on its behalf.*

*Except as FTA determines otherwise in writing, if your Applicant is a team, consortium, joint venture, or partnership, it understands and agrees that you must identify the activities that each member will perform and the extent to which each member will be responsible for compliance with the selected Certifications and Assurances. You also must identify each member's role in the Award, whether as a Recipient, Subrecipient, Third Party Contractor, or other Third Party Participant.*

*It is important that you and your Applicant also understand that these Certifications and Assurances are pre-award requirements, generally imposed by federal law or regulation, and do not include all federal requirements that may apply to it or its Award. We expect you to submit your Applicant's FY 2017 Certifications and Assurances and its applications for federal assistance in FTA's electronic award and management system, currently the Transit Award Management System (TrAMS). You must be registered in TrAMS to submit your Applicant's FY 2017 Certifications and Assurances. TrAMS contains fields for selecting among the twenty-three (23) Categories of Certifications and Assurances and a designated field for selecting all twenty-three (23) Categories of Certifications and Assurances. If FTA agrees that you are unable to submit your Applicant's FY 2017 Certifications and Assurances electronically, you must submit the Signature Pages at the end of this document, as FTA directs, marked to show the Categories of Certifications and Assurances that you are submitting.*

*Be aware that these Certifications and Assurances have been prepared in light of:*

- *The Fixing America's Surface Transportation (FAST) Act, Public Law No. 114-94, December 4, 2015, and other authorizing legislation to be enacted, and*
- *Appropriations Acts or Continuing Resolutions funding the U.S. Department of Transportation during Fiscal Year 2017.*

## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

### **CATEGORY 01. REQUIRED CERTIFICATIONS AND ASSURANCES FOR EACH APPLICANT.**

*Before FTA may provide federal assistance for your Applicant's Award, you must select the Certifications and Assurances in Category 01 in addition to any other applicable Certifications and Assurances, except as FTA determines otherwise in writing.*

*Any provision of the Certifications and Assurances in Category 01 that does not apply will not be enforced.*

#### **01.A. Certifications and Assurances of Authority of the Applicant and Its Authorized Representative.**

You certify and affirm that in signing these Certifications, Assurances, and Agreements, both you, as your Applicant's Authorized Representative, and your Applicant's attorney who is authorized to represent your Applicant in legal matters, may undertake the following activities on your Applicant's behalf, in compliance with applicable state, local, or Indian tribal laws, regulations, and requirements and your Applicant's by-laws or internal rules:

1. Execute and file its application for federal assistance,
2. Execute and file its Certifications, Assurances, Charter Service Agreement, and School Bus Agreement, as applicable, binding its compliance,
3. Execute its Grant Agreement, Cooperative Agreement, Loan, Loan Guarantee, Line of Credit, Master Credit Agreement, or State Infrastructure Bank (SIB) Cooperative Agreement for which the Applicant is seeking federal assistance from FTA,
4. Comply with applicable federal laws, regulations, and requirements, and
5. Follow applicable federal guidance.

#### **01.B. Standard Assurances.**

On behalf of your Applicant, you assure that it understands and agrees to the following:

1. It will comply with all applicable federal laws, regulations, and requirements in implementing its Award.
2. It is under a continuing obligation to comply with the terms and conditions of its Grant Agreement or Cooperative Agreement with FTA for each Award, including the FTA Master Agreement and other documents incorporated by reference and made part of its Grant Agreement or Cooperative Agreement, or latest amendment thereto.
3. It recognizes that federal laws, regulations, and requirements may be amended from time to time and those amendments may affect the implementation of its Award.
4. It understands that Presidential executive orders and federal guidance, including federal policies and program guidance, may be issued concerning matters affecting it or its Award.
5. It agrees that the most recent federal laws, regulations, requirements, and guidance will apply to its Award, except as FTA determines otherwise in writing.
6. Except as FTA determines otherwise in writing, it agrees that requirements for FTA programs may vary depending on the fiscal year for which the federal assistance for those programs was appropriated or made available.



## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

### 01.C. Intergovernmental Review Assurance.

*(This assurance in this Category 01.C does not apply to an Indian tribe, an Indian organization, or an Indian tribal organization that applies for federal assistance made available under 49 U.S.C. § 5311(c)(1), which authorizes FTA's Tribal Transit Programs.)*

As required by U.S. Department of Transportation (U.S. DOT) regulations, "Intergovernmental Review of Department of Transportation Programs and Activities," 49 CFR part 17, on behalf of your Applicant, you assure that it has submitted or will submit each application for federal assistance to the appropriate state and local agencies for intergovernmental review.

### 01.D. Nondiscrimination Assurance.

On behalf of your Applicant, you assure that:

1. It will comply with the following laws, regulations, and requirements so that no person in the United States will be denied the benefits of, or otherwise be subjected to discrimination in, any U.S. DOT or FTA assisted program or activity (particularly in the level and quality of transportation services and transportation-related benefits) on the basis of race, color, national origin, religion, sex, disability, or age including:
  - a. Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination on the basis of race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity),
  - b. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d,
  - c. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.* (prohibiting discrimination on the basis of race, color, religion, sex, (including gender identity and sexual orientation) or national origin),
  - d. Executive Order No. 11246, "Equal Employment Opportunity" September 24, 1965, 42 U.S.C. § 2000e note, as amended by any later Executive Order that amends or supersedes it in part and is applicable to federal assistance programs,
  - e. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 *et seq.*,
  - f. U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 C.F.R. part 25,
  - g. The Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, *et seq.*,
  - h. The Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 *et seq.*,
  - i. U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964," 49 CFR part 21,
  - j. U.S. DOT regulations, specifically 49 CFR parts 27, 37, 38, and 39, and
  - k. Any other applicable federal statutes that may be signed into law, federal regulations that may be issued, or federal requirements that may be imposed.
2. It will comply with federal guidance implementing federal nondiscrimination laws, regulations, or requirements, except as FTA determines otherwise in writing.
3. As required by 49 CFR § 21.7:

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- a. It will comply with 49 U.S.C. § 5332, 42 U.S.C. § 2000d, and 49 CFR part 21 in the manner that:
  - (1) It implements its Award,
  - (2) It undertakes property acquisitions, and
  - (3) It operates all parts of its facilities, as well as its facilities operated in connection with its Award.
- b. This assurance applies to its Award and to all parts of its facilities, as well as its facilities used to implement its Award.
- c. It will promptly take the necessary actions to carry out this assurance, including the following:
  - (1) Notifying the public that discrimination complaints about transportation-related services or benefits may be filed with U.S. DOT or FTA Headquarters Office of Civil Rights, and
  - (2) Submitting information about its compliance with these provisions to U.S. DOT or FTA upon their request.
- d. If it transfers U.S. DOT or FTA assisted real property, structures, or improvements to another party, any deeds and instruments recording that transfer will contain a covenant running with the land assuring nondiscrimination:
  - (1) While the property is used for the purpose that the federal assistance is extended, or
  - (2) While the property is used for another purpose involving the provision of similar services or benefits.
- e. The United States has a right to seek judicial enforcement of any matter arising under:
  - (1) Title VI of the Civil Rights Act, 42 U.S.C. § 2000d,
  - (2) U.S. DOT regulations, 49 CFR part 21, or
  - (3) This assurance.
- f. It will make any changes in its Title VI implementing procedures, as U.S. DOT or FTA may request, to comply with:
  - (1) Title VI of the Civil Rights Act, 42 U.S.C. § 2000d,
  - (2) U.S. DOT regulations, 49 CFR part 21, and
  - (3) Federal transit law, 49 U.S.C. § 5332.
- g. It will comply with applicable federal guidance issued to implement federal nondiscrimination requirements, except as FTA determines otherwise in writing.
- h. It will extend the requirements of 49 U.S.C. § 5332, 42 U.S.C. § 2000d, and 49 CFR part 21 to each Third Party Participant, including any:
  - (1) Subrecipient,
  - (2) Transferee,
  - (3) Third Party Contractor or Subcontractor at any tier,
  - (4) Successor in Interest,
  - (5) Lessee, or
  - (6) Other Participant in its Award, except FTA and the Applicant (and later, the Recipient).
- i. It will include adequate provisions to extend the requirements of 49 U.S.C. § 5332, 42 U.S.C. § 2000d, and 49 CFR part 21 to each third party agreement, including each:
  - (1) Subagreement at any tier,
  - (2) Property transfer agreement,

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (3) Third party contract or subcontract at any tier,
  - (4) Lease, or
  - (5) Participation agreement.
- j. The assurances you have made on your Applicant's behalf remain in effect as long as FTA determines appropriate, including, for example, as long as:
  - (1) Federal assistance is provided for its Award,
  - (2) Its property acquired or improved with federal assistance is used for a purpose for which the federal assistance is extended, or for a purpose involving similar services or benefits,
  - (3) It retains ownership or possession of its property acquired or improved with federal assistance provided for its Award, or
  - (4) FTA may otherwise determine in writing.
4. As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR part 27, specifically 49 CFR § 27.9, and consistent with 49 U.S.C. § 5332, you assure that:
  - a. It will comply with the following prohibitions against discrimination on the basis of disability listed below in subsection 4.b of this Category 01.D Assurance, of which compliance is a condition of approval or extension of any FTA assistance awarded to:
    - (1) Construct any facility,
    - (2) Obtain any rolling stock or other equipment,
    - (3) Undertake studies,
    - (4) Conduct research, or
    - (5) Participate in any benefit or obtain any benefit from any FTA administered program.
  - b. In any program or activity receiving or benefiting from federal assistance that U.S. DOT administers, no qualified individual with a disability will, because of his or her disability, be:
    - (1) Excluded from participation,
    - (2) Denied benefits, or
    - (3) Otherwise subjected to discrimination.

### **01.E. Suspension and Debarment, Tax Liability, and Felony Convictions Certifications.**

#### **01.E.1 Suspension and Debarment.**

On behalf of your Applicant, you certify that:

- a. It will comply and facilitate compliance with U.S. DOT regulations, "Nonprocurement Suspension and Debarment," 2 CFR part 1200, which adopts and supplements the U.S. Office of Management and Budget (U.S. OMB) "Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," 2 CFR part 180.
- b. To the best of its knowledge and belief, that its Principals and Subrecipients at the first tier:
  - (1) Are eligible to participate in covered transactions of any federal department or agency and are not presently:
    - (a) Debarred,
    - (b) Suspended,

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (c) Proposed for debarment,
  - (d) Declared ineligible,
  - (e) Voluntarily excluded, or
  - (f) Disqualified.
- (2) Within a three-year period preceding its latest application or proposal, its management has not been convicted of or had a civil judgment rendered against any of them for:
- (a) 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,
  - (b) Violation of any federal or state antitrust statute, or
  - (c) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property.
- (3) It is 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 the preceding subsection 2.b of this Certification.
- (4) It has not had one or more public transactions (federal, state, or local) terminated for cause or default within a three-year period preceding this Certification.
- (5) If, at a later time, it receives any information that contradicts the preceding statements of subsections 2.a – 2.d of this Category 01.E Certification, it will promptly provide that information to FTA.
- (6) It will treat each lower tier contract or subcontract under its Award as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR part 180 if it:
- (a) Equals or exceeds \$25,000,
  - (b) Is for audit services, or
  - (c) Requires the consent of a federal official.
- (7) It will require that each covered lower tier contractor and subcontractor:
- (a) Comply and facilitate compliance with the federal requirements of 2 CFR parts 180 and 1200, and
  - (b) Assure that each lower tier participant in its Award is not presently declared by any federal department or agency to be:
    - 1 Debarred from participation in any federally assisted Award,
    - 2 Suspended from participation in any federally assisted Award,
    - 3 Proposed for debarment from participation in any federally assisted Award,
    - 4 Declared ineligible to participate in any federally assisted Award,
    - 5 Voluntarily excluded from participation in any federally assisted Award, or
    - 6 Disqualified from participation in any federally assisted Award.
- c. It will provide a written explanation if it or any of its principals, including any of its first tier Subrecipients or its Third Party Participants at a lower tier, is unable to certify compliance with the preceding statements in this Category 01.E.1 Certification.

### **01.E.2. Tax Liability.**

If your Applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, on behalf of your Applicant, you certify that:

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- a. Your Applicant and its prospective Subrecipients have 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.
- b. Your Applicant and its Subrecipients will follow applicable U.S. DOT guidance when issued.

### **01.E.3. Felony Convictions.**

If your Applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, on behalf of your Applicant, you certify that:

- a. Your Applicant and its prospective Subrecipients have not been convicted of a felony criminal violation under any federal law within the preceding 24 months.
- b. Your Applicant and its Subrecipients will follow applicable U.S. DOT guidance when it is issued.

### **01.F. U.S. OMB Assurances in SF-424B and SF-424D.**

*The assurances in this Category 01.F are consistent with the U.S. OMB assurances required in the U.S. OMB SF-424B and SF-424D, and updated as necessary to reflect changes in federal laws, regulations, and requirements.*

1. *Administrative Activities.* On behalf of your Applicant, you assure that:
  - a. For any application it submits for federal assistance, it has adequate resources to plan, manage, and properly complete the tasks to implement its Award, including:
    - (1) The legal authority to apply for federal assistance,
    - (2) The institutional capability,
    - (3) The managerial capability, and
    - (4) The financial capability (including funds sufficient to pay the non-federal share of the cost of incurred under its Award).
  - b. As required, it will give access and the right to examine materials related to its Award to the following entities or individuals, including, but not limited to:
    - (1) FTA,
    - (2) The Comptroller General of the United States, and
    - (3) The State, through an appropriate authorized representative.
  - c. It will establish a proper accounting system in accordance with generally accepted accounting standards or FTA guidance.
  - d. It will establish safeguards to prohibit employees from using their positions for a purpose that results in:
    - (1) A personal or organizational conflict of interest or personal gain, or
    - (2) An appearance of a personal or organizational conflict of interest or personal gain.
2. *Specifics of the Award.* On behalf of your Applicant, you assure that:
  - a. It will begin and complete work within the period of performance that applies following receipt of an FTA Award.
  - b. For FTA assisted construction Awards:

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (1) It will comply with FTA provisions concerning the drafting, review, and approval of construction plans and specifications,
  - (2) It will provide and maintain competent and adequate engineering supervision at the construction site to assure that the completed work conforms to the approved plans and specifications,
  - (3) It will include a covenant to assure nondiscrimination during the useful life of the real property financed under its Award in its title to that real property,
  - (4) To the extent FTA requires, it will record the federal interest in the title to FTA assisted real property or interests in real property, and
  - (5) It will not alter the site of the FTA assisted construction or facilities without permission or instructions from FTA by:
    - (a) Disposing of the underlying real property or other interest in the site and facilities,
    - (b) Modifying the use of the underlying real property or other interest in the site and facilities, or
    - (c) Changing the terms of the underlying real property title or other interest in the site and facilities.
- c. It will furnish progress reports and other information as FTA or the state may require.
3. *Statutory and Regulatory Requirements.* On behalf of your Applicant, you assure that:
- a. Your Applicant will comply with all federal laws, regulations, and requirements relating to nondiscrimination that apply, including, but not limited to:
    - (1) The prohibitions against discrimination on the basis of race, color, or national origin, as provided in Title VI of the Civil Rights Act, 42 U.S.C. § 2000d.
    - (2) The prohibitions against discrimination on the basis of sex, as provided in:
      - (a) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681 – 1683, and 1685 – 1687, and
      - (b) U.S. DOT regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25.
    - (3) The prohibitions against discrimination on the basis of age in federally assisted programs, as provided in the Age Discrimination Act of 1975, as amended, 42 U.S.C. §§ 6101 – 6107.
    - (4) The prohibitions against discrimination on the basis of disability in federally assisted programs, as provided in section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794.
    - (5) The prohibitions against discrimination on the basis of disability, as provided in the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 .
    - (6) The prohibitions against discrimination in the sale, rental, or financing of housing, as provided in Title VIII of the Civil Rights Act, 42 U.S.C. § 3601 *et seq.*
    - (7) The prohibitions against discrimination on the basis of drug abuse, as provided in the Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. § 1101 *et seq.*
    - (8) The prohibitions against discrimination on the basis of alcohol abuse, as provided in the Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, as amended, 42 U.S.C. § 4541 *et seq.*

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (9) The confidentiality requirements for records of alcohol and drug abuse patients, as provided in the Public Health Service Act, as amended, 42 U.S.C. § 290dd – 290dd-2.
  - (10) The prohibitions against discrimination in employment as provided in Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.*,
  - (11) The nondiscrimination provisions of any other statute(s) that may apply to its Award.
- b. As provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Relocation Act), 42 U.S.C. § 4601 *et seq.*, and 49 U.S.C. § 5323(b), regardless of whether federal assistance has been provided for any real property acquired or improved for purposes of its Award:
- (1) It will provide for fair and equitable treatment of any displaced persons or any persons whose property is acquired or improved as a result of federally assisted programs.
  - (2) It has the necessary legal authority under state and local laws, regulations, and requirements to comply with:
    - (a) The Uniform Relocation Act. 42 U.S.C. § 4601 *et seq.*, as specified by 42 U.S.C. §§ 4630 and 4655, and
    - (b) U.S. DOT regulations, “Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs,” 49 CFR part 24, specifically 49 CFR § 24.4.
  - (3) It has complied with or will comply with the Uniform Relocation Act and implementing U.S. DOT regulations because:
    - (a) It will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24.
    - (b) As provided by 42 U.S.C. §§ 4622, 4623, and 4624, and 49 CFR part 24, if its Award results in displacement, it will provide fair and reasonable relocation payments and assistance to:
      - 1 Displaced families or individuals, and
      - 2 Displaced corporations, associations, or partnerships.
    - (c) As provided by 42 U.S.C. § 4625 and 49 CFR part 24, it will provide relocation assistance programs offering the services described in the U.S. DOT regulations to such:
      - 1 Displaced families and individuals, and
      - 2 Displaced corporations, associations, or partnerships.
    - (d) As provided by 42 U.S.C. § 4625(c)(3), within a reasonable time before displacement, it will make available comparable replacement dwellings to families and individuals.
    - (e) It will do the following:
      - 1 Carry out the relocation process to provide displaced persons with uniform and consistent services, and
      - 2 Make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin.
    - (f) It will be guided by the real property acquisition policies of 42 U.S.C. §§ 4651 and 4652.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (g) It will pay or reimburse property owners for their necessary expenses as specified in 42 U.S.C. §§ 4653 and 4654, understanding that FTA will provide federal assistance for its eligible costs of providing payments for those expenses, as required by 42 U.S.C. § 4631.
  - (h) It will execute the necessary implementing amendments to FTA assisted third party contracts and subagreements.
  - (i) It will execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement these assurances.
  - (j) It will incorporate these assurances by reference into and make them a part of any third party contract or subagreement, or any amendments thereto, related to its Award that involves relocation or land acquisition.
  - (k) It will provide in any affected document that these relocation and land acquisition provisions must supersede any conflicting provisions.
- c. It will comply with the Lead-Based Paint Poisoning Prevention Act, specifically 42 U.S.C. § 4831(b), which prohibits the use of lead-based paint in the construction or rehabilitation of residence structures.
- d. It will, to the extent applicable, comply with the protections for human subjects involved in research, development, and related activities supported by federal assistance of:
- (1) The National Research Act, as amended, 42 U.S.C. § 289 *et seq.*, and
  - (2) U.S. DOT regulations, “Protection of Human Subjects,” 49 CFR part 11.
- e. It will, to the extent applicable, comply with the labor standards and protections for federally assisted Awards of:
- (1) The Davis-Bacon Act, as amended, 40 U.S.C. §§ 3141 – 3144, 3146, and 3147,
  - (2) Sections 1 and 2 of the Copeland “Anti-Kickback” Act, as amended, 18 U.S.C. § 874, and 40 U.S.C. § 3145, respectively, and
  - (3) The Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. § 3701 *et seq.*
- f. It will comply with any applicable environmental standards prescribed to implement federal laws and executive orders, including, but not limited to:
- (1) Complying with the institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. §§ 4321 – 4335 and following Executive Order No. 11514, as amended, 42 U.S.C. § 4321 note.
  - (2) Following the notification of violating facilities provisions of Executive Order No. 11738, 42 U.S.C. § 7606 note.
  - (3) Following the protection of wetlands provisions of Executive Order No. 11990, 42 U.S.C. § 4321 note.
  - (4) Following the evaluation of flood hazards in the floodplains provisions of Executive Order No. 11988, May 24, 1977, 42 U.S.C. § 4321 note, and Executive Order No. 13690 “Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input, January 30, 2015.
  - (5) Complying with the assurance of consistency with the approved state management program developed pursuant to the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. §§ 1451 – 1465.



## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (6) Complying with the Conformity of Federal Actions to State (Clean Air) Implementation Plans requirements under section 176(c) of the Clean Air Act of 1970, as amended, 42 U.S.C. §§ 7401 – 7671q.
- (7) Complying with protections for underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. § 300f – 300j-6.
- (8) Complying with the protections for endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. §§ 1531 – 1544.
- (9) Complying with the environmental protections for federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, state, or local significance or any land from a historic site of national, state, or local significance to be used in a transportation Award, as required by 49 U.S.C. § 303 (also known as “Section 4f”).
- (10) Complying with the protections for national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. §§ 1271 – 1287.
- (11) Complying with and facilitating compliance with:
  - (a) Section 106 of the National Historic Preservation Act of 1966, as amended, 54 U.S.C. § 300108,
  - (b) The Archaeological and Historic Preservation Act of 1974, as amended, 54 U.S.C. § 312501 *et seq.*, and
  - (c) Executive Order No. 11593 (identification and protection of historic properties), 54 U.S.C. § 300101.
- g. To the extent applicable, it will comply with the following federal requirements for the care, handling, and treatment of warm-blooded animals held or used for research, teaching, or other activities supported with federal assistance:
  - (1) The Animal Welfare Act, as amended, 7 U.S.C. § 2131 *et seq.*, and
  - (2) U.S. Department of Agriculture regulations, “Animal Welfare,” 9 CFR subchapter A, parts 1, 2, 3, and 4.
- h. To the extent applicable, it will obtain a certificate of compliance with the seismic design and construction requirements of U.S. DOT regulations, “Seismic Safety,” 49 CFR part 41, specifically 49 CFR § 41.117(d), before accepting delivery of any FTA assisted buildings.
- i. It will comply with and assure that each of its Subrecipients located in special flood hazard areas will comply with section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. § 4012a(a), by:
  - (1) Participating in the federal flood insurance program, and
  - (2) Purchasing flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- j. It will comply with:
  - (1) The Hatch Act, 5 U.S.C. §§ 1501 – 1508, 7324 – 7326, which limits the political activities of state and local agencies and their officers and employees whose primary employment activities are financed in whole or part with federal assistance, including a federal loan, grant agreement, or cooperative agreement, and
  - (2) 49 U.S.C. § 5323(l)(2) and 23 U.S.C. § 142(g), which provide an exception from Hatch Act restrictions for a nonsupervisory employee of a public transportation

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- system (or of any other agency or entity performing related functions) receiving federal assistance appropriated or made available under 49 U.S.C. chapter 53 and 23 U.S.C. § 142(a)(2) to whom the Hatch Act does not otherwise apply.
- k. It will perform the financial and compliance audits as required by the:
    - (1) Single Audit Act Amendments of 1996, 31 U.S.C. § 7501 *et seq.*,
    - (2) 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, and
    - (3) Most recent applicable U.S. OMB Compliance Supplement, 2 CFR part 200, appendix XI (previously known as the U.S. OMB Circular A-133 Compliance Supplement).
  - l. It will comply with all other federal laws, regulations, and requirements that apply.
  - m. It will follow federal guidance governing it and its Award, except as FTA has expressly approved otherwise in writing.

### CATEGORY 02. LOBBYING.

*Before FTA may provide federal assistance for a grant or cooperative agreement exceeding \$100,000 or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, you must select the Lobbying Certifications in Category 02, unless your Applicant is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 31 U.S.C. § 1352, and/or except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 02 that does not apply will not be enforced.*

On behalf of your Applicant, you certify that:

- 1. As required by 31 U.S.C. § 1352 and U.S. DOT regulations, “New Restrictions on Lobbying,” specifically 49 CFR § 20.110:
  - a. The lobbying restrictions of this Certification apply to its requests:
    - (1) For \$100,000 or more in federal assistance for a grant or cooperative agreement, and
    - (2) For \$150,000 or more in federal assistance for a loan, line of credit, loan guarantee, or loan insurance, and
  - b. Your Certification on your Applicant’s behalf applies to the lobbying activities of:
    - (1) The Applicant,
    - (2) Its Principals, and
    - (3) Its Subrecipients at the first tier.
- 2. To the best of your knowledge and belief:
  - a. No federal appropriated funds have been or will be paid by your Applicant or on its behalf to any person to influence or attempt to influence:
    - (1) An officer or employee of any federal agency regarding the award of a:
      - (a) Federal grant or cooperative agreement, or
      - (b) Federal loan, line of credit, loan guarantee, or loan insurance, or
    - (2) A Member of Congress, an employee of a member of Congress, or an officer or employee of Congress regarding the award of a:

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (a) Federal grant or cooperative agreement, or
  - (b) Federal loan, line of credit, loan guarantee, or loan insurance.
- b. Your Applicant will submit a complete OMB Standard Form LLL (Rev. 7-97), “Disclosure of Lobbying Activities,” consistent with the instructions on that form, if any funds other than federal appropriated funds have been or will be paid to any person to influence or attempt to influence:
  - (1) An officer or employee of any federal agency regarding the award of a:
    - (a) Federal grant or cooperative agreement, or
    - (b) Federal loan, line of credit, loan guarantee, or loan insurance, or
  - (2) A Member of Congress, an employee of a member of Congress, or an officer or employee of Congress regarding the award of a:
    - (a) Federal grant or cooperative agreement, or
    - (b) Federal loan, line of credit, loan guarantee, or loan insurance.
- c. Your Applicant will include the language of this Certification in its Award documents under a federal grant, cooperative agreement, loan, line of credit, or loan insurance including, but not limited to:
  - (1) Each third party contract,
  - (2) Each third party subcontract,
  - (3) Each subagreement, and
  - (4) Each third party agreement.
- 3. Your Applicant understands that:
  - a. This Certification is a material representation of fact that the Federal Government relies on, and
  - b. It must submit this Certification before the Federal Government may award federal assistance for a transaction covered by 31 U.S.C. § 1352, including a:
    - (1) Federal grant or cooperative agreement, or
    - (2) Federal loan, line of credit, loan guarantee, or loan insurance.
- 4. Your Applicant understands that any person who does not file a required Certification will incur a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **CATEGORY 03. PROCUREMENT AND PROCUREMENT SYSTEMS.**

*We request that you select the Procurement and Procurement Systems Certification in Category 03 on behalf of your Applicant, especially if your Applicant is a state, local, or Indian tribal government with a certified procurement system, as provided in 2 CFR § 200.324(c)(2), incorporated by reference in 2 CFR part 1201 or former 49 CFR § 18.36(g)(3)(ii).*

*Any provision of the Certification in Category 03 that does not apply will not be enforced.*

On behalf of your Applicant, you certify that its procurements and its procurement system will comply with all federal laws, regulations, and requirements in accordance with applicable federal guidance, except as FTA has approved otherwise in writing.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

### CATEGORY 04. PRIVATE SECTOR PROTECTIONS.

*Before FTA may provide federal assistance for an Award that involves the acquisition of public transportation property or the operation of public transportation facilities or equipment, you must select the Private Property Protections Assurances in Category 04.A and enter into the Agreements in Category 04.B and Category 04.C on behalf of your Applicant, except as FTA determines otherwise in writing.*

*Any provision of the Assurances and Agreements in Category 04 that does not apply will not be enforced.*

#### **04.A. Private Property Protections.**

*If your Applicant is a state, local government, or Indian tribal government and seeks federal assistance from FTA to acquire the property of a private transit operator or operate public transportation in competition with or in addition to a public transportation operator, the Private Property Protections Assurances in Category 04.A apply to your Applicant, except as FTA determines otherwise in writing.*

To facilitate FTA's ability to make the findings required by 49 U.S.C. § 5323(a)(1), on behalf of your Applicant, you assure that:

1. Your Applicant has or will have:
  - a. Determined that the federal assistance it has requested is essential to carrying out its Program of Projects as required by 49 U.S.C. §§ 5303, 5304, and 5306,
  - b. Provided for the participation of private companies engaged in public transportation to the maximum extent feasible, and
  - c. Paid just compensation under state or local laws to the company for any franchise or property acquired.
2. Your Applicant has completed the actions described in the preceding section 1 of this Category 04.A Certification before:
  - a. It acquires the property or an interest in the property of a private provider of public transportation, or
  - b. It operates public transportation equipment or facilities:
    - (1) In competition with transportation service provided by an existing public transportation operator, or
    - (2) In addition to transportation service provided by an existing public transportation operator.

#### **04.B. Charter Service Agreement.**

*If your Applicant seeks federal assistance from FTA to acquire or operate transit facilities or equipment, the Charter Service Agreement in Category 04.B applies to your Applicant, except as FTA determines otherwise in writing.*

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

To comply with 49 U.S.C. § 5323(d) and (g) and FTA regulations, “Charter Service, 49 CFR part 604, specifically 49 CFR § 604.4, on behalf of your Applicant, you are entering into the following Charter Service Agreement:

1. FTA’s “Charter Service” regulations apply as follows:
  - a. FTA’s Charter Service regulations restrict transportation by charter service using facilities and equipment acquired or improved under an Award derived from:
    - (1) Federal transit laws, 49 U.S.C. chapter 53,
    - (2) 23 U.S.C. §§ 133 or 142, or
    - (3) Any other Act that provides federal public transportation assistance, unless otherwise excepted.
  - b. FTA’s charter service restrictions extend to:
    - (1) Your Applicant, when it receives federal assistance appropriated or made available for:
      - (a) Federal transit laws, 49 U.S.C. chapter 53,
      - (b) 23 U.S.C. §§ 133 or 142, or
      - (c) Any other Act that provides federal public transportation assistance, unless otherwise excepted.
    - (2) Any Third Party Participant that receives federal assistance derived from:
      - (a) Federal transit laws, 49 U.S.C. chapter 53,
      - (b) 23 U.S.C. §§ 133 or 142, or
      - (c) Any other Act that provides federal public transportation assistance, unless otherwise excepted.
  - c. A Third Party Participant includes any:
    - (1) Subrecipient at any tier,
    - (2) Lessee,
    - (3) Third Party Contractor or Subcontractor at any tier, and
    - (4) Other Third Party Participant in its Award.
  - d. You and your Applicant agree that neither it nor any governmental authority or publicly owned operator that receives federal public transportation assistance appropriated or made available for its Award will engage in charter service operations, except as permitted under:
    - (1) Federal transit laws, specifically 49 U.S.C. § 5323(d) and (g),
    - (2) FTA regulations, “Charter Service,” 49 CFR part 604, to the extent consistent with 49 U.S.C. § 5323(d) and (g),
    - (3) Any other federal Charter Service regulations, or
    - (4) Federal guidance, except as FTA determines otherwise in writing.
  - e. You and your Applicant agree that the latest Charter Service Agreement selected in its latest annual Certifications and Assurances is incorporated by reference and made part of the Underlying Agreement accompanying its Award of federal assistance from FTA.
  - f. You and your Applicant agree that:
    - (1) FTA may require corrective measures or impose remedies on it or any governmental authority or publicly owned operator that receives federal assistance from FTA that has demonstrated a pattern of violating of FTA’s Charter Service regulations by:
      - (a) Conducting charter operations prohibited by federal transit laws and FTA’s Charter Service regulations, or

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (b) Otherwise violating its Charter Service Agreement selected in its latest annual Certifications and Assurances.
- (2) These corrective measures and remedies may include:
  - (a) Barring your Applicant or any Third Party Participant operating public transportation under its Award that has provided prohibited charter service from receiving federal assistance from FTA,
  - (b) Withholding an amount of federal assistance as provided by Appendix D to FTA's Charter Service regulations, or
  - (c) Any other appropriate remedy that may apply.
- 2. In addition to the exceptions to the restrictions in FTA's Charter Service regulations, FTA has established the following additional exceptions to those restrictions:
  - a. FTA's Charter Service restrictions do not apply to your Applicant if it seeks federal assistance appropriated or made available under 49 U.S.C. §§ 5307 or 5311 to be used for Job Access and Reverse Commute (JARC) activities that would have been eligible for assistance under former 49 U.S.C. § 5316 in effect in FY 2012 or a previous fiscal year, provided that it uses that federal assistance from FTA for those program purposes only.
  - b. FTA's Charter Service restrictions do not apply to your Applicant if it seeks federal assistance appropriated or made available under 49 U.S.C. § 5310 to be used for New Freedom activities that would have been eligible for assistance under former 49 U.S.C. § 5317 in effect in FY 2012 or a previous fiscal year, provided it uses that federal assistance from FTA for those program purposes only.
  - c. An Applicant for assistance under 49 U.S.C. chapter 53 will not be determined to have violated the FTA Charter Service regulations if that Recipient provides a private intercity or charter transportation operator reasonable access to that Recipient's federally assisted public transportation facilities, including intermodal facilities, park and ride lots, and bus-only highway lanes, as provided in 49 U.S.C. § 5323(r).

### **04.C. School Bus Agreement.**

*If your Applicant seeks federal assistance from FTA to acquire or operate transit facilities or equipment, the School Bus Agreement in Category 04.C applies to your Applicant, except as FTA determines otherwise in writing.*

To comply with 49 U.S.C. § 5323(f) and (g) and FTA regulations, "School Bus Operations," 49 CFR part 605, to the extent consistent with 49 U.S.C. § 5323(f) and (g), your Applicant agrees to enter into the following School Bus Agreement:

- 1. FTA's "School Bus Operations" regulations at 49 CFR part 605 restricts school bus operations using facilities and equipment acquired or improved with federal assistance derived from:
  - a. Federal transit laws, 49 U.S.C. chapter 53,
  - b. 23 U.S.C. §§ 133 or 142, or
  - c. Any other Act that provides federal public transportation assistance, unless otherwise excepted.
- 2. FTA's school bus operations restrictions extend to:
  - a. Your Applicant, when it receives federal assistance appropriated or made available for:

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- (1) Federal transit laws, 49 U.S.C. chapter 53,
  - (2) 23 U.S.C. §§ 133 or 142, or
  - (3) Any other Act that provides federal public transportation assistance, unless otherwise excepted.
- b. Any Third Party Participant that receives federal assistance derived from:
  - (1) Federal transit laws, 49 U.S.C. chapter 53,
  - (2) 23 U.S.C. §§ 133 or 142, or
  - (3) Any other Act that provides federal public transportation assistance, unless otherwise excepted.
3. A Third Party Participant includes any:
  - a. Subrecipient at any tier,
  - b. Lessee,
  - c. Third Party Contractor or Subcontractor at any tier, and
  - d. Any other Third Party Participant in the Award.
4. You and your Applicant agree, and will obtain the agreement of any Third Party Participant, that it will not engage in school bus operations in competition with private operators of school buses, except as permitted under:
  - a. Federal transit laws, specifically 49 U.S.C. § 5323(f) and (g),
  - b. FTA regulations, “School Bus Operations,” 49 CFR part 605, to the extent consistent with 49 U.S.C. § 5323(f) and (g),
  - c. Any other federal School Bus regulations, or
  - d. Federal guidance, except as FTA determines otherwise in writing.
5. You and your Applicant agree that the latest School Bus Agreement selected on its behalf in FTA’s latest annual Certifications and Assurances is incorporated by reference and made part of the Underlying Agreement accompanying its Award of federal assistance.
6. You and your Applicant agree that after it is a Recipient, if it or any Third Party Participant has violated this School Bus Agreement, FTA may:
  - a. Bar your Applicant or Third Party Participant from receiving further federal assistance for public transportation, or
  - b. Require the Applicant or Third Party Participant to take such remedial measures as FTA considers appropriate.

### **CATEGORY 05. ROLLING STOCK REVIEWS AND BUS TESTING.**

*Before FTA may provide federal assistance for an Award to acquire rolling stock for use in revenue service or to acquire a new bus model, you must select the Rolling Stock Reviews and Bus Testing Certifications in Category 05, except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 05 that does not apply will not be enforced.*

#### **05.A. Rolling Stock Reviews.**

*If your Applicant seeks federal assistance from FTA to acquire rolling stock for use in revenue service, the Rolling Stock Reviews Certifications in Category 05.A apply to your Applicant, except as FTA determines otherwise in writing.*

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

On behalf of your Applicant, you certify that, when procuring rolling stock for use in revenue service:

1. Your Applicant will comply with:
  - a. Federal transit laws, specifically 49 U.S.C. § 5323(m), and
  - b. FTA regulations, “Pre-Award and Post-Delivery Audits of Rolling Stock Purchases,” 49 CFR part 663, and
2. As provided in 49 CFR § 663.7:
  - a. Your Applicant will conduct or cause to be conducted the required pre-award and post-delivery reviews of that rolling stock, and
  - b. It will maintain on file the Certifications required by 49 CFR part 663, subparts B, C, and D.

### **05.B. Bus Testing.**

*If your Applicant seeks federal assistance from FTA to acquire a new bus model, the Bus Testing Certifications in Category 05.B apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that:

1. FTA’s bus testing requirements apply to all acquisitions of new buses and new bus models that require bus testing as defined in FTA’s Bus Testing regulations, and it will comply with:
  - a. 49 U.S.C. § 5318, and
  - b. FTA regulations, “Bus Testing,” 49 CFR part 665.
2. As required by 49 CFR § 665.7, when acquiring the first bus of any new bus model or a bus model with a major change in components or configuration, your Applicant will not spend any federal assistance appropriated under 49 U.S.C. chapter 53 to acquire that new bus or new bus model until:
  - a. That new bus or new bus model has been tested at FTA’s bus testing facility, and
  - b. It has received a copy of the test report prepared for that new bus or new bus model.
3. It will ensure that the new bus or new bus model that is tested has met the performance standards consistent with those regulations, including the:
  - a. Performance standards for:
    - (1) Maintainability,
    - (2) Reliability,
    - (3) Performance (including braking performance),
    - (4) Structural integrity,
    - (5) Fuel economy,
    - (6) Emissions, and
    - (7) Noise, and
  - b. Minimum safety performance standards established under 49 U.S.C. § 5329, when issued.
4. After FTA regulations authorized by 49 U.S.C. § 5318(e)(2) are in effect, it will ensure that the new bus or new bus model that is tested has received a passing aggregate test score under the “Pass/Fail” standard established by regulation.

### **CATEGORY 06. DEMAND RESPONSIVE SERVICE.**



## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

*Before FTA may provide federal assistance to a public entity that operates demand responsive service for an Award to acquire a non-rail vehicle that is not accessible, you must select the Demand Responsive Service Certifications in Category 06, except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 06 that does not apply will not be enforced.*

As required by U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 CFR part 37, specifically 49 CFR § 37.77(d), on behalf of your Applicant, you certify that:

1. Your Applicant offers public transportation services equivalent in level and quality of service to:
  - a. Individuals with disabilities, including individuals who use wheelchairs, and
  - b. Individuals without disabilities.
2. Viewed in its entirety, your Applicant’s service for individuals with disabilities is:
  - a. Provided in the most integrated setting feasible, and
  - b. Equivalent to the service it offers individuals without disabilities with respect to:
    - (1) Response time,
    - (2) Fares,
    - (3) Geographic service area,
    - (4) Hours and days of service,
    - (5) Restrictions on priorities based on trip purpose,
    - (6) Availability of information and reservation capability, and
    - (7) Constraints on capacity or service availability.

### **CATEGORY 07. INTELLIGENT TRANSPORTATION SYSTEMS.**

*Before FTA may provide federal assistance for an Award in support of an Intelligent Transportation System (ITS), you must select the Intelligent Transportation Systems Assurances in Category 07, except as FTA determines otherwise in writing.*

*Any provision of the Assurances in Category 07 that does not apply will not be enforced.*

On behalf of your Applicant, you and your Applicant:

1. Understand that, as used in this Assurance, the term Intelligent Transportation System is defined to include technologies or systems of technologies that provide or significantly contribute to the provision of one or more Intelligent Transportation System (ITS) user services as defined in the “National ITS Architecture.”
2. Assure that, as provided in 23 U.S.C. § 517(d), any Award that includes an ITS or related activity financed with appropriations made available from the Highway Trust Fund, including amounts made available to deploy ITS facilities or equipment, will conform to the appropriate regional ITS architecture, applicable standards, and protocols developed under 23 U.S.C. § 517(a) or (c), unless it obtains a waiver as provided in 23 U.S.C. § 517(d)(2).

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

### CATEGORY 08. INTEREST AND FINANCING COSTS AND ACQUISITION OF CAPITAL ASSETS BY LEASE.

*Before FTA may award federal assistance appropriated or made available under 49 U.S.C. chapter 53 to support the interest, financing, or leasing costs of any Award financed under the Urbanized Area Formula Grants Program, Fixed Guideway Capital Investment Grants Program, any program to which the requirements of 49 U.S.C. § 5307 apply, or any other program as FTA may specify, you must select the Certifications in Category 08, except as FTA may determine otherwise in writing.*

*Any provision of the Certifications and Assurances in Category 08 that does not apply will not be enforced.*

#### **08.A. Interest and Financing Costs.**

*If your Applicant intends to use federal assistance to support the interest or any other financing costs for an Award financed under the Urbanized Area Formula Grants Program, the Fixed Guideway Capital Investment Grants Program, the New Starts, Small Starts, and Core Capacity Programs, any program that must comply with the requirements of 49 U.S.C. § 5307, or any other program as FTA may specify, the Interest and Financing Costs Certifications in Category 08.A apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that:

1. It will not seek reimbursement for interest or any other financing costs unless:
  - a. It is eligible to receive federal assistance for those costs, and
  - b. Its records demonstrate that it has shown reasonable diligence in seeking the most favorable financing terms, as FTA may require.
2. It will comply with the same favorable financing cost provisions for Awards financed under:
  - a. The Urbanized Area Formula Grants Program,
  - b. A Full Funding Grant Agreement,
  - c. An Early Systems Work Agreement,
  - d. The Fixed Guideway Capital Investment Program financed by previous FTA enabling legislation,
  - e. Any program that must comply with the requirements of 49 U.S.C. § 5307, or
  - f. Any other program as FTA may specify.

#### **08.B. Acquisition of Capital Assets by Lease.**

*If your Applicant seeks federal assistance from FTA to acquire capital assets (other than rolling stock or related equipment) through a lease, the Acquisition of Capital Assets by Lease Certifications and Assurances in Category 08.B apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify and assure that, as required by FTA regulations, “Capital Leases,” 49 CFR part 639, to the extent consistent with the FAST Act, if your Applicant

## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

acquires any capital asset (other than rolling stock or related equipment) through a lease financed with federal assistance appropriated or made available under 49 U.S.C. chapter 53, it will not enter into a capital lease for which FTA can provide only incremental federal assistance unless it has adequate financial resources to meet its future lease obligations if federal assistance is not available.

### **CATEGORY 09. TRANSIT ASSET MANAGEMENT PLAN, PUBLIC TRANSPORTATION AGENCY SAFETY PLAN, AND STATE SAFETY OVERSIGHT REQUIREMENTS.**

*Before FTA may provide federal assistance appropriated or made available under 49 U.S.C. chapter 53 to support an Award, you must select the Certifications in Category 09, except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 09 that does not apply will not be enforced.*

#### **09.A. Transit Asset Management Plan.**

*If your Applicant applies for funding appropriated or made available for 49 U.S.C. chapter 53, the Transit Asset Management Certifications in Category 09.A apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that it and each of its Subrecipients will:

1. Comply with FTA regulations, “Transit Asset Management,” 49 CFR part 625, and
2. Follow federal guidance that will implement the regulations at 49 CFR part 625.

#### **09.B. Public Transportation Safety Program.**

*If your Applicant applies for funding under 49 U.S.C. chapter 53 and it is a State, local government authority, or any other operator of a public transportation system, the particular provisions under the Public Transportation Safety Program in Category 09.B apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that it will comply with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.

#### **09.C. State Safety Oversight Requirements.**

On behalf of your Applicant, depending on how far the Recipient has progressed in developing a State Safety Oversight program fully compliant with 49 U.S.C. § 5329(e) and FTA regulations, “State Safety Oversight,” 49 C.F.R. part 674, your applicant certifies that it will comply as follows:

## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

1. States With a Fully Compliant Program. The Recipient agrees that FTA regulations, “State Safety Oversight,” 49 C.F.R. part 674, will apply when its State Safety Oversight program is fully compliant with FTA’s requirements, but
2. States Without a Fully Compliant Program. The Recipient agrees that FTA regulations, “Rail Fixed Guideway Systems; State Safety Oversight,” 49 C.F.R. part 659, will continue to apply to those states that have not yet implemented a fully compliant Public Transportation Safety Program.

### **CATEGORY 10. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.**

*If your Applicant must comply with the alcohol and controlled substance testing requirements of 49 U.S.C. § 5331 and its implementing regulations, before FTA may provide federal assistance for an Award, you must select the Certifications in Category 10, except as FTA may determine otherwise in writing.*

*Any provision of the Certifications in Category 10 that does not apply will not be enforced.*

As required by 49 U.S.C. § 5331, and FTA regulations, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations,” 49 CFR part 655, subpart I, specifically 49 CFR § 655.83, on behalf of your Applicant, including an Applicant that is a state, and on behalf of its Subrecipients and Third Party Contractors, you certify that:

1. Your Applicant, its Subrecipients, and Third Party Contractors to which these testing requirements apply have established and implemented:
  - a. An alcohol misuse testing program, and
  - b. A controlled substance testing program.
2. Your Applicant, its Subrecipients, and its Third Party Contractors to which these testing requirements apply have complied or will comply with all applicable requirements of 49 CFR part 655 to the extent those regulations are consistent with 49 U.S.C. § 5331.
3. Consistent with U.S. DOT Office of Drug and Alcohol Policy and Compliance Notice, issued October 22, 2009, if your Applicant, its Subrecipients, or its Third Party Contractors to which these testing requirements apply reside in a state that permits marijuana use for medical or recreational purposes, your Applicant, its Subrecipients, and its Third Party Contractors to which these testing requirements apply have complied or will comply with the federal controlled substance testing requirements of 49 CFR part 655.

### **CATEGORY 11. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS PROGRAM (NEW STARTS, SMALL STARTS, AND CORE CAPACITY IMPROVEMENT).**

*Before FTA may provide federal assistance for an Award financed under the New Starts, Small Starts, or Core Capacity Improvement Program authorized under 49 U.S.C. § 5309, you must select the Certifications in Category 11, except as FTA may determine otherwise in writing.*

*Any provision of the Certifications in Category 11 that does not apply will not be enforced.*

Except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

1. 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,
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
3. 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,
4. It will comply with:
  - a. The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
  - b. The statewide and nonmetropolitan transportation planning requirements of 49 U.S.C. § 5304, and
5. It will comply with FTA guidance, “Final Interim Policy Guidance, Federal Transit Administration Capital Investment Grant Program,” June 2016.

### **CATEGORY 12. STATE OF GOOD REPAIR PROGRAM.**

*Before FTA may provide federal assistance for an Award financed under the State of Good Repair Program authorized under 49 U.S.C. § 5337, you must select the Certifications in Category 12, except as FTA determines otherwise in writing.*

*Any provision of the Assurance in Category 12 that does not apply will not be enforced.*

On behalf of your Applicant, you certify that:

1. 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,
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award,
3. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient’s transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR part 625, and
4. It will comply with:
  - a. The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
  - b. The statewide and nonmetropolitan transportation planning requirements of 49 U.S.C. § 5304.

### **CATEGORY 13. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS**

*Before FTA may provide federal assistance for an Award under the Buses and Bus Facilities Program authorized under 49 U.S.C. § 5339, as amended by the FAST Act, which authorizes grants for formula and competitive Bus and Bus Facilities Grants and Low or No Emission buses or an award under the Low or No Emission Vehicle Development Program authorized under former 49 U.S.C. § 5312(d)(5), you must select the Certifications in Category 13, except as FTA determines otherwise in writing.*

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

*Any provision of the Certifications in Category 13 that does not apply will not be enforced.*

### **13.A. Grants for Buses and Bus Facilities Program**

*The following Certifications for the Grants for Buses and Bus Facilities Program are required by 49 U.S.C. § 5339, as amended by the FAST Act, which provides that the requirements of 49 U.S.C. § 5307 shall apply to recipients of grants made in urbanized areas and the requirements of 49 U.S.C. § 5311 shall apply to recipients of grants made in rural areas. Therefore:*

1. If your Applicant is in an urbanized area, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify 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 the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
  - d. When using or involving a facility or equipment acquired or improved with federal assistance under 49 U.S.C. § 5339 during non-peak hours for transportation, recipients in an urbanized area will charge a fare not exceeding fifty (50) percent of the peak hour fare to the following individuals:
    - (1) Any senior,
    - (2) Any 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), is unable to use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
    - (3) Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. § 401 *et seq.*), and
    - (4) Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. § 1395 *et seq.*).
  - e. When carrying out a procurement under 49 U.S.C. § 5339, it will comply with:
    - (1) The applicable general provisions of 49 U.S.C. § 5323, and
    - (2) The applicable third party contract provisions of 49 U.S.C. § 5325.
  - f. It has complied with or will comply with 49 U.S.C. § 5307(b).
  - g. As required by 49 U.S.C. § 5307(d):
    - (1) It has or will have the amount of funds required for the non-federal share,
    - (2) It will provide the non-federal share from sources approved by FTA, and
    - (3) It will provide the non-federal share when needed.
  - h. It will comply with:
    - (1) The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
    - (2) The statewide and nonmetropolitan transportation planning requirements of 49 U.S.C. § 5304.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- i. It has a locally developed process to solicit and consider public comment before:
    - (1) Raising a fare, or
    - (2) Implementing a major reduction of public transportation service.
  - j. It will comply with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.
2. Except as FTA determines otherwise in writing, if your Applicant is in a rural area, you certify, on behalf of your Applicant, that:
- a. It has or will have and require each Subrecipient to 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 and require each Subrecipient to have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
  - c. It will maintain and require each Subrecipient to maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
  - d. Its state program has provided for a fair distribution of federal assistance appropriated or made available under 49 U.S.C. § 5311(b) within the state to eligible entities, including Indian reservations.
  - e. Its program provides or will provide the maximum feasible coordination of federal assistance for public transportation service with transportation service financed by other federal sources.
  - f. Its Awards and Subawards in its Formula Grants for Rural Areas Program are included in:
    - (1) The statewide transportation improvement program, and
    - (2) To the extent applicable, a metropolitan transportation improvement program.
  - g. With respect to the non-federal share:
    - (1) It has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the non-federal share, as required by 49 U.S.C. § 5311(g),
    - (2) It will provide and, as necessary, will require each Subrecipient to provide the non-federal share from sources approved by FTA, and
    - (3) It will provide and, as necessary, will require each Subrecipient to provide the non-federal share when needed.
  - h. It may transfer a facility or equipment acquired or improved under its Award to any other Recipient eligible to receive assistance under 49 U.S.C. chapter 53, if:
    - (1) The Recipient possessing the facility or equipment consents to the transfer, and
    - (2) The facility or equipment will continue to be used as required under 49 U.S.C. § 5311.

### **13.B. Low or No Emission Vehicle Deployment.**

*If your Applicant seeks federal assistance from FTA for an Award financed under the Low or No Emission Vehicle Development Program authorized under former 49 U.S.C. § 5312(d)(5), the*

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

*Certifications and Assurances in Category 13.B apply to your Applicant, except as FTA determines otherwise in writing.*

Former section 5312(d)(5)(C)(i) of title 49, United States Code, requires the following Certifications for Low or No Emission Vehicle Deployment Program before awarding federal assistance appropriated or made available under MAP-21. Therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify and assure that:

1. 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.
2. It has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award in accordance with the Recipient's transit management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
4. When using or involving a facility or equipment acquired or improved with federal assistance under former 49 U.S.C. § 5312(d)(5) during non-peak hours for transportation, it will charge a fare not exceeding fifty (50) percent of the peak hour to the following individuals:
  - a. Any senior,
  - b. Any individual who, because of illness, injury, age, a congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or who has semi-ambulatory capability) and is unable to use a public transportation service or a public transportation facility effectively without special facilities, special planning, or special design,
  - c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. § 401 *et seq.*), and
  - d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. § 1395 *et seq.*).
5. When carrying out a procurement under this Program, it will comply with:
  - a. The applicable general provisions of 49 U.S.C. § 5323, and
  - b. The applicable third party contract provisions of 49 U.S.C. § 5325.
6. It has complied with or will comply with 49 U.S.C. § 5307(b) because:
  - a. It has informed or will inform the public of the amounts of its federal assistance available under this Program,
  - b. It has developed or will develop, in consultation with interested parties including private transportation providers, its proposed Program of Projects for activities to be financed,
  - c. It has published or will publish its proposed Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Projects and its performance as an Applicant,
  - d. It has provided or will provide an opportunity for a public hearing to obtain the views of individuals on its proposed Program of Projects,
  - e. It has assured or will assure that its proposed Program of Projects provides for coordination of public transportation services assisted under 49 U.S.C. § 5336, as amended by the FAST Act, with federally assisted transportation services supported by other federal sources,



## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- f. It has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of Projects, and
  - g. It has made or will make the final list of Projects for which an Award is sought available to the public.
7. With respect to the non-federal share:
    - a. It has or will have the amount of funds required for the non-federal share,
    - b. It will provide the non-federal share from sources approved by FTA, and
    - c. It will provide the non-federal share when needed.
  8. It will comply with:
    - a. The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
    - b. The statewide and nonmetropolitan planning requirements of 49 U.S.C. § 5304.
  9. It has a locally developed process to solicit and consider public comment before:
    - a. Raising a fare, or
    - b. Implementing a major reduction of public transportation service.
  10. It will comply with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.

### **CATEGORY 14. URBANIZED AREA FORMULA GRANTS PROGRAMS AND PASSENGER FERRY GRANT PROGRAM.**

*Before FTA may provide federal assistance for an Award financed under the Urbanized Area Formula Grants Program authorized under 49 U.S.C. § 5307, as amended by the FAST Act, which authorizes federal assistance for Job Access and Reverse Commute (JARC) activities, and the Passenger Ferry Grant Program authorized under 49 U.S.C. § 5307(h), you must select the Certifications in Category 14, except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 14 that does not apply will not be enforced.*

#### **14.A. Urbanized Area Formula Grants Program under the FAST Act.**

*If your Applicant seeks federal assistance from FTA for an Award financed under the Urbanized Area Formula Grants Program authorized under 49 U.S.C. § 5307, as amended by the FAST Act, the Certifications in Category 14.A apply to your Applicant, except as FTA determines otherwise in writing.*

The following Certifications for the Urbanized Area Formula Grants Program under 49 U.S.C. § 5307, as amended by the FAST Act, are required by 49 U.S.C. § 5307(c)(1). Therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. 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.
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

3. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625,
4. When using or involving a facility or equipment acquired or improved with federal assistance under 49 U.S.C. § 5307 during non-peak hours for transportation, it will charge a fare not exceeding fifty (50) percent of the peak hour fare to the following individuals:
  - a. Any senior,
  - b. Any 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), is unable to use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
  - c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. § 401 *et seq.*), and
  - d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. § 1395 *et seq.*).
5. When carrying out a procurement under 49 U.S.C. § 5307, it will comply with:
  - a. The applicable general provisions of 49 U.S.C. § 5323, and
  - b. The applicable third party contract provisions of 49 U.S.C. § 5325.
6. It has complied with or will comply with 49 U.S.C. § 5307(b) because:
  - a. It has made or will make available to the public information on the amounts of federal assistance available to it under 49 U.S.C. § 5307,
  - b. It has developed or will develop, in consultation with interested parties including private transportation providers, its proposed Program of Projects for activities for which federal assistance is sought,
  - c. It has published or will publish its proposed Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on its proposed Program of Projects and its performance as an Applicant or Recipient,
  - d. It has provided or will provide an opportunity for a public hearing to obtain the views of individuals on its proposed Program of Projects,
  - e. It has ensured or will ensure that its proposed Program of Projects provides for coordination of transportation services financed by FTA under 49 U.S.C. § 5336, as amended by the FAST Act, with transportation services supported by other Federal Government sources,
  - f. It has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final Program of Projects, and
  - g. It has made or will make its final Program of Projects available to the public.
7. As required by 49 U.S.C. § 5307(d):
  - a. It has or will have the amount of funds required for the non-federal share,
  - b. It will provide the non-federal share from sources approved by FTA, and
  - c. It will provide the non-federal share when needed.
8. As required by 49 U.S.C. § 5307(c)(1)(H), it will comply with:
  - a. The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- b. The statewide and nonmetropolitan transportation planning requirements of 49 U.S.C. § 5304.
9. As required by 49 U.S.C. § 5307(c)(1)(I), it has a locally developed process to solicit and consider public comment before:
  - a. Raising a fare, or
  - b. Implementing a major reduction of public transportation.
10. Each fiscal year:
  - a. It will assure that at least one (1) percent of the amount of federal assistance under 49 U.S.C. § 5307 apportioned to its urbanized area must be expended for Public Transportation Security activities as described in 49 U.S.C. § 5307(c)(1)(J)(i) including:
    - (1) Increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages),
    - (2) Increased camera surveillance of an area in or adjacent to that system,
    - (3) Emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and
    - (4) Any other activity intended to increase the security and safety of an existing or planned public transportation system, or
  - b. The Designated Recipients in its urbanized area certify that such expenditures for Public Transportation Security activities are not necessary.
11. If it serves an urbanized area with a population of at least 200,000 individuals, as determined by the Bureau of the Census:
  - a. It will provide a report by the end of the fourth quarter of the preceding federal fiscal year that lists projects carried out in the preceding fiscal year under this section for associated transit improvements as defined in 49 U.S.C. § 5302, and
  - b. The report of its Associated Transit Improvements or related activities is or will be incorporated by reference and made part of its Certifications and Assurances.
12. It will comply with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.

### **14.B. Passenger Ferry Grant Program.**

*If your Applicant seeks federal assistance from FTA for an Award financed under the Passenger Ferry Grant Program authorized under 49 U.S.C. § 5307(h), as amended by the FAST Act, the Certifications in Category 14.B apply to your Applicant, except as FTA determines otherwise in writing.*

The following Certifications for the Passenger Ferry Grant Program are required by 49 U.S.C. § 5307(c)(1) or (h). Therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. 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.
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

3. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
4. When using or involving a facility or equipment acquired or improved with federal assistance under 49 U.S.C. § 5307(h) during non-peak hours for transportation, it will charge a fare not exceeding fifty (50) percent of the peak hour fare to the following individuals:
  - a. Any senior,
  - b. Any 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), is unable to use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
  - c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. § 401 *et seq.*), and
  - d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. § 1395 *et seq.*).
5. When carrying out a procurement under 49 U.S.C. § 5307(h), it will comply with:
  - a. The applicable general provisions of 49 U.S.C. § 5323, and
  - b. The applicable third party contract provisions of 49 U.S.C. § 5325.
6. As required by 49 U.S.C. § 5307(d):
  - a. It has or will have the amount of funds required for the non-federal share,
  - b. It will provide the non-federal share from sources approved by FTA, and
  - c. It will provide the non-federal share when needed.
7. As required by 49 U.S.C. § 5307(c)(1)(H), it will comply with:
  - a. The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
  - b. The statewide and nonmetropolitan transportation planning requirements of 49 U.S.C. § 5304.
8. As required by 49 U.S.C. § 5307(c)(1)(I), it has a locally developed process to solicit and consider public comment before:
  - a. Raising a fare, or
  - b. Implementing a major reduction of public transportation service.
9. It will comply with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.

### **CATEGORY 15. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.**

*Before FTA may provide federal assistance for an Award financed under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program authorized under 49 U.S.C. § 5310, as amended by the FAST Act, or the Pilot Program for Innovated Access and Mobility under Section 3006(b) of the FAST Act, you must select the Certifications in Category 15, except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 15 that does not apply will not be enforced.*

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

1. The following Certifications for the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program are required by 49 U.S.C. § 5310. Therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:
  - a. Each Subrecipient is:
    - (1) A private nonprofit organization, or
    - (2) A state or local governmental authority that:
      - (a) Is approved by a state to coordinate services for seniors and individuals with disabilities, or
      - (b) Certifies that there are no private nonprofit organizations readily available in the area to provide the services authorized for support under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program.
  - b. Your Applicant will comply with the following selection and planning requirements:
    - (1) The Projects it has selected or will select for an Award or Subaward of federal assistance appropriated or made available under 49 U.S.C. § 5310 are included in a public transit-human services transportation plan that has been:
      - (a) Locally developed, and
      - (b) Coordinated.
    - (2) The public transit-human services transportation plan was developed and approved through a process that included participation by:
      - (a) Seniors,
      - (b) Individuals with disabilities,
      - (c) Representatives of public, private, and nonprofit transportation providers,
      - (d) Representatives of public, private, and nonprofit human services providers, and
      - (e) Other members of the public.
    - (3) Within its Award, the Projects selected to receive federal assistance will assist in providing transportation services for seniors and individuals with disabilities are included in its Program of Projects submitted to FTA annually.
    - (4) To the maximum extent feasible, the services financed by 49 U.S.C. § 5310 will be coordinated with transportation services financed by other federal departments and agencies, including any transportation activities carried out by a recipient of federal assistance from the Department of Health and Human Services.
  - c. As required by 49 U.S.C. § 5310(e)(2)(B), it certifies that if it allocates federal assistance received under 49 U.S.C. § 5310 to any Subrecipient, it will have allocated that federal assistance on a fair and equitable basis.
  - d. It will not transfer a facility or equipment acquired or improved with federal assistance appropriated or made available for a grant under 49 U.S.C. § 5310 to any other recipient eligible to receive assistance under 49 U.S.C. chapter 53, unless:
    - (1) The recipient possessing the facility or equipment consents to the transfer, and
    - (2) The facility or equipment will continue to be used as required under 49 U.S.C. § 5310.
  - e. As required by 49 U.S.C. § 5310(b)(2), it will use at least fifty-five (55) percent of the federal assistance it receives for Capital Projects to meet the special needs of seniors and individuals with disabilities.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- f. The requirements of 49 U.S.C. § 5307, as determined by FTA, will apply to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program authorized by 49 U.S.C. § 5310.
2. FTA has determined that certain requirements of 49 U.S.C. § 5307 are appropriate for the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, some of which require Certifications. Therefore, as specified under 49 U.S.C. § 5307(c)(1), your Applicant certifies that:
  - a. It has or will have and will require each Subrecipient to 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 and will require each Subrecipient to have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award or Subaward.
  - c. It will maintain and will require each Subrecipient to maintain its equipment and facilities acquired or improved under its Award or Subaward, in accordance with the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
  - d. When carrying out a procurement under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, it will require each Subrecipient to comply with:
    - (1) The applicable general provisions of 49 U.S.C. § 5323, and
    - (2) The applicable third party contract provisions of 49 U.S.C. § 5325.
  - e. With respect to the non-federal share:
    - (1) It has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the non-federal share, as required by 49 U.S.C. § 5310,
    - (2) It will provide and, as necessary, will require each Subrecipient to provide the non-federal share from sources approved by FTA, and
    - (3) It will provide and, as necessary, will require each Subrecipient to provide the non-federal share when needed.
  - f. It has complied or will comply and will require each Subrecipient to comply with:
    - (1) The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
    - (2) The statewide and nonmetropolitan transportation planning requirements of 49 U.S.C. § 5304.
  - g. To the extent applicable, it will and will require its Subrecipients to comply with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.

### **CATEGORY 16. RURAL AREAS AND APPALACHIAN DEVELOPMENT PROGRAMS.**

*Before FTA may provide federal assistance for an Award financed under the Formula Grants for Rural Areas Program authorized under 49 U.S.C. § 5311(b), as amended by FAST Act, and the Appalachian Development Public Transportation Assistance Program authorized under*

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

*49 U.S.C. § 5311(c)(2), as amended by FAST, you must select the Certifications in Category 16, except as FTA determines otherwise in writing.*

*Any provision of the Certifications and Assurances in Category 16 that does not apply will not be enforced.*

### **16.A. Formula Grants for Rural Areas Program.**

*If your Applicant seeks federal assistance from FTA for an Award financed under the Formula Grants for Rural Areas Program authorized under 49 U.S.C. § 5311, as amended by FAST Act, the Certifications in Category 16.A apply to your Applicant, except as FTA determines otherwise in writing.*

The following Certifications apply to each state or state organization serving as your Applicant for federal assistance appropriated or made available for the Rural Areas Formula Program financed under 49 U.S.C. § 5311(b), as amended by FAST Act. On its behalf, you certify and assure that:

1. It has or will have and require each Subrecipient to have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
2. It has or will have and require each Subrecipient to have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
3. It will maintain and require each Subrecipient to maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
4. It will and will require each Subrecipient to comply with applicable regulations and guidance that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.
5. Its state program has provided for a fair distribution of federal assistance appropriated or made available under 49 U.S.C. § 5311(b) within the state to eligible entities, including Indian reservations.
6. Its program provides or will provide the maximum feasible coordination of federal assistance for public transportation service authorized by 49 U.S.C. § 5311(b) with transportation service financed by other federal sources.
7. Its Awards and Subawards in its Formula Grants for Rural Areas Program are included in:
  - a. The statewide transportation improvement program, and
  - b. To the extent applicable, a metropolitan transportation improvement program.
8. With respect to the non-federal share:
  - a. It has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the non-federal share, as required by former 49 U.S.C. § 5311(g),
  - b. It will provide and, as necessary, will require each Subrecipient to provide the non-federal share from sources approved by FTA, and

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- c. It will provide and, as necessary, will require each Subrecipient to provide the non-federal share when needed.
9. It may transfer a facility or equipment acquired or improved under its Award to any other Recipient eligible to receive assistance under 49 U.S.C. chapter 53, if:
  - a. The Recipient possessing the facility or equipment consents to the transfer, and
  - b. The facility or equipment will continue to be used as required under 49 U.S.C. § 5311.
10. Each fiscal year:
  - a. It will spend at least fifteen (15) percent of its federal assistance authorized under 49 U.S.C. § 5311 and available that fiscal year for eligible activities to develop and support intercity bus transportation within the state including:
    - (1) Planning and marketing for intercity bus transportation,
    - (2) Capital grants for intercity bus facilities,
    - (3) Joint-use facilities,
    - (4) Operating grants through purchase-of-service agreements, user-side subsidies, and demonstration projects, and
    - (5) Coordinating rural connections between small public transportation operations and intercity bus carriers, or
  - b. It will provide to FTA a Certification from the governor of the state that:
    - (1) It has consulted with the affected intercity bus service providers about the intercity bus needs of the state, and
    - (2) The state's intercity bus service needs are being met adequately.

### **16.B. Appalachian Development Public Transportation Assistance Program.**

*If your Applicant seeks federal assistance from FTA for an Award financed under the Appalachian Development Public Transportation Assistance Program authorized under 49 U.S.C. § 5311(c)(2), the Certifications in Category 16.B apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify and assure that, if it is unable to use its federal assistance made available or appropriated for public transportation operating assistance, in accordance with 49 U.S.C. § 5311(c)(2)(D), it may use the federal assistance for a Highway Project only after:

1. It provides notice and an opportunity for comment and appeal to affected public transportation providers,
2. It approves such use in writing, and
3. In approving the use, it determines that local transit needs are being addressed.
4. It complies or will comply, to the extent applicable, with the recipient's transit asset management plan consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625, and
5. It complies or will comply, to the extent applicable, with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.



## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

### **CATEGORY 17. TRIBAL TRANSIT PROGRAMS (PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS 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), you must select the Certifications in Category 17, except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 17 that does not apply will not be enforced.*

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). On behalf of your Applicant, you certify and assure that:

1. 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.
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.4. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
4. With respect to its procurement system:
  - a. 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,
  - b. 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
  - c. It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
5. It will comply with the Certifications, Assurances, and Agreements in:
  - a. Category 03.B and 03.C (Charter Service Agreement and School Bus Agreement),
  - b. Category 05.B (Bus Testing),
  - c. Category 06 (Demand Responsive Service),
  - d. Category 07 (Intelligent Transportation Systems), and
  - e. Category 10 (Alcohol and Controlled Substances Testing).

## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

### **CATEGORY 18. STATE SAFETY OVERSIGHT GRANT PROGRAM.**

*Before FTA may provide federal assistance for an Award financed under the State Safety Oversight Grant Program authorized under 49 U.S.C. § 5329(e)(6), you must select the Certifications in Category 18, except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 18 that does not apply will not be enforced.*

On behalf of your Applicant, you certify that:

1. 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.
2. It has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award in accordance with the Recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
4. When carrying out a procurement under its Award, it will comply with:
  - a. The applicable general provisions of 49 U.S.C. § 5323, and
  - b. The applicable third party contract provisions of 49 U.S.C. § 5325.
5. As required by 49 U.S.C. § 5329(e)(6)(C):
  - a. It has or will have the amount of funds required for the non-federal share,
  - b. It will provide the non-federal share only from sources approved by FTA, and will not be met by:
    - (1) Any federal assistance,
    - (2) Any funds received from a public transportation agency, or
    - (3) Any revenues earned by a public transportation agency, and
  - c. Will provide the non-federal share when needed.
6. Depending on how far the Recipient has progressed in developing a State Safety Oversight program fully compliant with 49 C.F.R. part 674, the following FTA regulations will apply:
  - a. States With a Fully Compliant Program. The Recipient agrees that FTA regulations, "State Safety Oversight," 49 C.F.R. part 674, will apply when its State Safety Oversight program is fully compliant with FTA's requirements;
  - b. States Without a Fully Compliant Program. The Recipient agrees that FTA regulations, "Rail Fixed Guideway Systems; State Safety Oversight," 49 C.F.R. part 659, will continue to apply to those states that have not yet implemented a fully compliant Public Transportation Safety Program.

### **CATEGORY 19. PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM.**

*Before FTA may provide federal assistance for an Award financed under the Public Transportation Emergency Relief Program authorized under 49 U.S.C. § 5324, you must select the Certifications in Category 19, except as FTA determines otherwise in writing.*

*Any provision of the Assurance in Category 19 that does not apply will not be enforced.*

## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

As required by 49 U.S.C. § 5324(d), on behalf of your Applicant, you assure that it will:

1. Comply with the requirements of the Certifications and Assurances as FTA determines will apply to an Applicant for federal assistance appropriated or made available for the Public Transportation Emergency Relief Program, and
2. Comply with FTA regulations, “Emergency Relief,” 49 C.F.R. part 602.

### **CATEGORY 20. EXPEDITED PROJECT DELIVERY PILOT PROGRAM.**

*Before FTA may provide federal assistance for an Award financed under the Expedited Project Delivery Pilot Program authorized under section 3005(b) of the FAST Act, you must select the Certifications in Category 20, except as FTA determines otherwise in writing.*

*To the extent that any Certification in Category 20 does not apply, it will not be enforced.*

As required by section 3005(b)(3)(B) of the FAST Act, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. 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.
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award in accordance with the recipient’s transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR part 625.
4. It will comply with:
  - a. The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
  - b. The statewide and nonmetropolitan transportation planning requirements of 49 U.S.C. § 5304.

### **CATEGORY 21. INFRASTRUCTURE FINANCE PROGRAMS.**

*Before FTA may provide credit assistance for an Award that also is or will be financed under the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program authorized under 23 U.S.C. §§ 601 – 609, or the State Infrastructure Banks (SIB) Program authorized under 23 U.S.C. § 610, you must select the Certifications in Category 21.*

*If the Applicant does not receive credit assistance under the TIFIA or SIB programs, the Certifications and Assurances in Category 21 will not be enforced.*

#### **21.A. Transportation Infrastructure Finance and Innovation Act (TIFIA) Program.**

*If your Applicant seeks federal assistance from FTA for an Award that also is or will be financed under the TIFIA Program authorized under 23 U.S.C. §§ 601 – 609 the Certifications and Assurances in Category 21.A apply to your Applicant. In administering this Program, the FAST Act cross-cutting requirements supersede inconsistent former requirements.*

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

On behalf of your Applicant, you certify and assure, as required by 49 U.S.C. § 5323(o), that federal transit laws, specifically 49 U.S.C. § 5307, 49 U.S.C. § 5309, and 49 U.S.C. § 5337, apply to any Project under 49 U.S.C. chapter 53 that receives TIFIA credit assistance under 23 U.S.C. §§ 601 – 609.

1. To comply with 49 U.S.C. §5307, specifically 49 U.S.C. § 5307(c)(1), on your Applicant's behalf, you certify 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 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 the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
  - d. For transportation during non-peak hours and using or involving a facility or equipment of an Award financed using 49 U.S.C. § 5307 funds, it will charge a fare not exceeding fifty (50) percent of the peak hour fare to the following individuals:
    - (1) Any senior,
    - (2) Any individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), is unable to use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
    - (3) Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. § 401 *et seq.*), and
    - (4) Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. § 1395 *et seq.*).
  - e. When carrying out a TIFIA-financed procurement, the Applicant will comply with:
    - (1) The applicable provisions of 49 U.S.C. § 5323, and
    - (2) The applicable provisions of 49 U.S.C. § 5325.
  - f. It has complied with or will comply with 49 U.S.C. § 5307(b).
  - g.
    - (1) It has or will have no more than 80 percent of the Total Award Budget as the sum of all federal grants and any TIFIA-financed awards,
    - (2) It will provide the non-federal share from sources approved by FTA, and
    - (3) It will provide the non-federal share when needed.
  - h. It will comply with:
    - (1) The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
    - (2) The statewide and nonmetropolitan planning requirements of 49 U.S.C. § 5304.
  - i. It has a locally developed process to solicit and consider public comment before:
    - (1) Raising a fare, or
    - (2) Implementing a major reduction of public transportation.
  - j. It will comply with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of 49 U.S.C. § 5329(b)-(d), except as FTA determines otherwise in writing.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

2. To comply with the interest and financing costs restrictions of 49 U.S.C. chapter 53, it agrees that it will not seek reimbursement for interest or any other financing costs incurred in connection with its Award that must be in compliance with those requirements unless:
  - a. It is eligible to receive federal assistance for those expenses, and
  - b. Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.
3. It will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*).
4. Pursuant to the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 5321 *et seq.*, the Project will qualify for an environmental categorical exclusion or receive a finding of no significant impact or a record of decision under NEPA before the Applicant undertakes activities for which it expects to receive federal assistance.
5. It agrees that it will adopt a transit asset management plan that complies with regulations implementing 49 U.S.C. § 5326(d).

### **21.B. State Infrastructure Banks (SIB) Program.**

*If your Applicant is a state and seeks federal assistance from FTA for a project that also is or will be financed under the SIB Program authorized under 23 U.S.C. § 610, the Certifications and Assurances in Category 21.B apply to your state and its Award, except as the Secretary determines in writing. In administering this Program, the FAST Act cross-cutting requirements supersede inconsistent former requirements.*

On behalf of the state Applicant for federal assistance for its SIB Program, you certify and assure that:

1. It will comply with the following applicable federal laws establishing the various SIB Programs since 1995:
  - a. 23 U.S.C. § 610,
  - b. Section 1511 of TEA-21, 23 U.S.C. § 181 note, or
  - c. Section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. § 181.
2. It will comply with or follow the Grant Agreement between it and FTA that provides federal assistance to the SIB, including the FTA Master Agreement, which is incorporated by reference into the Grant Agreement, except that, unless FTA determines otherwise in writing, a provision of the FTA Master Agreement incorporated by reference into that Grant Agreement will not apply if it conflicts with any provision of:
  - a. 23 U.S.C. § 610, as amended by the FAST Act,
  - b. 23 U.S.C. § 610 or its predecessor before the FAST Act was signed into law,
  - c. Section 1511 of TEA-21, 23 U.S.C. § 181 note, or section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. § 181 note,
  - d. Federal guidance pertaining to the SIB Program,
  - e. The SIB Cooperative Agreement establishing the state's SIB Program,
  - f. The Grant Agreement with FTA.
3. As required by 49 U.S.C. § 5323(o), federal transit laws, specifically 49 U.S.C. § 5307, 49 U.S.C. § 5309, and 49 U.S.C. § 5337, as amended by the FAST Act, apply to any Award

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

under 49 U.S.C. chapter 53 that receives SIB support or financing under title 23, United States Code.

4. As required by 49 U.S.C. § 5323(o) and 49 U.S.C. § 5307(c)(1):
  - 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 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 the recipient's transit asset management plan and consistent with FTA regulations, "Transit Asset Management," 49 CFR part 625.
  - d. When using or involving a facility or equipment acquired or improved with federal assistance under a SIB-financed Award during non-peak hours for transportation, it will charge a fare not exceeding fifty (50) percent of the peak hour fare to the following individuals:
    - (1) Any senior,
    - (2) Any 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), is unable to use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
    - (3) Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. § 401 *et seq.*), and
    - (4) Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. § 1395 *et seq.*).
  - e. When carrying out a procurement under a SIB-financed Award, it will comply with:
    - (1) The applicable general provisions of 49 U.S.C. § 5323, and
    - (2) The applicable third party contract provisions of 49 U.S.C. § 5325.
  - f. It has complied with or will comply with 49 U.S.C. § 5307(b).
  - g. It has or will have or provide:
    - (1) The amount of funds required for the non-federal share by the SIB Program, but not less than twenty-five (25) percent of each capitalization grant,
    - (2) The non-federal share from sources approved by FTA, and
    - (3) The non-federal share when needed.
  - h. It will comply with:
    - (1) The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
    - (2) The statewide and nonmetropolitan planning requirements of 49 U.S.C. § 5304.
  - i. It has a locally developed process to solicit and consider public comment before:
    - (1) Raising a fare, or
    - (2) Implementing a major reduction of public transportation.
  - j. It will comply with applicable regulations, guidance, and directives that implement the Public Transportation Safety Program provisions of § 5329(b)-(d), except as FTA determines otherwise in writing.
5. As required by 49 U.S.C. chapter 53, it certifies that it will not seek reimbursement for interest or any other financing costs incurred in connection with its Award unless:
  - a. It is eligible to receive federal assistance for those expenses, and

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- b. Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, as FTA may require.
6. It agrees that it will adopt a transit asset management plan that complies with FTA regulations, "Transit Asset Management," 49 CFR part 625.

### CATEGORY 22. PAUL S. SARBANES TRANSIT IN PARKS PROGRAM

*Before FTA may provide federal assistance for an Award financed under the Paul S. Sarbanes Transit in Parks Program authorized under former 49 U.S.C. § 5320, in effect in FY 2012 or a previous fiscal year, except as superseded by FAST Act requirements, you must select the Certifications in Category 22, except as FTA determines otherwise in writing.*

*Any provision of the Certifications and Assurances in Category 22 that does not apply will not be enforced.*

1. Except as superseded by the FAST Act cross-cutting requirements, the following Certifications and Assurances for the Paul S. Sarbanes Transit in Parks Program (Parks Program) are required by former 49 U.S.C. § 5320, in effect in FY 2012 or a previous fiscal year. Therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:
  - a. It will consult with the appropriate federal land management agency during the planning process, and
  - b. The requirements of former 49 U.S.C. § 5307, as determined by FTA, will apply to the Parks Program authorized by former 49 U.S.C. § 5320.
2. FTA has determined certain requirements of former 49 U.S.C. § 5307 to be appropriate for the Parks Program, of which some require Certifications. Therefore, as specified under former 49 U.S.C. § 5307(d)(1), except as superseded by the FAST Act cross-cutting requirements that apply, you certify that your Applicant:
  - 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 its equipment and facilities acquired or improved under its Award.
  - d. When carrying out a procurement under former 49 U.S.C. § 5320, it will comply and will require each Subrecipient to comply with the following provisions:
    - (1) Competitive procurement (as defined or approved by FTA) requirements of 49 U.S.C. § 5325(a),
    - (2) The prohibition against exclusionary or discriminatory specifications in its procurements under 49 U.S.C. § 5323(h),
    - (3) "Buy America" requirements under 49 U.S.C. § 5323(j), as amended by the FAST Act, and FTA regulations, "Buy America Requirements," 49 CFR part 661,
    - (4) Applicable pre-award and post-delivery requirements of 49 U.S.C. § 5323(m),
    - (5) Applicable railcar option restrictions of 49 U.S.C. § 5325(e), and
    - (6) "Veterans Preference/Employment" requirements under 49 U.S.C. § 5325(k).
  - e. It will comply with other applicable requirements under 49 U.S.C. § 5323 and § 5325.

## FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

- f. It has complied or will comply with the requirements of former 49 U.S.C. § 5307(c), and specifically:
  - (1) It has made or will make available to the public information on the amounts available for the Parks Program, former 49 U.S.C. § 5320, and the Projects it proposes to implement under its Award,
  - (2) It has developed or will develop, in consultation with interested parties including private transportation providers, Projects to be financed under its Award,
  - (3) It has published or will publish a list of proposed Projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed Projects and submit comments on the proposed Projects and its performance,
  - (4) It has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed Projects,
  - (5) It has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of Projects, and
  - (6) It has made or will make the final list of Projects for which an Award is sought available to the public.
- g. With respect to the non-federal share:
  - (1) It has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the non-federal share, as required by 49 U.S.C. § 5320,
  - (2) It will provide the non-federal share from sources approved by FTA, and
  - (3) It will provide the non-federal share when needed.
- h. It has complied or will comply with and will require each Subrecipient to comply with:
  - (1) The metropolitan transportation planning requirements of 49 U.S.C. § 5303, and
  - (2) The statewide and nonmetropolitan planning requirements of 49 U.S.C. § 5304.
- i. It has a locally developed process to solicit and consider public comment before:
  - (1) Raising a fare, or
  - (2) Implementing a major reduction of public transportation.

### **CATEGORY 23. CONSTRUCTION HIRING PREFERENCES.**

*Before FTA may provide federal assistance for a third party contract for construction hiring financed under title 49 U.S.C. or title 23 U.S.C. using a geographic, economic, or any other hiring preference not otherwise authorized by federal law or regulation, you must select the Certifications in Category 23 on behalf of your Applicant, except as FTA determines otherwise in writing.*

*Any provision of the Certifications in Category 23 that does not apply will not be enforced.*

As provided by section 192 of division L, title I of the Consolidated Appropriations Act, 2017, Public Law No. 114-113, on behalf of your Applicant, you certify that if, in connection with any third party contract for construction hiring financed under title 49 U.S.C. or title 23 U.S.C., it uses a geographic, economic, or any other hiring preference not otherwise authorized by law or prohibited under 2 CFR § 200.319(b):



## **FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

1. Except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the third party contract requires resides in the jurisdiction where the work will be performed,,
2. It will include appropriate provisions in its bid document ensuring that its third party contractor(s) do not displace any of its existing employees in order to satisfy such hiring preference, and
3. That any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

Selection and Signature Page(s) follow.

**FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

**FEDERAL FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES FOR  
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**  
(Signature pages alternative to providing Certifications and Assurances in TrAMS)

Name of Applicant: EASTERN SIERRA TRANSIT AUTHORITY

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

OR

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

<u>Category</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	_____
02.	Lobbying.	_____
03.	Procurement and Procurement Systems.	_____
04.	Private Sector Protections.	_____
05.	Rolling Stock Reviews and Bus Testing.	_____
06.	Demand Responsive Service.	_____
07.	Intelligent Transportation Systems.	_____
08.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
09.	Transit Asset Management Plan, Public Transportation Safety Program, and State Safety Oversight Requirements.	_____
10.	Alcohol and Controlled Substances Testing.	_____
11.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity Improvement).	_____
12.	State of Good Repair Program.	_____
13.	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs.	_____
14.	Urbanized Area Formula Grants Programs and Passenger Ferry Grant Program.	_____
15.	Enhanced Mobility of Seniors and Individuals with Disabilities Programs.	_____
16.	Rural Areas and Appalachian Development Programs.	_____
17.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
18.	State Safety Oversight Grant Program.	_____
19.	Public Transportation Emergency Relief Program.	_____
20.	Expedited Project Delivery Pilot Program.	_____
21.	Infrastructure Finance Programs.	_____
22.	Paul S. Sarbanes Transit in Parks Program.	_____
23.	Construction Hiring Preferences.	_____

**FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES**

**FEDERAL FISCAL YEAR 2017 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**

(Required of all Applicants for federal assistance to be awarded by FTA and all FTA Grantees with an active Capital or Formula Award)

**AFFIRMATION OF APPLICANT**

Name of the Applicant: EASTERN SIERRA TRANSIT AUTHORITY

Name and Relationship of the Authorized Representative: JOHN HELM EXECUTIVE DIRECTOR

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 federal fiscal year 2017, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2017.

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

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: \_\_\_\_\_

Name JOHN HELM  
Authorized Representative of Applicant

**AFFIRMATION OF APPLICANT'S ATTORNEY**

For (Name of Applicant): EASTERN SIERRA TRANSIT AUTHORITY

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: \_\_\_\_\_

Name JOHN VALLEJO  
Attorney for Applicant

*Each Applicant for federal assistance to be awarded by FTA and each FTA Recipient with an active Capital or Formula Project or Award 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 FTA's electronic award and management system, provided the Applicant has on file and uploaded to FTA's electronic award and management system this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.*

For this reason, and in accordance with the practice in previous years after consultation with legal counsel, staff has determined to select the option agreeing to comply with all applicable provisions of Groups 01 – 23.

The FY 2017 Federal Certifications and Assurances have been forwarded to John Vallejo, Assistant County Counsel Inyo County, for his review. Affirmation of the Certifications and Assurances by ESTA's legal counsel is required as part of the submittal.

### **FINANCIAL CONSIDERATIONS**

Approval and submittal of the FY2017 Certifications and Assurances is required in order to receive federal operating and capital assistance. ESTA's FY2016/17 budget includes \$566,912 in federal funding. Staff estimates potentially \$600,000 in federal financial assistance in ESTA's FY2017/18 budget.

### **RECOMMENDATION**

The Board is requested to authorize the Executive Director to sign the Federal Fiscal Year 2017 Certifications and Assurances binding ESTA's compliance with these certifications and assurances for Federal Transit Administration assistance programs.

Agenda Item #11  
February 17, 2017

## **STAFF REPORT**

Subject: Title VI Program

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This item is rescheduled and will be addressed at the next meeting of the ESTA Board of Directors.

## **STAFF REPORT**

Subject: 2015/16 Audited Financial Report for the Eastern  
Sierra Transit Authority

Initiated by: John Helm, Executive Director

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### **BACKGROUND:**

The Transportation Development Act requires that claimants receiving funds for transit services from a County Transportation Commission submit to an annual certified fiscal audit.

### **ANALYSIS/DISCUSSION:**

In compliance with the requirements of the Transportation Development Act, the Eastern Sierra Transit Authority has an audited financial report prepared each year for the preceding fiscal year. The audit was again performed this year by the firm Fechter and Company. Fechter and Company was chosen to perform the audit following a procurement conducted in 2015.

The audit for the fiscal year ending June 30, 2016 will be distributed at the Board meeting and is available for public viewing on ESTA's website.

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### **RECOMMENDATION:**

This item is presented for the information of the Board, which is requested to receive and file the report.

**EASTERN SIERRA  
TRANSIT AUTHORITY**

**ANNUAL FINANCIAL REPORT  
WITH INDEPENDENT AUDITOR'S  
THEREON**

*June 30, 2016*

**EASTERN SIERRA TRANSIT AUTHORITY**

Annual Financial Report  
For the Year Ended June 30, 2016

**TABLE OF CONTENTS**

**FINANCIAL SECTION**

Independent Auditor’s Report..... 1-2

Management’s Discussion & Analysis .....3-6

**BASIC FINANCIAL STATEMENTS:**

Proprietary Fund –  
Statement of Net Position ..... 7  
Statement of Revenues, Expenses, and Changes in Net Position ..... 8  
Statement of Cash Flows.....9-10

Notes to Financial Statements..... 11-21

Required Supplementary Information - Pensions ..... 22

**Other Reports**

Report on Compliance Over Financial Reporting Based on an  
Audit of Financial Statements Performed in Accordance with  
the Statutes, Rules and Regulations of the California  
Transportation Development Act and the Allocation Instructions  
and Resolutions of the Local Transportation Commission .....23-24



## **INDEPENDENT AUDITOR'S REPORT**

Members of the Board of Directors  
Eastern Sierra Transit Authority  
Bishop, California

We have audited the accompanying financial statements of the Eastern Sierra Transit Authority as of and for the year ended June 30, 2016, and the related notes to the financial statements, as listed in the table of contents.

### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### **Unmodified Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Eastern Sierra Transit Authority as of June 30, 2016, and the changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

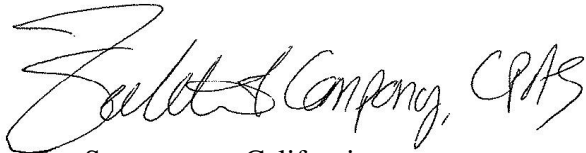
Members of the Board of Directors  
Eastern Sierra Transit Authority

**Other Matters**

*Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 3–6 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Fechter & Company  
Certified Public Accountants

A handwritten signature in cursive script that reads "Fechter & Company, CPAs". The signature is written in dark ink and is positioned above the printed name and date.

Sacramento, California  
December 22, 2016

**EASTERN SIERRA TRANSIT AUTHORITY  
MANAGEMENT'S DISCUSSION & ANALYSIS (MD&A)  
JUNE 30, 2016**

As management of the Eastern Sierra Transit Authority (ESTA), we offer readers of our financial report this narrative overview and analysis of the financial activities for the fiscal year ended June 30, 2016.

**FINANCIAL HIGHLIGHTS**

- The assets of ESTA exceeded its liabilities at the close of the year by \$8,076,801. Of this amount, \$3,546,995 may be used to meet ESTA's ongoing obligations to its customers and creditors.
- Revenue significantly exceeded expenditures, primarily as a result of lowered operating expenses due to lower than budgeted fuel cost (\$351,024), lower than anticipated maintenance expense (\$99,726), lower employee compensation costs (\$95,398), and lower than budgeted unemployment expense (\$22,698). Fare revenue for the budget units, excluding MMSA, exceeded budget by \$209,091 primarily as a result of increases for the Reds Meadow Shuttle and the 395 Route budget units. This increased fare revenue was attributable to increased summer visitation in the eastern sierra during the 2015 summer as a result of low snowfall the prior winter.

**OVERVIEW OF THE FINANCIAL STATEMENTS**

This discussion and analysis is intended to serve as an introduction to ESTA's basic financial statements. ESTA's basic financial statements comprise three components: 1) government-wide financial statements, 2) notes to the financial statements, and 3) other reports including the schedule of federal awards.

**Government-Wide Financial Statements**

The government-wide financial statements are designed to provide readers with a broad overview of ESTA's finances, in a manner similar to a private sector business. The Statement of Net Position presents information on all of ESTA's assets and liabilities, with the difference between the two reported as net position. The Statement of Activities presents information showing how ESTA's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event takes place, regardless of the timing of related cash flows. Therefore, revenues and expenses are reported in the statement for certain items that will only result in cash flows in future fiscal periods (e.g. earned but unused vacation leave).

**Notes to Financial Statements**

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

**EASTERN SIERRA TRANSIT AUTHORITY  
MANAGEMENT'S DISCUSSION & ANALYSIS (MD&A)  
JUNE 30, 2016**

**Other Reports**

Other reports include the Schedule of Federal Awards along with the Schedule of Findings and Questioned Costs. The Schedule of Federal Awards includes federal grant activity in accordance with OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations. Therefore some of the amounts differ from amounts presented in the basic financial statements. Additionally, this section contains reports on internal controls and compliance with financial and other matters.

**NET POSITION**

**Condensed Statement of Net Position at June 30, 2016 and 2015**

	<b>Business Type Activities</b>		
	2016	2015	Change
<b>Assets</b>			
Current and other assets	\$ 4,840,696	\$ 3,982,234	\$ 858,462
Capital assets	4,529,806	5,037,972	(508,166)
Total assets	<u>9,370,502</u>	<u>9,020,206</u>	<u>350,296</u>
<b>Liabilities</b>			
Current and other liabilities	905,807	638,778	(267,029)
Long-term liabilities	387,894	413,616	25,722
Total liabilities	<u>1,293,701</u>	<u>1,052,394</u>	<u>(241,307)</u>
<b>Net position</b>			
Invested in capital assets, net of related debt	4,529,806	5,037,972	(508,166)
Unrestricted	<u>3,546,995</u>	<u>2,929,840</u>	<u>617,155</u>
<b>TOTAL NET POSITION</b>	<u><u>\$ 8,076,801</u></u>	<u><u>\$ 7,967,812</u></u>	<u><u>\$ 108,989</u></u>

Net position invested in capital assets, net of related debt, represent 56 percent of total net position and reflect ESTA's investment in capital assets (consisting mainly of buses and equipment). ESTA uses the capital assets to provide services to citizens; consequently, these assets are not available for future spending.

Unrestricted net position represents the remaining 44 percent that may be used to meet ESTA's ongoing obligations to staff members and creditors.

Net position may serve over time as a useful indicator of a government's financial position. In the case of ESTA, assets exceed liabilities by \$8,076,801 at the close of the most recent fiscal year. Besides capital assets, the most significant portion of ESTA's net position is \$4,076,332 of cash invested in the County's investment pool and one outside bank account, and \$554,849 of accounts receivable. Cash and investments are maintained in the Inyo County's cash and investment pool where interest earned on ESTA's balance is apportioned to ESTA.

**EASTERN SIERRA TRANSIT AUTHORITY  
MANAGEMENT'S DISCUSSION & ANALYSIS (MD&A)  
JUNE 30, 2016**

**CHANGES IN NET POSITION**

	<b>Business Type Activities</b>		
	2016	2015	Change
<b>Program revenues</b>			
Fare revenues	\$ 1,882,113	\$ 1,720,918	\$ 161,195
Local Transportation Fund	1,297,755	1,278,976	18,779
State Transit Assistance	105,608	304,192	(198,584)
Operating grants	444,167	538,769	(94,602)
Capital grants	329,269	1,196,248	(866,979)
Other program revenues	1,340,221	905,852	434,369
<b>General revenues</b>			
Interest and other revenues	14,482	123,404	(108,922)
<b>Total revenues</b>	<u>5,413,615</u>	<u>6,068,359</u>	<u>(654,744)</u>
<b>Expenses</b>			
Transit expense	<u>5,304,626</u>	<u>5,026,715</u>	<u>(277,911)</u>
<b>CHANGE IN NET POSITION</b>	108,989	1,041,644	(932,655)
Net position – beginning of year	<u>7,967,812</u>	<u>7,199,324</u>	<u>768,488</u>
Prior period adjustment	<u>-</u>	<u>(273,156)</u>	<u>273,156</u>
<b>End of Year</b>	<u>\$ 8,076,801</u>	<u>\$ 7,967,812</u>	<u>\$ 108,989</u>

Total revenues decreased \$654,744 from FY14/15 to \$5,413,615. Capital grants revenue, which is primarily composed of reimbursement for vehicle purchases, declined by \$866,979 in FY15/16. The previous year saw a larger than normal amount of vehicle purchases and, correspondingly, an increase in the reimbursement revenue. State Transit Assistance revenue also declined significantly in 15/16 as the state only released two of the anticipated four quarterly STA payments during the fiscal year. Operating grant revenue was down for the year due to lower reimbursements due to lower operating costs, primarily fuel costs. Transit expense increased by \$277,911 in FY 15/16 as a result of a 6.5% increase in service hours operated. The service increase was primarily related to the MMSA routes due to increased visitation in the winter of 2015/16, and to the Mammoth Express route, which saw a service expansion due to a new funding source.

**EASTERN SIERRA TRANSIT AUTHORITY  
MANAGEMENT'S DISCUSSION & ANALYSIS (MD&A)  
JUNE 30, 2016**

**CAPITAL ASSETS AND DEBT ADMINISTRATION**

**Capital Assets**

ESTA's investment in capital assets, as of June 30, 2016, amounts to \$4,529,806 (net of accumulated depreciation). This investment in capital assets is comprised of buses and equipment. The large increase from the prior years is due to a large Federal grant that was for the purchase of new buses.

**Debt Administration**

ESTA had long-term obligations of \$387,894 related to net pension liability as of June 30, 2016.

**FUTURE ECONOMIC ISSUES**

- The MOU with the ESTA Employees Association (EEA) expired in May of 2016 and has been under negotiation since that time. A tentative agreement has been reached with the Association, which includes increases in compensation and benefits. If approved by the Association, employee compensation will increase by approximately 4.5% (\$150,000) per year.
- The future of the Affordable Care Act is in question following the 2016 presidential election. Modifications to the ACA could have an as yet unknown impact on ESTA's health insurance costs.
- The legalization of marijuana in the State may make it more difficult to recruit employees, who are required by ESTA's Drug & Alcohol Testing Policy, and by federal regulation to not use marijuana
- Action by the State legislature to address the current transportation programs funding shortfall could provide much needed revenues to fund transportation programs, particular the State Transportation Improvement Program (STIP) which, in the past, has been a primary source of funding for vehicle replacement.

**REQUESTS FOR INFORMATION**

This financial report is designed to provide a general overview of ESTA's financial position for all interested parties. Questions concerning any information in this report or requests for additional financial information should be addressed to the Eastern Sierra Transit Authority Executive Director, at P.O. Box 1357, Bishop, CA 93515 or the Inyo County Auditor-Controller at P.O. Drawer R, Independence, CA 93526.

**EASTERN SIERRA TRANSIT AUTHORITY**  
**STATEMENT OF NET POSITION - PROPRIETARY FUND**  
**JUNE 30, 2016**

**ASSETS**

Current Assets:

Cash	\$ 4,076,332
Accounts receivable	554,849

Total current assets	4,631,181
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Capital assets, net of accumulated depreciation	4,529,806
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<b>TOTAL ASSETS</b>	<b>9,160,987</b>
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**DEFERRED OUTFLOWS OF RESOURCES**

Deferred pensions (note 7)	209,515
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**LIABILITIES AND NET POSITION**

Current liabilities:

Accounts payable and accrued liabilities	527,227
Payroll liabilities	226,673
Line of credit	5,378
Non-current liability - Net pension liability (note 6)	387,894

Total liabilities	1,147,172
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**DEFERRED INFLOWS OF RESOURCES**

Deferred pensions (note 7)	146,529
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Net Position

Invested in capital assets, net	4,529,806
Unrestricted	3,546,995

Total net position	8,076,801
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<b>TOTAL LIABILITIES AND NET POSITION</b>	<b>\$ 9,223,973</b>
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The accompanying notes are an integral part of these financial statements

**EASTERN SIERRA TRANSIT AUTHORITY**  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION**  
**FOR THE YEAR ENDED JUNE 30, 2016**

<b>Operating revenues:</b>	
Fare revenues	\$ 1,882,113
	<u>1,882,113</u>
Total operating revenues	<u>1,882,113</u>
<b>Operating expenses:</b>	
Salaries & benefits	2,543,599
Fuel	356,116
Vehicle maintenance	468,599
Professional & other services	189,403
Depreciation expense	1,209,489
Insurance	167,701
Rents	184,029
Miscellaneous expenses	33,054
Parts & supplies	80,933
Utilities	35,470
Advertising	36,233
	<u>5,304,626</u>
Total operating expenses	<u>5,304,626</u>
Operating income (loss)	<u>(3,422,513)</u>
<b>Non-operating revenues:</b>	
Local Transportation Fund allocation	1,297,755
State transportation fund allocation	105,608
PTMISEA revenues	467,636
Operating grants	444,167
Capital grants	329,269
Operating assistance	872,585
Gain on sale of asset	9,900
Other revenues	4,582
	<u>3,531,502</u>
Total non-operating revenues	<u>3,531,502</u>
Change in net position	108,989
Beginning net position	<u>7,967,812</u>
Ending net position	<u>\$ 8,076,801</u>

The accompanying notes are an integral part of these financial statements



**EASTERN SIERRA TRANSIT AUTHORITY  
STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED JUNE 30, 2016**

<b>Cash flows from operating activities:</b>	
Receipts from customers	\$ 1,882,113
Other operating expenses	(1,238,638)
Payroll and related fringe benefits	<u>(2,522,158)</u>
Net cash used in operating activities	<u>(1,878,683)</u>
<b>Cash flows from non-capital financing activities:</b>	
Local transportation fund allocation	1,297,755
State transit assistance allocation	105,608
Operating and capital grants	1,072,191
Operating assistance	872,585
Other revenues	<u>4,582</u>
Net cash provided by non-capital financing activities	<u>3,352,721</u>
<b>Cash flows from capital and related financing activities:</b>	
Proceeds from asset sales	9,900
Proceeds of line of credit	5,378
Payments for capital asset purchases	<u>(701,321)</u>
Net cash used in capital and related financing activities	<u>(686,043)</u>
Net increase in cash and cash equivalents	787,995
Cash and cash equivalents, beginning of year	<u>3,288,337</u>
Cash and cash equivalents, end of year	<u><u>\$ 4,076,332</u></u>

The accompanying notes are an integral part of these financial statements

**EASTERN SIERRA TRANSIT AUTHORITY  
STATEMENT OF CASH FLOWS (continued)  
FOR THE YEAR ENDED JUNE 30, 2016**

**Reconciliation of operating income (loss) to net cash  
provided by (used) by operating activities:**

Operating income (loss) \$ (3,422,513)

Adjustments to reconcile operating loss to net  
cash used by operating activities:

Depreciation 1,209,489

Increase in accounts payable and accrued liabilities 283,224

Increase in payroll liabilities 21,441

Increase in net pension liability 29,676

**Net cash provided used by operating activities** **\$ (1,878,683)**

The accompanying notes are an integral part of these financial statements

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 1: SIGNIFICANT ACCOUNTING POLICIES**

**A. THE REPORTING ENTITY**

The Eastern Sierra Transit Authority (the Authority) was established in 2007 by a joint powers agreement between Inyo County, Mono County, the City of Bishop, and the Town of Mammoth Lakes to operate a regional transportation system in the Eastern Sierra region.

As required by Governmental Accounting Standards Board (GASB) Statement No. 14, "The Financial Reporting Entity", the Authority has reviewed criteria to determine whether other entities with activities that benefit the Authority should be included within its financial reporting entity. The criteria include, but are not limited to, whether the entity has a significant operational and financial relationship with the Authority.

The Authority has determined that no other outside entity meets the above criteria and, therefore, no agency has been included as a component unit in the Authority's financial statements. In addition, the Authority is not aware of any entity that has such a relationship to the Authority that would result in the Authority being considered a component unit of that other entity.

**B. BASIS OF PRESENTATION**

The accounts of the Authority are organized and operated on the basis of funds, each of which is considered an independent fiscal and accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, net position, revenues, and expenses, as appropriate. Resources are allocated to and accounted for in individual funds based on the purpose for which they are to be spent and the means by which spending activities are controlled. The Authority distinguishes operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing transportation services to customers. The Authority's accounts are organized into the following fund types:

Proprietary Fund Type

The enterprise fund is used to account for operations that are financed and operated in a manner similar to private business enterprises, where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges, or where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other policies. Unrestricted net position for the enterprise fund represents the net assets available for future operations.

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 1: SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**C. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING**

Accounting and financial reporting treatment applied to a fund is determined by its measurement focus. The enterprise fund is accounted for on a flow of economic resources measurement focus. This measurement focus emphasizes the determination of increased/decreased net position. The accrual basis of accounting is used for the enterprise fund. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred.

Pursuant to GASB Statement No. 20, "Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting," all Financial Accounting Standards Board (FASB) statements and authoritative pronouncements issued on and before November 30, 1989, are applied to proprietary operations unless they conflict with GASB pronouncements. The Authority has elected not to apply FASB statements issued subsequent to November 30, 1989.

**Operating Revenues** - Revenues from the sale of tickets and passenger rides are recognized as income when the related service is provided.

**Non-Operating Revenues** – the Authority receives substantial funds that are not reported as operating revenues. For example, the Authority receives operating assistance from the Town of Mammoth Lakes. These funds are recognized as revenue when all applicable eligibility requirements are met. The Authority receives annual allocations from the Local Transportation and State Transit Assistance funds of the two counties it provides services in. These allocations are recognized into income as received. The Authority also receives a number of grants from various sources. These are recognized into income as eligibility requirements are met.

The following is a description of the Authority's main funding sources:

**Passenger Revenue:**

Passenger fares consist of fare charges to the users of the system.

**Operating Assistance:**

As mentioned above, the Town of Mammoth Lakes, a member of the Joint Powers Authority, provides operating assistance to the Authority. These revenues are not included as a component of fare revenues, but instead are reported as non-operating revenues.

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 1: SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**C. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING (Continued)**

**Federal Transit Administration (FTA):**

FTA revenues are funded by a federal gas tax and revenues of the federal general fund. The Authority receives Section 5311 and Section 5316 grants which are used for operations. In addition, the Authority has received funds from Sections 5310 and 5320 as well as American Recovery and Reinvestment Act of 2009 (ARRA) funds, which have been used for capital assistance.

**Transportation Development Act (TDA):**

TDA provides funding for public transit operators. This is also known as Local Transportation Fund (LTF) funding. This state fund is one quarter of a percent of the sales taxes assessed in the multi-jurisdictional region. The Inyo County and Mono County Local Transportation commissions are responsible for apportionment of these funds within both Inyo and Mono Counties. This funding is highly dependent on local economic activity.

**State Transit Assistance (STA):**

STA funding comes from the Public Transportation Act (PTA) which derives its revenue from the state sales tax on gasoline. These funds are designated as discretionary or formula. The former is appropriated by the legislature. The latter is a formula based on population and fares generated.

**D. BUDGETARY INFORMATION**

State law requires the adoption of an annual budget for the enterprise fund, which must be approved by the Board of Directors. The Budget is prepared on an accrual basis. The Board of Directors adopts an annual budget for transit operations. The Executive Director shall have the authority to transfer funds between line items, not to exceed \$5,000 or 20% for any one line item, whichever is greater, with the limits of the overall budget. The Executive Director shall report, on a regular basis, any such transfers to and from budgeted line items. Budget amendments in excess of \$5,000 or 20% of a line item, whichever is greater, shall require Board approval.

**E. CASH AND EQUIVALENTS**

For purposes of the statement of cash flows, the Authority considers all highly liquid investments with a maturity of three months or less when purchased to be cash and equivalents.

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 1: SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**F. INVESTMENTS**

Investments consist of funds deposited in the pooled fund with Inyo County. Investments are stated at market value. Such investments are within the State Statutes and the Authority's investment policy.

**G. CAPITAL ASSETS**

Capital assets are stated at historical cost. The cost of normal maintenance and repairs is charged to operations as incurred. Improvements are capitalized and depreciated over the remaining useful lives of the related properties. Depreciation is computed using the straight-line method over estimated useful lives as follows:

Buildings and improvements	40 to 50 years
Buses and maintenance vehicles	4 to 12 years
Light-rail structures and light-rail vehicles	25 to 45 years
Other operating equipment	5 to 15 years

It is the policy of the Authority to capitalize all capital assets with an individual cost of more than \$5,000, and a useful life in excess of one year.

**H. COMPENSATED ABSENCES**

The Authority's policy allows employees to accumulate earned but unused comprehensive leave and compensated time off, which will be paid to employees upon separation from the Authority's service, subject to a vesting policy.

**I. FEDERAL, STATE, AND LOCAL GRANT FUNDS**

Grants are accounted for in accordance with the purpose for which the funds are intended. Approved grants for the acquisition of land, building, and equipment are recorded as revenues as the related expenses are incurred. Approved grants for operating assistance are recorded as revenues in which the related grant conditions are met. Advances received on grants are recorded as a liability until related grant conditions are met. The Transportation Development Act (TDA) provides that any funds not earned and not used may be required to be returned to their source.

When both restricted and unrestricted resources are available for the same purpose the Authority uses restricted resources first.

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 1: SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**J. USE OF ESTIMATES**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**K. ALLOWANCE FOR DOUBTFUL ACCOUNTS**

Accounts receivable consist entirely of amounts due from other governmental agencies for operating and capital grants. Management believes its accounts receivable to be fully collectible, and, accordingly, no allowance for doubtful accounts is required.

**Note 2: CASH AND INVESTMENTS**

Cash & investments consisted of the following at June 30, 2016:

Deposits held in the County of Inyo investment pool	\$ 3,933,452
Deposits held in financial institutions	142,780
Imprest cash	<u>100</u>
Total	<u><u>\$ 4,076,332</u></u>

**A. CUSTODIAL CREDIT RISK**

At June 30, 2016, the carrying amount of the deposits held at banks was \$142,780 and the bank balances totaled \$142,780. The bank balances are insured by the FDIC for \$250,000 and the remaining was collateralized, as required by California Government Code 53630, by the pledging financial institution with assets held in a common pool for the Authority and other governmental agencies. State law requires that the collateral be equal to or greater than 100% of all public deposit that is held with the pledging financial institution if government securities are used or 150% if mortgages are used as the collateral.

**B. AUTHORIZED INVESTMENTS**

California statutes authorize the Authority to invest idle or surplus funds in a variety of credit instruments as provided for in California Government Code Section 53600, Chapter 4 – Financial Affairs.

The Government Code allows investments in the following instruments:

- Securities of the United States Government, or its agencies

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 2: CASH AND INVESTMENTS (Continued)**

**B. AUTHORIZED INVESTMENTS (Continued)**

- Small Business Administration loans
- Certificates of Deposit (or Time Deposits) Negotiable Certificates of Deposit
- Commercial paper and medium-term corporate notes
- Local Agency Investment Fund (State Pool and County Pool) Demand Deposits
- Repurchase Agreements (Repos)
- Passbook Savings Account Demand Deposits
- Reverse Repurchase Agreements
- County Cash Pool

The bulk of the District's assets are held in an investment pool with the County of Inyo. More information about the County's investments can be found in the County's financial statements.

**C. CASH IN COUNTY TREASURY**

Cash in Inyo County is held by the Inyo County Treasurer in an investment pool. The County maintains a cash and investment pool in order to facilitate the management of cash. Cash in excess of current requirements is invested in various interest-bearing securities. Information regarding categorization and fair value of investments can be found in the County's financial statements. The Treasurer's investments and policies are overseen by the Inyo County Treasury Oversight Committee.

Government Accounting Standards Board Statement No. 40 requires additional disclosures about a government's deposits and investment risks that include custodial risk, credit risk, concentration risk, and interest rate. The Authority did not have a deposit or investment policy that addresses specific types of risks.

Required risk disclosures for the Authority's investment in the Inyo County Investment Pool at June 30, 2016, were as follows:

Credit Risk	Not rated
Custodial risk	Not applicable
Concentration of credit risk	Not applicable
Interest rate risk	320 days average maturity

The fair value of the Authority's investment in the Inyo County Investment Pool is determined on an amortized cost basis which approximates fair value.



**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 3: CAPITAL ASSETS**

Capital assets consisted of the following at June 30, 2016:

	Balance 7/1/2015	Additions	Disposals	Balance 6/30/2016
Vehicles	\$8,832,676	\$ 202,475	\$(201,373)	\$8,833,778
Equipment	236,698	5,400	-	242,098
Buildings/structures	53,655	493,446	-	547,101
 Total assets	 9,123,029	 701,321	 (201,373)	 9,622,977
 Accumulated depreciation	 (4,085,055)	 (1,209,489)	 201,373	 (5,093,171)
 Capital Assets, Net	 <u>\$5,037,974</u>	 <u>\$ (508,168)</u>	 <u>\$ -</u>	 <u>\$4,529,806</u>

Depreciation expense was \$1,209,493 for the year ended June 30, 2016.

**Note 4: LEASES**

The Authority leases buildings and office facilities under non-cancelable operating leases. Total cost for such leases was \$168,000 for the year ended June 30, 2016. The future minimum lease payments for these leases are as follows:

Year Ending June 30	Amount
2017	\$ 150,000
2018	150,000
2019	150,000
2020	150,000
2021	150,000
 Total	 <u>\$ 750,000</u>

**Note 5: FARE REVENUE RATIO**

The Authority is required to maintain a fare revenue-to-operating expense ratio of 10% in accordance with the Transportation Development Act. The fare revenue-to-operating expense ratio for the Authority is calculated as follows for the year ended June 30:

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 5: FARE REVENUE RATIO (Continued)**

	2016
Fare Revenues	\$1,882,113
Total Revenues	1,882,113
Operating Expenses	5,304,626
Less Allowable Exclusions:	
Depreciation and Amortization	(1,209,489)
Net Operating Expenses	\$4,095,137
Fare Revenue Ratio	45.95%

**Note 6: AUTHORITY EMPLOYEE’S RETIREMENT PLAN (DEFINED BENEFIT PLAN)**

**A. PLAN DESCRIPTION**

The Authority’s defined benefit pension plan, the California Public Employee’s Retirement System, provides retirement and disability annual cost of living adjustments, and death benefits to plan members and beneficiaries. The California Public Employee’s Retirement System (CalPERS), a cost sharing multiple-employer plan administered by CalPERS, which acts as a common investment and administrative agent for participating public employers within the State of California. A menu of benefit provisions as well as other requirements is established by State statutes within the Public Employee’s Retirement Law. The Authority selects optional benefit provisions from the benefit menu by contract with CalPERS and adopts those benefits through local ordinance (other local methods). CalPERS issues a separate report.

**B. FUNDING POLICY**

Active plan members in the Authority’s defined pension plan are required to contribute either 8%, 7%, or 6.25% of their annual covered salary depending upon the plan in which the employee participates. The Authority is required to contribute the actuarially determined remaining amounts necessary to fund the benefits for its members. The actuarial methods and assumptions used are those adopted by the CalPERS Board of Administration. The required employer contribution rates for 2015-2016 were 9.067%, 8.003%, or 6.237% of covered payroll depending upon the retirement plan tier. In addition to the contribution rates noted above. The Authority has to make a separate payment attributable to the unfunded liability that is no longer included with the overall contribution rates. The contribution requirements of the plan members are established by state statute and the employer contribution rate is established and may be amended by CalPERS. Per the employee Memorandum of Understanding, the Authority pays the plan members contribution on their behalf for employees hired on or before December 31, 2012.

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 6: AUTHORITY EMPLOYEE'S RETIREMENT PLAN (DEFINED BENEFIT PLAN)  
(Continued)**

**B. FUNDING POLICY (Continued)**

At June 30, 2016, the District reported a liability of \$387,894 in the Statement of Net Position for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2015 and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The District's proportion of the net pension liability was based on a projection of the District's long-term share of contributions to the pension plan relative to the projected contributions of all Pension Plan participants, which was actuarially determined.

For the fiscal year ended June 30, 2016, the District recognized pension expense of \$239,194 in its Government-Wide financial statements. Pension expense represents the change in the net pension liability during the measurement period, adjusted for actual contributions, and the deferred recognition of changes in investment gain/loss, actuarial gain/loss, actuarial assumptions or method, and plan benefits.

**C. ACTUARIAL ASSUMPTIONS**

The total pension liability in the June 30, 2015 actuarial valuation was determined using the following actuarial assumptions. Total pension liability represents the portion of the actuarial present value of projected benefit payments attributable to past periods of service for current and inactive employees.

- Discount Rate/Rate of Return – 7.5%, net of investment expense
- Inflation Rate – 2.75%
- Salary increases – Varies by Entry Age and Service
- COLA Increases – up to 2.75%
- Post-Retirement Mortality – Derived using CalPERS' Membership Data for all Funds

The actuarial assumptions used in the June 30, 2015 valuation were based on the results of an actuarial experience study for the period July 1, 2011 through June 30, 2014.

The long-term expected rate of return on pension plan investments (7.5%) was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense, and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 6: AUTHORITY EMPLOYEE’S RETIREMENT PLAN (DEFINED BENEFIT PLAN)  
(Continued)**

**C. ACTUARIAL ASSUMPTIONS (Continued)**

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Global Equity	47.0%	5.71%
Global Fixed Income	19.0%	2.43%
Inflation Sensitive	6.0%	3.36%
Private Equity	12.0%	6.95%
Real Estate	11.0%	5.13%
Infrastructure and Forestland	3.0%	5.09%
Liquidity	2.0%	(1.05)%

The discount rate used to measure the total pension liability was 7.5 percent. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate and that contributions from the District will be made at contractually required rates, actuarially determined. Based on those assumptions, the pension fund’s fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. In theory, the discount rate may differ from the long-term expected rate of return discussed previously. However, based on the projected availability of the pension fund’s fiduciary net position, the discount rate is equal to the long-term expected rate of return on pension plan investments, and was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the District’s Proportionate Share of the Net Pension Liability to Changes in the Discount Rate

The following presents what the District’s proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1 percentage point lower (6.5%) or 1 percentage point higher (8.5%) than the current rate:

	1% Decrease 6.50%	Discount Rate 7.5%	1% Increase 8.5%
District’s proportionate share of the net pension plan liability	\$ 651,025	\$ 387,894	\$ 171,193

Detailed information about the pension fund’s fiduciary net position is available in the separately issued CALPERS comprehensive annual financial report which may be obtained by contacting PERS.

**EASTERN SIERRA TRANSIT AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2016**

**Note 7: DEFERRED OUTFLOWS AND INFLOWS OF RESOURCES**

Pursuant to GASB Statement No. 63, the District recognized deferred outflows of resources in the government-wide and proprietary fund statements. These items are a consumption of net position by the District that is applicable to a future reporting period.

The District has one item that is reportable on the Government-Wide Statement of Net Position as Deferred Outflows of Resources which is related to pensions. The total is \$209,515.

The District also recognized deferral inflows of resources in the government-wide financial statements. This is an acquisition of net position by the District that is applicable to a future reporting period. The District has one item related to pensions that is captured as a deferred inflow of resources. The total at year-end was \$146,529.

Under the modified accrual basis of accounting, it is not enough that revenue is earned; it must also be available to finance expenditures of the current period. Governmental funds will therefore include deferred inflows of resources for amounts that have been earned but are not available to finance expenditures in the current period.

Deferred outflows of resources and deferred inflows of resources above represent the unamortized portion of changes to net pension liability to be recognized in future periods in a systematic and rational manner.

\$307,930 was reported as deferred outflows of resources related to pension resulting from District contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year-end June 30, 2016.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending June 30,	Amount
2016	\$ 77,840
2017	77,840
2018	70,738
2019	(71,247)
Total	\$ 155,172

**Note 9: SUBSEQUENT EVENTS**

Management has evaluated subsequent events to determine if events or transactions occurring through December 22, 2016, the date the basic financial statements, were available to be issued, require adjustment to, or disclosure in, the basic financial statements. No events were found to have occurred that would materially affect the carrying balances of assets and liabilities at the balance sheet date out of the ordinary course of business operations.

**EASTERN SIERRA TRANSIT AUTHORITY  
REQUIRED SUPPLEMENTARY INFORMATION - PENSIONS  
FOR THE YEAR ENDED JUNE 30, 2016**

Eastern Sierra Transit Authority – Schedule of the Authority’s proportionate share of the Net Pension Liability:

Last 10 Fiscal years\*:

	FY 2014	FY 2015
District’s proportion of the net pension liability	Varies by plan	Varies by plan
District’s proportionate share of the net pension liability	\$ 413,616	\$ 387,894
District’s covered employee payroll	1,366,206	1,582,603
District’s proportionate share of the net pension liability as a percentage of its covered-employee payroll	30.27%	24.51%
Plan Fiduciary net position as a percentage of the total pension liability	79.87%	83.27%

\*Amounts presented above were determined as of 6/30.  
Additional years will be presented as they become available.

CALPERS - Schedule of District contributions

Last 10 Fiscal Years\*:

	FY 2014	FY 2015
Actuarially determined contribution	\$ 115,464	\$ 183,362
Total actual contributions	(115,464)	(183,362)
Contribution deficiency (excess)	\$ -	\$ -
District’s covered-employee payroll	\$ 1,366,206	\$ 1,582,603
Contributions as a percentage of covered employee payroll	8.45%	11.59%

## **OTHER REPORTS**

## **INDEPENDENT AUDITOR'S REPORT**

Members of the Board of Directors  
Eastern Sierra Transit Authority  
Bishop, California

We have audited the accompanying financial statements of the Eastern Sierra Transit Authority as of and for the year ended June 30, 2016, and the related notes to the financial statements, as listed in the table of contents.

### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### **Unmodified Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Eastern Sierra Transit Authority as of June 30, 2016, and the changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.



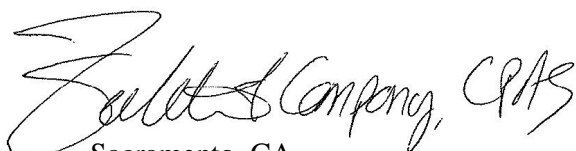
Members of the Board of Directors  
Eastern Sierra Transit Authority  
Bishop, California

In November 2006, California voters passed a bond measure enacting the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006. Of the 19.925 billion of state general obligation bonds authorized, \$4 billion was set aside by the State as instructed by statute as the Public Transportation Modernization Improvement and Service Enhancement Account (PTMISEA). These funds are available to the California Department of Transportation for intercity rail projects and to transit operators in California for rehabilitation, safety or modernization improvements, capital service enhancements or expansions, new capital projects, bus rapid transit improvements or for rolling stock procurement, rehabilitation or replacement.

During the fiscal year ended June 30, 2016, the Authority received proceeds of \$467,636 of PTMISEA funds from Inyo.

This report is intended solely for the information and use of the Eastern Sierra Transit Authority, the Mono and Inyo County Local Transportation Commissions, management, the California Department of Transportation, and the State Controller's Office and is not intended to be and should not be used by anyone other than these specified parties.

Fechter & Company  
Certified Public Accountants

A handwritten signature in cursive script that reads "Fechter & Company, CPAs". The signature is written in black ink and is positioned above the printed text of the firm's name and location.

Sacramento, CA  
December 22, 2016

## STAFF REPORT

Subject: Financial Report – FY 2016/17

Initiated by: John Helm, Executive Director

Year to date financial reports for FY 2016/17 were prepared on February 17, 2017, which is 63% through the fiscal year.

The reports reflect that, overall, revenues and expenses are tracking generally according to budget. Overtime expense is well over budget this year due to an ongoing personnel shortage due to challenging recruiting conditions as well as extra time associated with the extreme weather conditions we've had thus far this winter. Fuel cost per gallon has averaged 42% below the budgeted price through January. Fuel and maintenance costs from the Town of Mammoth Lakes for the Town and Mammoth Mountain Ski Area services have not been received, and are not reflected in the reports.

The table below summarizes the year-to-date revenue and the expenses by major expense category.

<b>ESTA Operating Expenses FY16/17</b>			
Percent of the fiscal year			<b>63.3%</b>
Category	Budget	Actual as of 01.04.17	% of Budget
<b>Total Revenue</b>	<b>4,735,967</b>	<b>2,109,441</b>	<b>44.5%</b>
<b>EXPENSES</b>			
Total Salaries	1,723,310	998,430	57.9%
Total Benefits	759,746	350,249	46.1%
Total Insurance	337,020	295,935	87.8%
Total			
Maintenance	581,720	219,467	37.7%
Facilities	229,570	127,407	55.5%
Total Services	161,400	92,087	57.1%
Fuel	630,910	154,546	24.5%
Other	119,700	65,111	54.4%
<b>Total Expenses</b>	<b>4,543,376</b>	<b>2,303,231</b>	<b>50.7%</b>

The roll-up, the budget unit summary, and the fund balance reports for FY 2016/17 as prepared on February 17, 2017, are included on the following pages.

**COUNTY OF INYO**  
**Budget to Actuals with Encumbrances by Key/Obj**

Ledger: GL

As of 2/17/2017

Object	Description	Budget	Actual	Encumbrance	Balance	%
<b>Key: 153299 - EASTERN SIERRA TRANSIT</b>						
<b>OPERATING</b>						
<b>Revenue</b>						
4061	LOCAL TRANSPORTATION TAX	1,234,781.00	516,574.15	0.00	718,206.85	41.83
4065	STATE TRANSIT ASST	226,218.00	107,222.00	0.00	118,996.00	47.39
4301	INTEREST FROM TREASURY	10,000.00	12,584.13	0.00	(2,584.13)	125.84
4499	STATE OTHER	58,000.00	75,792.18	0.00	(17,792.18)	130.67
4555	FEDERAL GRANTS	560,512.00	38,016.00	0.00	522,496.00	6.78
4599	OTHER AGENCIES	801,556.00	612,097.00	0.00	189,459.00	76.36
4819	SERVICES & FEES	1,839,900.00	746,551.76	0.00	1,093,348.24	40.57
4959	MISCELLANEOUS REVENUE	5,000.00	604.07	0.00	4,395.93	12.08
	<b>Revenue Total:</b>	<b>4,735,967.00</b>	<b>2,109,441.29</b>	<b>0.00</b>	<b>2,626,525.71</b>	<b>44.54</b>
<b>Expenditure</b>						
5001	SALARIED EMPLOYEES	1,151,800.00	672,231.11	0.00	479,568.89	58.36
5003	OVERTIME	26,500.00	42,986.05	0.00	(16,486.05)	162.21
5005	HOLIDAY OVERTIME	96,740.00	83,887.41	0.00	12,852.59	86.71
5012	PART TIME EMPLOYEES	448,270.00	199,325.90	0.00	248,944.10	44.46
5021	RETIREMENT & SOCIAL SECURITY	40,880.00	23,017.28	0.00	17,862.72	56.30
5022	PERS RETIREMENT	239,166.00	100,595.42	0.00	138,570.58	42.06
5031	MEDICAL INSURANCE	302,770.00	134,395.73	0.00	168,374.27	44.38
5043	OTHER BENEFITS	32,910.00	12,955.65	0.00	19,954.35	39.36
5045	COMPENSATED ABSENCE EXPENSE	140,820.00	78,033.71	0.00	62,786.29	55.41
5047	EMPLOYEE INCENTIVES	3,200.00	1,250.73	0.00	1,949.27	39.08
5111	CLOTHING	4,300.00	6,929.91	0.00	(2,629.91)	161.16
5152	WORKERS COMPENSATION	97,243.00	97,245.00	0.00	(2.00)	100.00
5154	UNEMPLOYMENT INSURANCE	45,000.00	8,857.00	0.00	36,143.00	19.68
5158	INSURANCE PREMIUM	194,777.00	189,833.00	0.00	4,944.00	97.46
5171	MAINTENANCE OF EQUIPMENT	545,920.00	207,248.37	0.00	338,671.63	37.96
5173	MAINTENANCE OF	22,800.00	11,168.61	0.00	11,631.39	48.98
5191	MAINTENANCE OF STRUCTURES	13,000.00	1,049.65	0.00	11,950.35	8.07
5211	MEMBERSHIPS	1,850.00	740.00	0.00	1,110.00	40.00
5232	OFFICE & OTHER EQUIP < \$5,000	9,900.00	6,250.21	0.00	3,649.79	63.13
5238	OFFICE SUPPLIES	8,100.00	2,967.63	0.00	5,132.37	36.63
5253	ACCOUNTING & AUDITING SERVICE	40,190.00	23,150.00	0.00	17,040.00	57.60
5254	AUDITING SERVICE	11,080.00	0.00	0.00	11,080.00	0.00
5260	HEALTH - EMPLOYEE PHYSICALS	6,400.00	526.63	0.00	5,873.37	8.22
5263	ADVERTISING	49,330.00	21,691.66	0.00	27,638.34	43.97
5265	PROFESSIONAL & SPECIAL SERVICE	54,400.00	46,718.77	0.00	7,681.23	85.88
5291	OFFICE, SPACE & SITE RENTAL	180,070.00	99,234.57	0.00	80,835.43	55.10
5311	GENERAL OPERATING EXPENSE	44,630.00	39,988.36	0.00	4,641.64	89.59
5331	TRAVEL EXPENSE	2,100.00	1,218.69	0.00	881.31	58.03
5332	MILEAGE REIMBURSEMENT	21,020.00	7,015.94	0.00	14,004.06	33.37
5351	UTILITIES	49,500.00	28,172.72	0.00	21,327.28	56.91
5352	FUEL & OIL	630,910.00	154,545.77	0.00	476,364.23	24.49
5901	CONTINGENCIES	27,800.00	0.00	0.00	27,800.00	0.00
	<b>Expenditure Total:</b>	<b>4,543,376.00</b>	<b>2,303,231.48</b>	<b>0.00</b>	<b>2,240,144.52</b>	<b>50.69</b>
<b>NET OPERATING</b>		<b>192,591.00</b>	<b>(193,790.19)</b>	<b>0.00</b>	<b>386,381.19</b>	
<b>CAPITAL ACCOUNT</b>						
<b>Revenue</b>						

**COUNTY OF INYO**  
**Budget to Actuals with Encumbrances by Key/Obj**

Ledger: GL

As of 2/17/2017

<b>Object</b>	<b>Description</b>	<b>Budget</b>	<b>Actual</b>	<b>Encumbrance</b>	<b>Balance</b>	<b>%</b>
4066	PTMISEA	297,000.00	0.00	0.00	297,000.00	0.00
4495	STATE GRANTS - CAPITAL	51,700.00	81,302.35	0.00	(29,602.35)	157.25
4557	FEDERAL GRANTS - CAPITAL	<u>6,400.00</u>	<u>0.00</u>	<u>0.00</u>	<u>6,400.00</u>	<u>0.00</u>
<b>Revenue Total:</b>		355,100.00	81,302.35	0.00	273,797.65	22.89
<b>Expenditure</b>						
5640	STRUCTURES & IMPROVEMENTS	120,000.00	16,741.25	10,975.00	92,283.75	23.09
5650	EQUIPMENT	79,640.00	10,591.83	0.00	69,048.17	13.29
5655	VEHICLES	<u>177,000.00</u>	<u>81,302.35</u>	<u>0.00</u>	<u>95,697.65</u>	<u>45.93</u>
<b>Expenditure Total:</b>		376,640.00	108,635.43	10,975.00	257,029.57	31.75
<b>NET CAPITAL ACCOUNT</b>		<u>(21,540.00)</u>	<u>(27,333.08)</u>	<u>(10,975.00)</u>	<u>16,768.08</u>	
<b>TRANSFERS</b>						
<b>Revenue</b>						
<b>Expenditure</b>						
5798	CAPITAL REPLACEMENT	<u>183,140.00</u>	<u>0.00</u>	<u>0.00</u>	<u>183,140.00</u>	<u>0.00</u>
<b>Expenditure Total:</b>		183,140.00	0.00	0.00	183,140.00	0.00
<b>NET TRANSFERS</b>		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	
<b>153299 Total:</b>		<u>(12,089.00)</u>	<u>(221,123.27)</u>	<u>(10,975.00)</u>	<u>220,009.27</u>	

**COUNTY OF INYO**

**Budget to Actuals with Encumbrances by Key/Income Grouping**

Ledger: GL

As Of 2/17/2017

Object	Description	Budget	Actual	Encumbrance	Balance
<b>Key: 153200 - EASTERN SIERRA TRANSIT FUND</b>					
<b>Revenue</b>					
4600	CHARGES FOR CURRENT SERVICES	0.00	0.00	0.00	0.00
4900	OTHER REVENUE	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	0.00	0.00	0.00
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	0.00	0.00	0.00	0.00
5800	OTHER FINANCING USES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	0.00	0.00	0.00
<b>Key Total:</b>		0.00	0.00	0.00	0.00
<b>Key: 153201 - ESTA ADMINISTRATION</b>					
<b>Revenue</b>					
4060	TAXES - SALES	0.00	0.00	0.00	0.00
4350	REV USE OF MONEY & PROPERTY	0.00	7,694.70	0.00	(7,694.70)
4400	AID FROM OTHER GOVT AGENCIES	0.00	0.00	0.00	0.00
4600	CHARGES FOR CURRENT SERVICES	0.00	0.00	0.00	0.00
4900	OTHER REVENUE	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	7,694.70	0.00	(7,694.70)
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	0.00	100,155.58	0.00	(100,155.58)
5100	SERVICES & SUPPLIES	0.00	0.00	0.00	0.00
5200	INTERNAL CHARGES	0.00	0.00	0.00	0.00
5560	DEBT SERVICE INTEREST	0.00	0.00	0.00	0.00
5600	FIXED ASSETS	0.00	0.00	0.00	0.00
5700	DEPRECIATION	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	100,155.58	0.00	(100,155.58)
<b>Key Total:</b>		0.00	(92,460.88)	0.00	92,460.88
<b>Key: 153202 - INYO TRANSIT SERVICE</b>					
<b>Revenue</b>					
4060	TAXES - SALES	353,629.00	137,933.56	0.00	215,695.44
4350	REV USE OF MONEY & PROPERTY	2,500.00	0.00	0.00	2,500.00
4400	AID FROM OTHER GOVT AGENCIES	71,583.00	1,007.10	0.00	70,575.90
4600	CHARGES FOR CURRENT SERVICES	55,060.00	32,480.79	0.00	22,579.21
4900	OTHER REVENUE	1,500.00	91.80	0.00	1,408.20
<b>Revenue Total:</b>		484,272.00	171,513.25	0.00	312,758.75
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	306,240.00	155,524.35	0.00	150,715.65
5100	SERVICES & SUPPLIES	126,391.00	59,006.98	0.00	67,384.02
5200	INTERNAL CHARGES	11,669.00	11,669.00	0.00	0.00
5560	DEBT SERVICE INTEREST	0.00	0.00	0.00	0.00
5600	FIXED ASSETS	43,590.00	5,295.91	0.00	38,294.09
5800	OTHER FINANCING USES	12,815.00	0.00	0.00	12,815.00
5900	RESERVES	5,000.00	0.00	0.00	5,000.00
<b>Expenditure Total:</b>		505,705.00	231,496.24	0.00	274,208.76
<b>Key Total:</b>		(21,433.00)	(59,982.99)	0.00	38,549.99
<b>Key: 153203 - MONO TRANSIT SERVICE</b>					
<b>Revenue</b>					
4060	TAXES - SALES	219,745.00	124,329.54	0.00	95,415.46
4350	REV USE OF MONEY & PROPERTY	2,500.00	0.00	0.00	2,500.00
4400	AID FROM OTHER GOVT AGENCIES	31,862.00	81,526.15	0.00	(49,664.15)
4600	CHARGES FOR CURRENT SERVICES	17,840.00	7,521.84	0.00	10,318.16

**COUNTY OF INYO**

**Budget to Actuals with Encumbrances by Key/Income Grouping**

Ledger: GL

As Of 2/17/2017

<b>Object</b>	<b>Description</b>	<b>Budget</b>	<b>Actual</b>	<b>Encumbrance</b>	<b>Balance</b>
4900	OTHER REVENUE	0.00	91.80	0.00	(91.80)
<b>Revenue Total:</b>		271,947.00	213,469.33	0.00	58,477.67
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	116,990.00	59,457.92	0.00	57,532.08
5100	SERVICES & SUPPLIES	80,055.00	22,295.77	0.00	57,759.23
5200	INTERNAL CHARGES	6,807.00	6,807.00	0.00	0.00
5600	FIXED ASSETS	0.00	81,302.35	0.00	(81,302.35)
5800	OTHER FINANCING USES	5,350.00	0.00	0.00	5,350.00
5900	RESERVES	2,800.00	0.00	0.00	2,800.00
<b>Expenditure Total:</b>		212,002.00	169,863.04	0.00	42,138.96
<b>Key Total:</b>		59,945.00	43,606.29	0.00	16,338.71
<b>Key: 153204 - BISHOP TRANSIT SERVICE</b>					
<b>Revenue</b>					
4060	TAXES - SALES	353,629.00	137,933.59	0.00	215,695.41
4350	REV USE OF MONEY & PROPERTY	2,500.00	0.00	0.00	2,500.00
4400	AID FROM OTHER GOVT AGENCIES	71,583.00	1,007.10	0.00	70,575.90
4600	CHARGES FOR CURRENT SERVICES	63,440.00	45,306.60	0.00	18,133.40
4900	OTHER REVENUE	1,500.00	91.80	0.00	1,408.20
<b>Revenue Total:</b>		492,652.00	184,339.09	0.00	308,312.91
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	323,280.00	152,081.37	0.00	171,198.63
5100	SERVICES & SUPPLIES	122,971.00	64,785.67	0.00	58,185.33
5200	INTERNAL CHARGES	11,669.00	11,669.00	0.00	0.00
5560	DEBT SERVICE INTEREST	0.00	0.00	0.00	0.00
5600	FIXED ASSETS	43,590.00	5,295.92	0.00	38,294.08
5800	OTHER FINANCING USES	12,815.00	0.00	0.00	12,815.00
5900	RESERVES	5,000.00	0.00	0.00	5,000.00
<b>Expenditure Total:</b>		519,325.00	233,831.96	0.00	285,493.04
<b>Key Total:</b>		(26,673.00)	(49,492.87)	0.00	22,819.87
<b>Key: 153205 - MAMMOTH TRANSIT SERVICE</b>					
<b>Revenue</b>					
4060	TAXES - SALES	303,458.00	161,754.46	0.00	141,703.54
4350	REV USE OF MONEY & PROPERTY	2,500.00	0.00	0.00	2,500.00
4400	AID FROM OTHER GOVT AGENCIES	1,000,418.00	332,927.19	0.00	667,490.81
4600	CHARGES FOR CURRENT SERVICES	12,690.00	5,248.90	0.00	7,441.10
4900	OTHER REVENUE	1,500.00	236.87	0.00	1,263.13
<b>Revenue Total:</b>		1,320,566.00	500,167.42	0.00	820,398.58
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	603,340.00	362,998.58	0.00	240,341.42
5100	SERVICES & SUPPLIES	488,412.00	222,648.92	0.00	265,763.08
5200	INTERNAL CHARGES	24,311.00	24,311.00	0.00	0.00
5600	FIXED ASSETS	191,000.00	12,391.25	0.00	178,608.75
5800	OTHER FINANCING USES	32,160.00	0.00	0.00	32,160.00
5900	RESERVES	12,000.00	0.00	0.00	12,000.00
<b>Expenditure Total:</b>		1,351,223.00	622,349.75	0.00	728,873.25
<b>Key Total:</b>		(30,657.00)	(122,182.33)	0.00	91,525.33
<b>Key: 153206 - 395 ROUTE</b>					
<b>Revenue</b>					
4060	TAXES - SALES	172,739.00	42,394.00	0.00	130,345.00
4400	AID FROM OTHER GOVT AGENCIES	267,688.00	14,000.95	0.00	253,687.05
4600	CHARGES FOR CURRENT SERVICES	169,380.00	147,387.47	0.00	21,992.53

**COUNTY OF INYO**

**Budget to Actuals with Encumbrances by Key/Income Grouping**

Ledger: GL

As Of 2/17/2017

<u>Object</u>	<u>Description</u>	<u>Budget</u>	<u>Actual</u>	<u>Encumbrance</u>	<u>Balance</u>
4900	OTHER REVENUE	0.00	91.80	0.00	(91.80)
<b>Revenue Total:</b>		609,807.00	203,874.22	0.00	405,932.78
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	327,720.00	149,067.93	0.00	178,652.07
5100	SERVICES & SUPPLIES	265,871.00	98,163.92	0.00	167,707.08
5200	INTERNAL CHARGES	11,669.00	11,669.00	0.00	0.00
5600	FIXED ASSETS	0.00	0.00	0.00	0.00
5700	DEPRECIATION	0.00	0.00	0.00	0.00
5900	RESERVES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		605,260.00	258,900.85	0.00	346,359.15
<b>Key Total:</b>		4,547.00	(55,026.63)	0.00	59,573.63
<b>Key: 153207 - SPECIALS</b>					
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	0.00	0.00	0.00	0.00
4600	CHARGES FOR CURRENT SERVICES	8,000.00	4,000.00	0.00	4,000.00
<b>Revenue Total:</b>		8,000.00	4,000.00	0.00	4,000.00
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	2,570.00	3,736.70	0.00	(1,166.70)
5100	SERVICES & SUPPLIES	3,700.00	0.00	0.00	3,700.00
5200	INTERNAL CHARGES	0.00	0.00	0.00	0.00
5900	RESERVES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		6,270.00	3,736.70	0.00	2,533.30
<b>Key Total:</b>		1,730.00	263.30	0.00	1,466.70
<b>Key: 153208 - COMMUTER VANPOOL</b>					
<b>Revenue</b>					
4600	CHARGES FOR CURRENT SERVICES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	0.00	0.00	0.00
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	0.00	0.00	0.00	0.00
5100	SERVICES & SUPPLIES	0.00	0.00	0.00	0.00
5200	INTERNAL CHARGES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	0.00	0.00	0.00
<b>Key Total:</b>		0.00	0.00	0.00	0.00
<b>Key: 153209 - REDS MEADOW</b>					
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	0.00	0.00	0.00	0.00
4600	CHARGES FOR CURRENT SERVICES	375,630.00	475,892.75	0.00	(100,262.75)
4900	OTHER REVENUE	500.00	0.00	0.00	500.00
<b>Revenue Total:</b>		376,130.00	475,892.75	0.00	(99,762.75)
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	176,470.00	167,045.44	0.00	9,424.56
5100	SERVICES & SUPPLIES	175,355.00	180,552.74	0.00	(5,197.74)
5200	INTERNAL CHARGES	6,807.00	6,807.00	0.00	0.00
5600	FIXED ASSETS	0.00	0.00	0.00	0.00
5700	DEPRECIATION	0.00	0.00	0.00	0.00
5800	OTHER FINANCING USES	24,000.00	0.00	0.00	24,000.00
5900	RESERVES	3,000.00	0.00	0.00	3,000.00
<b>Expenditure Total:</b>		385,632.00	354,405.18	0.00	31,226.82
<b>Key Total:</b>		(9,502.00)	121,487.57	0.00	(130,989.57)
<b>Key: 153210 - MMSA-MAMMOTH MT SKI AREA</b>					

**COUNTY OF INYO**

**Budget to Actuals with Encumbrances by Key/Income Grouping**

Ledger: GL

As Of 2/17/2017

Object	Description	Budget	Actual	Encumbrance	Balance
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	0.00	317,025.71	0.00	(317,025.71)
4600	CHARGES FOR CURRENT SERVICES	1,085,440.00	0.00	0.00	1,085,440.00
4900	OTHER REVENUE	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		1,085,440.00	317,025.71	0.00	768,414.29
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	480,670.00	138,502.98	0.00	342,167.02
5100	SERVICES & SUPPLIES	502,506.00	131,090.08	0.00	371,415.92
5200	INTERNAL CHARGES	18,477.00	18,479.00	0.00	(2.00)
5600	FIXED ASSETS	0.00	0.00	0.00	0.00
5700	DEPRECIATION	0.00	0.00	0.00	0.00
5800	OTHER FINANCING USES	96,000.00	0.00	0.00	96,000.00
5900	RESERVES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		1,097,653.00	288,072.06	0.00	809,580.94
<b>Key Total:</b>		(12,213.00)	28,953.65	0.00	(41,166.65)

**Key: 153299 - EASTERN SIERRA TRANSIT**

<b>Revenue</b>					
4060	TAXES - SALES	1,460,999.00	623,796.15	0.00	837,202.85
4350	REV USE OF MONEY & PROPERTY	10,000.00	12,584.13	0.00	(2,584.13)
4400	AID FROM OTHER GOVT AGENCIES	1,775,168.00	807,207.53	0.00	967,960.47
4600	CHARGES FOR CURRENT SERVICES	1,839,900.00	746,551.76	0.00	1,093,348.24
4800	OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00
4900	OTHER REVENUE	5,000.00	604.07	0.00	4,395.93
<b>Revenue Total:</b>		5,091,067.00	2,190,743.64	0.00	2,900,323.36
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	2,487,356.00	1,355,608.90	0.00	1,131,747.10
5100	SERVICES & SUPPLIES	1,930,977.00	850,377.58	0.00	1,080,599.42
5200	INTERNAL CHARGES	97,243.00	97,245.00	0.00	(2.00)
5560	DEBT SERVICE INTEREST	0.00	0.00	0.00	0.00
5600	FIXED ASSETS	376,640.00	108,635.43	10,975.00	257,029.57
5700	DEPRECIATION	0.00	0.00	0.00	0.00
5800	OTHER FINANCING USES	183,140.00	0.00	0.00	183,140.00
5900	RESERVES	27,800.00	0.00	0.00	27,800.00
<b>Expenditure Total:</b>		5,103,156.00	2,411,866.91	10,975.00	2,680,314.09
<b>Key Total:</b>		(12,089.00)	(221,123.27)	(10,975.00)	220,009.27

**Key: 153211 - ESTA ACCUMULATED CAPITAL OUT**

<b>Revenue</b>					
4350	REV USE OF MONEY & PROPERTY	0.00	2,350.78	0.00	(2,350.78)
4600	CHARGES FOR CURRENT SERVICES	0.00	0.00	0.00	0.00
4800	OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	2,350.78	0.00	(2,350.78)
<b>Key Total:</b>		0.00	2,350.78	0.00	(2,350.78)

**Key: 153212 - ESTA GENERAL RESERVE**

<b>Revenue</b>					
4350	REV USE OF MONEY & PROPERTY	0.00	1,823.33	0.00	(1,823.33)
4800	OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	1,823.33	0.00	(1,823.33)
<b>Key Total:</b>		0.00	1,823.33	0.00	(1,823.33)

**Key: 153213 - ESTA-BUDGET STABILIZATION RESER**

<b>Revenue</b>					
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**COUNTY OF INYO**

**Budget to Actuals with Encumbrances by Key/Income Grouping**

Ledger: GL

As Of 2/17/2017

<b>Object</b>	<b>Description</b>	<b>Budget</b>	<b>Actual</b>	<b>Encumbrance</b>	<b>Balance</b>
4350	REV USE OF MONEY & PROPERTY	0.00	727.75	0.00	(727.75)
4800	OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	727.75	0.00	(727.75)
<b>Key Total:</b>		0.00	727.75	0.00	(727.75)
<b>Key: 612502 - SRTP TRANSPORT PLAN</b>					
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	0.00	0.00	0.00
<b>Expenditure</b>					
5100	SERVICES & SUPPLIES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	0.00	0.00	0.00
<b>Key Total:</b>		0.00	0.00	0.00	0.00
<b>Key: 612490 - ACIS-AUTOMATED CUSTOMER IS</b>					
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	0.00	0.00	0.00
<b>Key Total:</b>		0.00	0.00	0.00	0.00
<b>Key: 612491 - NIGHT RIDER</b>					
<b>Revenue</b>					
4600	CHARGES FOR CURRENT SERVICES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	0.00	0.00	0.00
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	0.00	0.00	0.00
<b>Key Total:</b>		0.00	0.00	0.00	0.00
<b>Key: 612493 - JARC-LONE PINE/BISHOP</b>					
<b>Revenue</b>					
4060	TAXES - SALES	57,799.00	14,451.00	0.00	43,348.00
4400	AID FROM OTHER GOVT AGENCIES	67,800.00	10,029.54	0.00	57,770.46
4600	CHARGES FOR CURRENT SERVICES	24,410.00	15,799.71	0.00	8,610.29
4900	OTHER REVENUE	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		150,009.00	40,280.25	0.00	109,728.75
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	83,820.00	36,029.30	0.00	47,790.70
5100	SERVICES & SUPPLIES	63,268.00	28,794.65	0.00	34,473.35
5200	INTERNAL CHARGES	2,917.00	2,917.00	0.00	0.00
<b>Expenditure Total:</b>		150,005.00	67,740.95	0.00	82,264.05
<b>Key Total:</b>		4.00	(27,460.70)	0.00	27,464.70
<b>Key: 612494 - JARC-MAMMOTH EXPRESS</b>					
<b>Revenue</b>					
4060	TAXES - SALES	0.00	5,000.00	0.00	(5,000.00)
4400	AID FROM OTHER GOVT AGENCIES	105,884.00	26,838.31	0.00	79,045.69
4600	CHARGES FOR CURRENT SERVICES	28,010.00	12,913.70	0.00	15,096.30
<b>Revenue Total:</b>		133,894.00	44,752.01	0.00	89,141.99
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	60,640.00	28,223.74	0.00	32,416.26
5100	SERVICES & SUPPLIES	69,878.00	23,322.91	0.00	46,555.09
5200	INTERNAL CHARGES	2,917.00	2,917.00	0.00	0.00
<b>Expenditure Total:</b>		133,435.00	54,463.65	0.00	78,971.35

**COUNTY OF INYO**

**Budget to Actuals with Encumbrances by Key/Income Grouping**

Ledger: GL

As Of 2/17/2017

Object	Description	Budget	Actual	Encumbrance	Balance
<b>Key Total:</b>		459.00	(9,711.64)	0.00	10,170.64
<b>Key: 612496 - MONO COUNTY BUS SHELTERS</b>					
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	0.00	0.00	0.00
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	0.00	0.00	0.00	0.00
5100	SERVICES & SUPPLIES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	0.00	0.00	0.00
<b>Key Total:</b>		0.00	0.00	0.00	0.00
<b>Key: 612497 - GOOGLE TRANSIT PHASE 2</b>					
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	12,500.00	14,835.56	0.00	(2,335.56)
4600	CHARGES FOR CURRENT SERVICES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		12,500.00	14,835.56	0.00	(2,335.56)
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	1,899.00	593.81	0.00	1,305.19
5100	SERVICES & SUPPLIES	10,930.00	12,700.00	0.00	(1,770.00)
<b>Expenditure Total:</b>		12,829.00	13,293.81	0.00	(464.81)
<b>Key Total:</b>		(329.00)	1,541.75	0.00	(1,870.75)
<b>Key: 612498 - CAPP-CLEAN AIR PROJECT PROGRAM</b>					
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	0.00	0.00	0.00
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	0.00	0.00	0.00	0.00
5100	SERVICES & SUPPLIES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	0.00	0.00	0.00
<b>Key Total:</b>		0.00	0.00	0.00	0.00
<b>Key: 612499 - MOBILITY MANAGEMENT 14</b>					
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		0.00	0.00	0.00	0.00
<b>Expenditure</b>					
5100	SERVICES & SUPPLIES	0.00	0.00	0.00	0.00
<b>Expenditure Total:</b>		0.00	0.00	0.00	0.00
<b>Key Total:</b>		0.00	0.00	0.00	0.00
<b>Key: 612489 - NON-EMERGENCY TRAN REIM</b>					
<b>Revenue</b>					
4400	AID FROM OTHER GOVT AGENCIES	25,850.00	8,009.92	0.00	17,840.08
<b>Revenue Total:</b>		25,850.00	8,009.92	0.00	17,840.08
<b>Expenditure</b>					
5000	SALARIES & BENEFITS	3,717.00	2,191.20	0.00	1,525.80
5100	SERVICES & SUPPLIES	21,640.00	7,015.94	0.00	14,624.06
<b>Expenditure Total:</b>		25,357.00	9,207.14	0.00	16,149.86
<b>Key Total:</b>		493.00	(1,197.22)	0.00	1,690.22
<b>Key: 612503 - BISHOP YARD-ESTA</b>					
<b>Revenue</b>					
4060	TAXES - SALES	0.00	0.00	0.00	0.00

**COUNTY OF INYO**

**Budget to Actuals with Encumbrances by Key/Income Grouping**

Ledger: GL

As Of 2/17/2017

<b>Object</b>	<b>Description</b>	<b>Budget</b>	<b>Actual</b>	<b>Encumbrance</b>	<b>Balance</b>
4350	REV USE OF MONEY & PROPERTY	0.00	(12.43)	0.00	12.43
4400	AID FROM OTHER GOVT AGENCIES	120,000.00	0.00	0.00	120,000.00
4900	OTHER REVENUE	0.00	0.00	0.00	0.00
<b>Revenue Total:</b>		120,000.00	(12.43)	0.00	120,012.43
<b>Expenditure</b>					
5100	SERVICES & SUPPLIES	0.00	0.00	0.00	0.00
5600	FIXED ASSETS	120,000.00	4,350.00	10,975.00	104,675.00
<b>Expenditure Total:</b>		120,000.00	4,350.00	10,975.00	104,675.00
<b>Key Total:</b>		0.00	(4,362.43)	(10,975.00)	15,337.43

**COUNTY OF INYO  
UNDESIGNATED FUND BALANCES**

AS OF 06/30/2017

		Claim on Cash 1000	Accounts Receivable 1100,1105,1160	Loans Receivable 1140	Prepaid Expenses 1200	Accounts Payable 2000	Loans Payable 2140	Deferred Revenue 2200	Computed Fund Balance	Encumbrances	Fund Balance Undesignated
<b>ESTA - EASTERN SIERRA TRANSIT AUTHORI</b>											
1532	EASTERN SIERRA TRANSIT	2,246,835		36,678		69,488			2,214,025		2,214,025
1533	ESTA ACCUMULATED	649,708							649,708		649,708
1534	ESTA GENERAL RESERVE	504,427							504,427		504,427
1535	ESTA BUDGET STAB	201,769							201,769		201,769
6813	JARC-LONE PINE/BISHOP	1,188					8,500		(7,312)		(7,312)
6814	JARC-MAMMOTH EXPRESS	30,931							30,931		30,931
6817	GOOGLE TRANSIT PHASE 2	15,041					14,229		812		812
6818	CAPP-CLEAN AIR PROJECT	2,923							2,923		2,923
6819	MOBILITY MANAGEMENT 14	2,227							2,227		2,227
6820	NON-EMERGENCY TRAN REIM	6,451					8,206		(1,755)		(1,755)
6821	BISHOP YARD-ESTA	637					5,743		(5,106)	10,975	(16,081)
<b>ESTA</b>	<b>Totals</b>	<b>3,662,137</b>		<b>36,678</b>		<b>69,488</b>	<b>36,678</b>		<b>3,592,649</b>	<b>10,975</b>	<b>3,581,674</b>
<b>Grand Totals</b>		<b>3,662,137</b>		<b>36,678</b>		<b>69,488</b>	<b>36,678</b>		<b>3,592,649</b>	<b>10,975</b>	<b>3,581,674</b>

# MONTHLY REPORT

JANUARY 2017

	Jan-17	Dec-16	Percent Change	Jan-16	Percent Change
<b>PASSENGERS</b>					
Adult	156,480	128,189	22.1%	151,057	3.6%
Senior	1,569	1,629	-3.7%	1,448	8.4%
Disabled	990	1,001	-1.1%	1,054	-6.1%
Wheelchair	324	354	-8.5%	352	-8.0%
Child	15,874	18,953	-16.2%	16,703	-5.0%
Child under 5	242	265	-8.7%	237	2.1%
<b>Total Passengers</b>	<b>175,479</b>	<b>150,391</b>	<b>16.7%</b>	<b>170,851</b>	<b>2.7%</b>
<b>FARES</b>	<b>\$33,158.82</b>	<b>\$34,257.55</b>	<b>-3.2%</b>	<b>\$34,025.50</b>	<b>-2.5%</b>
<b>SERVICE MILES</b>	<b>77,295</b>	<b>82,894</b>	<b>-6.8%</b>	<b>81,858</b>	<b>-5.6%</b>
<b>SERVICE HOURS</b>	<b>5,410</b>	<b>5,361</b>	<b>0.9%</b>	<b>5,559</b>	<b>-2.7%</b>
<b>Passengers per Hour</b>	<b>32.43</b>	<b>28.05</b>	<b>15.6%</b>	<b>30.74</b>	<b>5.5%</b>

## RIDERSHIP COMPARISON

REPORT MONTH - THIS YEAR/LAST YEAR					FISCAL YEAR TO DATE				
Route	Jan-17	Jan-16	Variance	% Change	Route	FY 16/17	FY 15/16	Variance	% Change
Mammoth Express	499	307	192	62.5%	Mammoth Express	2,881	2,262	619	27.4%
Lone Pine to Bishop	277	295	-18	-6.1%	Lone Pine to Bishop	2,466	2,362	104	4.4%
Lone Pine DAR	297	224	73	32.6%	Lone Pine DAR	2,214	1,790	424	23.7%
Walker DAR	190	204	-14	-6.9%	Walker DAR	1,368	1,407	-39	-2.8%
Bridgeport to G'Ville	18	42	-24	-57.1%	Bridgeport to G'Ville	224	280	-56	-20.0%
Benton to Bishop	16	28	-12	-42.9%	Benton to Bishop	167	209	-42	-20.1%
Bishop DAR	3,200	3,081	119	3.9%	Bishop DAR	23,204	23,962	-758	-3.2%
Nite Rider	218	302	-84	-27.8%	Nite Rider	2,355	2,432	-77	-3.2%
Mammoth FR	27,724	36,869	-9,145	-24.8%	Mammoth FR	259,214	260,681	-1,467	-0.6%
Mammoth DAR	311	269	42	15.6%	Mammoth DAR	2,194	1,727	467	27.0%
Reno	428	391	37	9.5%	Reno	4,305	3,792	513	13.5%
Lancaster	290	295	-5	-1.7%	Lancaster	2,960	2,787	173	6.2%
MMSA	140,727	127,745	12,982	10.2%	MMSA	277,316	262,540	14,776	5.6%
June Lake Shuttle	609	716	-107	-14.9%	June Lake Shuttle	1,432	1,445	-13	
<b>TOTALS</b>	<b>175,479</b>	<b>170,851</b>	<b>4,628</b>	<b>2.7%</b>	<b>TOTALS:</b>	<b>745,892</b>	<b>709,658</b>	<b>36,234</b>	<b>5.1%</b>

## PASSENGERS PER SERVICE HOUR

REPORT MONTH - THIS YEAR/LAST YEAR				PAX MILES/ SVC HOUR	FISCAL YEAR TO DATE				
Route	Jan-17	Jan-16	% Change		Route	FY 16/17	FY 15/16	% Change	
Mammoth Express	3.60	2.79	29.2%		Mammoth Express	3.25	2.65	22.9%	
Lone Pine to Bishop	2.20	2.77	-20.6%		Lone Pine to Bishop	2.96	3.00	-1.4%	
Lone Pine DAR	2.02	1.60	26.3%		Lone Pine DAR	2.17	1.77	22.2%	
Walker DAR	1.59	1.70	-6.5%		Walker (total)	1.56	1.60	-2.7%	
Bridgeport to G'Ville	1.21	1.54	-21.5%		Bridgeport to G'Ville	1.22	1.51	-19.2%	
Benton to Bishop	1.22	2.35	-48.3%		Benton to Bishop	1.87	2.21	-15.3%	
Bishop DAR	3.64	3.63	0.3%		Bishop DAR	3.70	3.99	-7.3%	
Nite Rider	3.63	3.97	-8.6%		Nite Rider	4.87	5.08	-4.0%	
Mammoth FR	30.90	33.21	-7.0%		Mammoth FR	26.40	25.56	3.3%	
Mammoth DAR	1.66	1.42	16.7%		Mammoth DAR	1.69	1.32	28.1%	
Reno	1.72	1.75	-1.8%		145.34	Reno	2.65	2.43	9.1%
Lancaster	2.03	2.33	-12.7%		227.22	Lancaster	3.04	2.96	2.7%
MMSA	60.63	54.60	11.0%			MMSA	55.91	52.49	6.5%
June Lake Shuttle	5.89	6.30	-6.5%			June Lake Shuttle	1.98	5.29	-62.6%
<b>Total</b>	<b>32.43</b>	<b>30.74</b>	<b>5.5%</b>		<b>Total</b>	<b>21.98</b>	<b>21.20</b>	<b>3.7%</b>	

Route	Fares	Adults	Snr	Dis	W/C	Child	Free	Total Pax	Yd Hrs	Svc Hours	Yd Mi	SVC MILES	AVG FARE	REV/SVC MILE	PAX / SVC HR	MI / SVC HR	PAX / SVC MI
Jan-17																	
Mammoth Express	\$2,934.40	387	72	9	4	17	10	499	161	138	4,769	4,572	5.88	.64	3.60	34.4	0.11
Lone Pine to Bishop	\$1,377.28	164	78	22	3	4	6	277	149	126	5,750	5,545	4.97	.25	2.20	45.7	0.05
Lone Pine DAR	\$714.00	7	151	73	8	58	0	297	154	147	1,402	1,402	2.40	.51	2.02	9.5	0.21
Walker DAR	\$542.20	0	16	172	0	2	0	190	128	120	1,123	973	2.85	.56	1.59	9.4	0.20
Bridgeport to G'Ville	\$132.50	2	16	0	0	0	0	18	17	15	474	304	7.36	.44	1.21	31.8	0.06
Benton to Bishop	\$90.00	2	4	10	0	0	0	16	26	13	1,163	586	5.63	.15	1.22	88.4	0.03
Specials	\$0.00	640	2	14	0	19	0	675	14	12	194	171	N/A	N/A	N/A	N/A	N/A
Bishop DAR	\$7,327.05	962	1,087	581	286	133	151	3,200	969	878	9,503	8,565	2.29	.86	3.64	10.8	0.37
Nite Rider	\$844.84	147	4	45	20	0	2	218	62	60	750	747	3.88	1.13	3.63	12.5	0.29
Mammoth FR	\$0.00	25,889	0	0	0	1,835	0	27,724	951	897	11,364	10,650	N/A	N/A	30.90	12.7	2.60
Mammoth DAR	\$736.80	199	14	28	0	5	65	311	190	188	671	603	2.37	1.22	1.66	3.6	0.52
Reno	\$7,666.50	351	56	14	1	3	3	428	276	249	9,460	9,130	17.91	.84	1.72	37.9	0.05
Lancaster	\$4,883.75	184	69	17	2	13	5	290	162	143	6,544	6,437	16.84	.76	2.03	45.8	0.05
MMSA	\$0.00	126,941	0	5	0	13,781	0	140,727	2,474	2,321	26,838	25,185	.00	.00	60.63	11.6	5.59
June Lake Shuttle	\$5,909.50	605	0	0	0	4	0	609	121	103	2,663	2,425	9.70	2.44	5.89	25.8	0.25
Total	\$33,158.82	156,480	1,569	990	324	15,874	242	175,479	5,855	5,410	82,668	77,295	.19	.43	32.43	15.3	2.27
Jan-16																	
Mammoth Express	\$1,792.50	237	25	8	1	27	9	307	138	110	4,574	4,438	5.84	.40	2.79	41.6	0.07
Lone Pine to Bishop	\$1,369.25	175	58	47	2	8	5	295	126	106	4,797	4,592	4.64	.30	2.77	45.1	0.06
Lone Pine DAR	\$575.80	16	93	46	13	53	3	224	147	140	1,034	1,033	2.57	.56	1.60	7.4	0.22
Walker DAR	\$549.60	3	26	173	0	2	0	204	128	120	932	803	2.69	.68	1.70	7.8	0.25
Bridgeport to G'Ville	\$318.20	8	34	0	0	0	0	42	32	27	872	597	7.58	.53	1.54	31.9	0.07
Benton to Bishop	\$121.00	9	1	10	0	2	6	28	25	12	1,180	610	4.32	.20	2.35	99.2	0.05
Specials	\$0.00	68	0	3	0	0	0	71	7	5	122	93	N/A	N/A	N/A	N/A	N/A
Bishop DAR	\$7,134.45	836	1,046	633	310	89	167	3,081	915	848	9,759	8,806	2.32	.81	3.63	11.5	0.35
Nite Rider	\$1,148.40	202	7	52	21	2	18	302	78	76	953	933	3.80	1.23	3.97	12.5	0.32
Mammoth FR	\$0.00	32,348	0	0	0	4,521	0	36,869	1,158	1,110	15,485	14,855	N/A	N/A	33.21	14.0	2.48
Mammoth DAR	\$739.80	179	38	22	0	11	19	269	193	189	1,010	924	2.75	.80	1.42	5.3	0.29
Reno	\$7,843.50	293	48	32	5	10	3	391	249	224	9,301	8,879	20.06	.88	1.75	41.6	0.04
Lancaster	\$5,192.50	192	60	28	0	8	7	295	140	127	6,076	6,002	17.60	.87	2.33	47.9	0.05
MMSA	\$0.00	115,779	0	0	0	11,966	0	127,745	2,473	2,340	28,145	26,370	N/A	N/A	54.60	12.0	4.84
June Lake Shuttle	\$7,181.00	712	0	0	0	4	0	716	135	114	3,122	2,751	10.03	2.61	6.30	27.5	0.26
Total	\$34,025.50	151,057	1,448	1,054	352	16,703	237	170,851	5,956	5,559	87,534	81,858	.20	.42	30.74	15.7	2.09



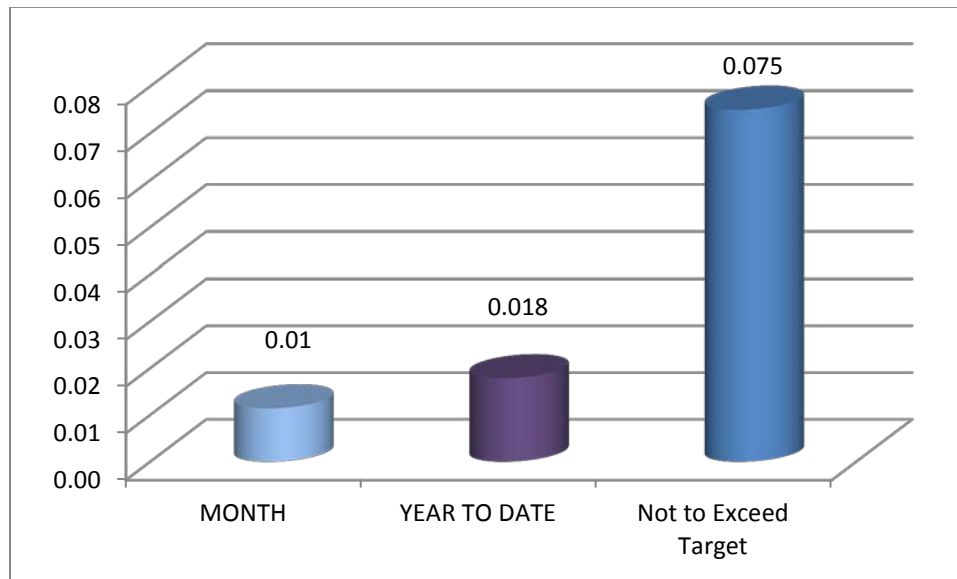
VARIANCE BY ROUTE (RAW NUMBERS) – January 2017 to January 2016																	
ROUTES	FARES	ADULTS	SNR	DIS	W/C	CHILD	FREE	TOTAL PAX	YD HOURS	SVC HOURS	YD MILES	SVC MILES	AVG FARE	REV/SVC MILE	PAX / SVC HR	MI / SVC HR	PAX / SVC MI
Mammoth Express	\$1,141.90	150	47	1	3	-10	1	192	23	28	195	134	0.04	0.24	0.81	-7.12	0.04
Lone Pine to Bishop	\$8.03	-11	20	-25	1	-4	1	-18	23	19	953	953	0.33	-0.05	-0.57	0.62	-0.01
Lone Pine DAR	\$138.20	-9	58	27	-5	5	-3	73	7	7	368	369	-0.17	-0.05	0.42	2.15	-0.01
Walker DAR	-\$7.40	-3	-10	-1	0	0	0	-14	-1	-1	191	170	0.16	-0.13	-0.11	1.63	-0.06
Bridgeport to G'Ville	-\$185.70	-6	-18	0	0	0	0	-24	-15	-12	-398	-293	-0.22	-0.10	-0.33	-0.13	-0.01
Benton to Bishop	-\$31.00	-7	3	0	0	-2	-6	-12	1	1	-17	-24	1.30	-0.04	-1.14	-10.72	-0.02
Bishop DAR	\$192.60	126	41	-52	-24	44	-16	119	54	30	-256	-241	-0.03	0.05	0.01	-0.69	0.02
Nite Rider	-\$303.56	-55	-3	-7	-1	-2	-16	-84	-16	-16	-203	-186	0.07	-0.10	-0.34	-0.04	-0.03
Mammoth FR	\$0.00	-6459	0	0	0	-2686	0	-9145	-207	-213	-4121	-4205	N/A	N/A	-2.31	-1.28	0.12
Mammoth DAR	-\$3.00	20	-24	6	0	-6	46	42	-2	-2	-339	-321	-0.38	0.42	0.24	-1.76	0.22
Reno	-\$177.00	58	8	-18	-4	-7	0	37	27	26	159	251	-2.15	-0.04	-0.03	-3.65	0.00
Lancaster	-\$308.75	-8	9	-11	2	5	-2	-5	21	16	468	435	-0.76	-0.11	-0.29	-2.07	0.00
MMSA	\$0.00	11,162	0	5	0	1,815	0	12,982	1	-19	-1,307	-1,185	N/A	N/A	6.03	-0.47	0.74
June Lake Shuttle	-\$1,271.50	-107	0	0	0	0	0	-107	-14	-10	-459	-326	-0.33	-0.17	-0.41	-1.72	-0.01
VARIANCE BY ROUTE (PERCENTAGE) – January 2017 to January 2016																	
Route	Fares	Adults	Snr	Dis	W/C	Child	Free	Total Pax	Yd Hrs	Total Svc Hours	Yd Mi	TOT SVC MILES	AVG FARE	REV/SVC MILE	PAX / SVC HR	MI / SVC HR	PAX / SVC MI
Mammoth Express	64%	63%	188%	13%	300%	-37%	11%	63%	17%	26%	4%	3%	1%	59%	29%	-17%	58%
Lone Pine to Bishop	1%	-6%	34%	-53%	50%	-50%	20%	-6%	19%	18%	20%	21%	7%	-17%	-21%	1%	-22%
Lone Pine DAR	24%	-56%	62%	59%	-38%	9%	-100%	33%	5%	5%	36%	36%	-6%	-9%	26%	29%	-2%
Walker DAR	-1%	-100%	-38%	-1%		0%		-7%	0%	0%	20%	21%	6%	-19%	-6%	21%	-23%
Bridgeport to G'Ville	-58%	-75%	-53%					-57%	-47%	-45%	-46%	-49%	-3%	-18%	-21%	0%	-16%
Benton to Bishop	-26%	-78%	300%	0%		-100%	-100%	-43%	3%	11%	-1%	-4%	30%	-23%	-48%	-11%	-41%
Bishop DAR	2.7%	15.1%	3.9%	-8.2%	-7.7%	49.4%	-9.6%	3.9%	5.9%	3.5%	-2.6%	-2.7%	-1.1%	5.6%	0.3%	-6.0%	6.8%
Nite Rider	-26%	-27%	-43%	-13%	-5%	-100%	-89%	-28%	-20%	-21%	-21%	-20%	2%	-8%	-9%	0%	-10%
Mammoth FR		-20%				-59%		-25%	-18%	-19%	-27%	-28%	N/A	N/A	-7%	-9%	5%
Mammoth DAR	0%	11%	-63%	27%		-55%	242%	16%	-1%	-1%	-34%	-35%	-14%	53%	17%	-33%	77%
Reno	-2%	20%	17%	-56%	-80%	-70%	0%	9%	11%	11%	2%	3%	-11%	-5%	-2%	-9%	6%
Lancaster	-6%	-4%	15%	-39%		63%	-29%	-2%	15%	13%	8%	7%	-4%	-12%	-13%	-4%	-8%
MMSA		10%				15%		10%	0%	-1%	-5%	-4%	N/A	N/A	11%	-4%	15%
June Lake Shuttle	-18%	-15%				0%		-15%	-10%	-9%	-15%	-12%	-3%	-7%	-7%	-6%	-4%

## Comments

There were Two comments received for the month of January 2017.

- January 19<sup>th</sup> - Individual called to complain that the Purple Line did not service the college this morning. Due to road conditions related to the snowstorm, the Purple Line was not able to service the College for a period of time. This was posted to ESTA's Twitter account at 7:03am.
- January 21<sup>st</sup> - Passenger wrote to complain about a Red Line driver who was rude in demanding that she move from the priority seats. Driver was counseled regarding proper passenger communications.

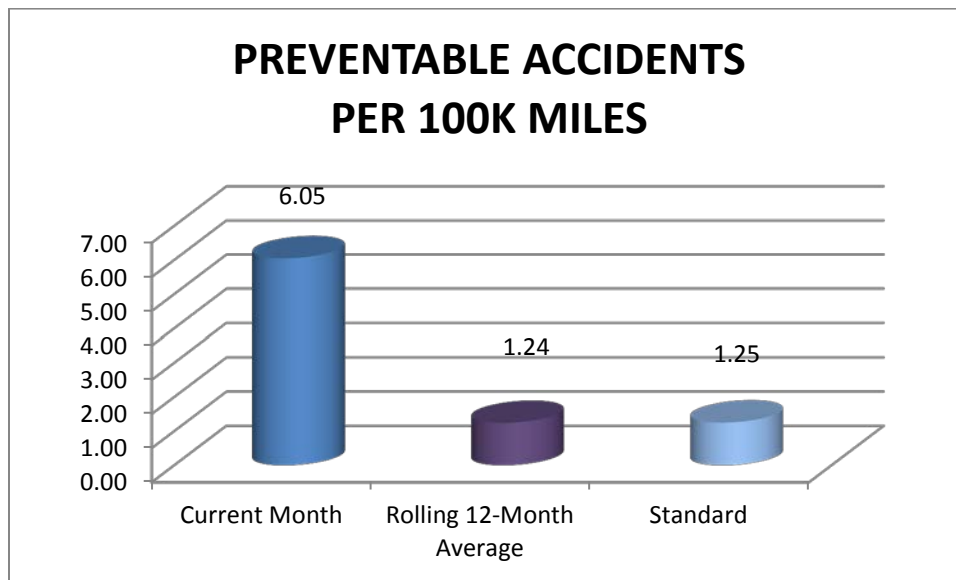
### COMPLAINTS PER 1,000 PASSENGERS



## Accident/Incidents

There were five preventable accidents in January 2017.

1/3/2017	Bus was maneuvering to avoid car sliding toward the bus, the rear end of the bus slid out and knocked down pedestrian crossing light sign post
1/4/2017	Bus cut corner too tight maneuvering to park and struck other parked bus (minor damage)
1/14/2017	Bus clipped right front bumper of other vehicle maneuvering through turnaround area
1/15/2017	Bus struck driver side front fender of other vehicle while maneuvering into bus stop
1/27/2017	ESTA bus unable to stop in time and rear-ended car in front which had stopped suddenly



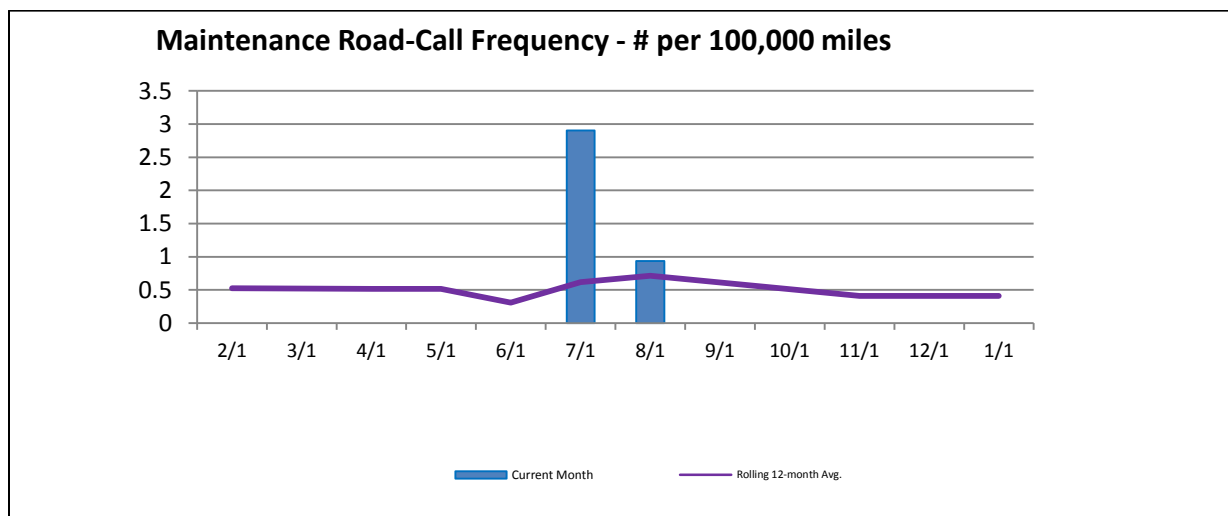
## Missed Runs

Due to the extreme weather in January of 2017, service was greatly compromised. Following is a listing of the significant impacts on service.

DATE	ROUTE	DESCRIPTION
4-Jan	Bpt-GVille	No run, snow
8-Jan	June	No run, closed
9-Jan	MMX6, 9	No run, snow
10-Jan	June	No run, road closed
10-Jan	MMX6, 9	No run, snow
10-Jan	RENO	Only BIS-ML (a.m.), ML-BIS (p.m.) portions of route, visibility
11-Jan	June	No run, road closed
11-Jan	Bpt-GVille	No run, snow
20-Jan	June	No PM run, road closed
20-Jan	RENO	Only BIS-ML (a.m.), ML-BIS (p.m.) portions of route, visibility
22-Jan	June	No run, closed
23-Jan	Yellow Line	No run, snow
23-Jan	Purple	No run, snow
23-Jan	June	No run, road closed
23-Jan	MMX	No runs, snow
23-Jan	MMX8	No run, snow
23-Jan	RENO	No run, snow

## Road Call Frequency

There were no Road Calls during the month of January 2017. The rolling 12-month road call frequency is 0.41 per 100,000 miles traveled.



## Bishop Area Dial-A-Ride Wait Times

Wait times for the Bishop Area Dial-A-Ride (Mon. through Fri., 7:00 a.m. – 6:00 p.m.)

JANUARY 2017

		Percent	Goal
<b>IMMEDIATE RESPONSE TRIPS</b>			
Total Trips:	1765	71 % of trips	
Average Wait Time (min.):	13		< 20 minutes
# > 30 minute wait:	103	5.8%	< 5%
<b>ADVANCE RESERVATION TRIPS</b>			
Total Trips:	724	29% of trips	
On Time Trips (± 10 min.)	630	87%	
<b>TOTAL SCHEDULED TRIPS</b>			
No-Shows	225 / 84	8.1% / 3.0%	Incl / Excl Ckpts
Cancellations	72	2.5%	

