



Oregon

Tina Kotek, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: April 28, 2023

TO: Oregon Transportation Commission

FROM: Kristopher W. Strickler
Director

SUBJECT: **Consent Item 11** - Delegation of authority to execute and file applications for federal assistance from the Federal Transit Administration

Requested Action:

Approve an Authorizing Resolution granting Oregon Department of Transportation Director or designee to execute and file applications for Federal assistance on behalf of ODOT with the FTA authorized by 49.S.S.C. chapter 53, Title 23 United States Code or other Federal statutes authorizing a project administered by the FTA.

Background:

On April 21, 2023, the FTA advised the Public Transportation Division that they discovered that no Authorizing Resolution is on file at the FTA and all grant requests and awards will be held until sufficient documentation is provide to the FTA. Previously executed OTC delegations were deemed insufficient by the FTA.

Outcomes:

With approval the Director will be enabled to make further sub-delegations that will enable PTD to continue filing applications for FTA funds, execute and file annual certification and assurances and other required documents the FTA requires before awarding federal assistance, and executing grant agreements.

Without approval the FTA will stop processing current ODOT grant applications, stop accepting new grant applications, and stop executing grant agreements with ODOT. ODOT will be unable to enter into grant agreements with subrecipients across Oregon.

Attachments:

- Attachment 01 – FTA Authorizing Resolution

AUTHORIZING RESOLUTION

Resolution No. _____

Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C chapter 53, and for any title 23 United States Code and other Federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transit Administrator has been delegated authority to award Federal financial assistance for a public transportation project;

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant and may require the Applicant to provide the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

NOW, THEREFORE, BE IT RESOLVED BY the Oregon Transportation Commission:

1. The ODOT Director or his/her designee is authorized to execute and file an application for Federal assistance on behalf of the Oregon Department of Transportation (ODOT) with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. chapter 53, Title 23 United States Code or other Federal statutes authorizing a project administered by the Federal Transit Administration. [Note: If the Applicant is requesting Urbanized Area Formula Program assistance authorized by 49 U.S.C. §5307, either alone or in addition to other Federal assistance administered by the Federal Transit Administration, the resolution should state whether the Applicant is the Designated Recipient as defined by 49 U.S.C. §5307(a)(2), or whether the Applicant has received authority from the Designated Recipient to apply for Urbanized Area Formula Program assistance. For Job Access and Reverse Commute (§ 5316) and New Freedom (§5317) Programs, identify whether a recipient is either the Designated Recipient under Section 5307(a)(2) or the state].
2. The ODOT Director or his/her designee is authorized to execute and file with its application(s) the annual certification and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. The ODOT Director or his/her designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of Oregon Department of Transportation.

CERTIFICATION to AUTHORIZING RESOLUTION

The undersigned duly qualified Commissioner acting on behalf of the Oregon Department of Transportation, certifies that the foregoing is a true and correct copy of a resolution adopted

at a legally convened meeting of the Oregon Transportation Commission held on May 11, 2023.

(If the Applicant has an official seal, impress here.)

(Signature of Recording Officer and Date)

(Title of Recording Officer)