

## **ODOT Rail & Public Transit Shelters and Facilities Projects Required Documentation for Federally Funded Facilities Grants (Structures)**

Bus Shelter and Facility projects are the most complex and time consuming, of all the projects offered through federal or state funds. This project category includes any project that disturbs the soil.

Applicants must complete environmental and public involvement processes that can be quite onerous, even before any funding award is approved. Some of the pre-work may not be eligible for reimbursement or match in a grant agreement.

The reporting requirements for structures continue with the project long after the grant that funded it is closed. The useful life standard for replacing structures with federal funds is 10 years for fencing, 10-20 years for shelter and paving projects, and 40 years for bus barns and other facilities construction.

Bus Shelter and Facility project examples include:

- Passenger Shelters (usually purchased pre-fab, although could be site-built)
- Bus Barns
- Administrative and vehicle maintenance facilities
- Signs
- Facilities amenities such as seating, shelters, bike lock-up structures
- Infrastructure such as sidewalks, curb cuts to improve ADA access, paving parking areas for transit facilities, such as bus and customer parking
- Park and ride lots

Refer to the current [Oregon State Management Plan](#) for additional information. This document is available on the ODOT Rail and Public Transit Website.

### **Process**

The following steps must be taken in order to proceed with your project:

1. The Documented Categorical Exclusion (DCE) worksheet: Some facility projects, such as passenger shelters, require a DCE or an exemption.
  - Complete the DCE Worksheet to determine if the project qualifies as an exclusion.
  - Submit the worksheet to ODOT Rail and Public Transit Division (RPTD). RPTD staff will forward the form to FTA for review.
  - FTA may contact the transit agency contact if more information is needed.
2. A site map showing details of the project must be included in the Documented Categorical Exclusion Worksheet or Environmental Assessment (EA) packet.
3. If not listed as an exclusion, an Environmental Assessment (EA) may be required.
  - This work is typically done by a contractor qualified to assess the

impacts of the project. Submit a copy of the report to ODOT RPTD so it can be sent to FTA for approval.

4. Approval from FTA is required regarding the project's environmental impact. RPTD must receive a copy of the approval letter from FTA.
  - **IMPORTANT: The project cannot proceed until the FTA approval is received.** If the DCE or EA is disapproved, the grant will be terminated and no funds will be paid.
5. A restrictive covenant on the property deed is required, for any grant funded portion, prior to breaking ground. Submit copies of any agreements regarding building placement, easements, etc. to RPTD.
6. Once all of the above approvals and documents are received, you may proceed with the Request for Proposals (RFP) for construction (or informal quote process if under \$150,000).
7. Any architecture, engineering, or construction wages are estimated and paid at the prevailing wage rate, per the Davis Bacon Act.
8. Report progress of the project in your quarterly reports to RPTD. If you have any questions about your responsibilities, contact the Capital Program Coordinator for assistance.
9. If you document stages of the project with photos, submit copies to RPTD. This will assist in monitoring the grant progress and will provide documentation allowing RPTD to make payments on reimbursement requests.
10. If the project will not be completed within the timeframe of the grant, request an extension for time at least 45 days before the grant expires. You should receive notification from RPTD giving you ample time to request an extension. Extension requests should include:
  - detailed explanation explaining why the extension is needed,
  - progress to date,
  - what remains to be accomplished and
  - an updated schedule for completion.
11. When the project is complete, submit all requests for reimbursement timely so that the grant can be paid and closed. Photos or a site visit by ODOT RPTD staff will be required prior to final payment.

### **Forms and Additional Resources:**

Access the DCE worksheet from FTA Region 10's Web site at: [www.transit.dot.gov](http://www.transit.dot.gov), save a copy to your computer.

Restrictive Covenant, select Complete My Restrictive Covenant:  
<https://www.oregon.gov/ODOT/RPTD/Pages/Buy-Other-Asset.aspx>

ADA Accessibility Guidelines (ADAAG)  
<https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/background/adaag#4.6>

# Pre-Award Capital Purchase/Construction Facilities Certification Form

Initial all that apply:

\_\_\_\_ Some or all of the materials were purchased from a State of Oregon Price Agreement. List:

---

**By signature of its authorized representative, the organization identified below certifies that any procurement takes into account the following requirements and that these requirements are included in bid specifications for the facility project:**

**\_\_\_ PRE-AWARD PURCHASER’S REQUIREMENTS CERTIFICATION (all purchases over \$5,000)**

As required by Title 49 of the CFR, Part 663 Subpart B, the item(s) listed below is/are the same product(s) described in the recipient’s solicitation specifications and the proposed manufacturer is a responsible manufacturer with the capability to produce items that meet the specifications.

\_\_\_\_ Purchaser’s requirements certification documentation was completed and is part of the procurement file.

**\_\_\_ PRE-AWARD ADA COMPLIANCE (all facilities purchased, constructed and/or installed using federal funds)**

The facility obtained in this procurement complies with 49 CFR Parts 27, 37, including Appendix A. A companion document for reference is the Accessibility Handbook for Transit Facilities published by the Federal Transit Administration (document No. FTA-MA-06-0200-92-1 or DOT-VNTSC-FTA-92-4).

**\_\_\_ PRE-AWARD DEBARMENT AND SUSPENSION CERTIFICATION**

The undersigned understands that misrepresenting the status of a facility acquired with federal financial assistance may subject the organization to civil penalties as outlined in the US Department of Transportation’s regulation on Program Fraud Civil Remedies, 49 CFR Part 31. In addition, the undersigned understands that FTA may suspend or debar a third-party contractor, subcontractor, or manufacturer from participation in federally assisted transactions under procedures in 49 CFR Part 29.

**\_\_\_ PRE-AWARD BUY AMERICA COMPLIANCE CERTIFICATION (all purchases over \$100,000)**

As required by Title 49 of the CFR Part 663 Subpart B, all steel and iron manufactured for the structure(s) and equipment described below meets the requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982 as amended. The recipient signing below has reviewed the documentation provided by the manufacturer which lists the following: (1) the proposed component and sub-component parts of the structure and equipment identified by the manufacturer, country of origin and cost; and (2) the proposed location of the final assembly point for the structure and equipment, including a description of the activities that took place at the final assembly point and the cost of final assembly.

\_\_\_\_ Manufacturer’s certification was received and is in this agency’s procurement file.

TYPE OF FACILITY: \_\_\_\_\_  
(e.g., passenger shelters, bus barn, administration offices, transfer station). For certification of multiple facilities, an attached listing may be provided.

PROPERTY DEEDED TO: \_\_\_\_\_ DATE: \_\_\_\_\_

RESTRICTIVE COVENANT HOLDER: \_\_\_\_\_ ODOT AGREEMENT NUMBER: \_\_\_\_\_

RECIPIENT AGENCY: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE, ZIP: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ TITLE: \_\_\_\_\_

# Post-Delivery Capital Purchase/Construction Facilities Certification Form

Initial all that apply:

\_\_\_\_ Some or all of the materials were purchased from a State of Oregon Price Agreement. List:

---

**By signature of its authorized representative, the organization identified below certifies that the following requirements were met by contractors in completing the facility project:**

## **\_\_\_\_ POST-DELIVERY PURCHASER'S REQUIREMENTS CERTIFICATION (all purchases over \$5,000)**

As required by Title 49 of the CFR, Part 663 Subpart C, after visually inspecting and accepting the contracted facilities listed below, the structure(s) and all components meet the contract specifications.

\_\_\_\_ Purchaser's requirements certification documentation was completed and is part of the procurement file.

## **\_\_\_\_ POST-DELIVERY ADA COMPLIANCE (all facilities purchased, constructed and/or installed using federal funds)**

The facility obtained in this procurement complies with 49 CFR Parts 27, 37, including Appendix A. A companion document for reference is the Accessibility Handbook for Transit Facilities published by the Federal Transit Administration (document No. FTA-MA-06-0200-92-1 or DOT-VNTSC-FTA-92-4).

## **\_\_\_\_ POST-DELIVERY DEBARMENT AND SUSPENSION CERTIFICATION**

The undersigned understands that misrepresenting the status of a facility acquired with federal financial assistance may subject the organization to civil penalties as outlined in the US Department of Transportation's regulation on Program Fraud Civil Remedies, 49 CFR Part 31. In addition, the undersigned understands that FTA may suspend or debar a third-party contractor, subcontractor, or manufacturer from participation in federally assisted transactions under procedures in 49 CFR Part 29.

## **\_\_\_\_ POST-DELIVERY BUY AMERICA COMPLIANCE CERTIFICATION (all purchases over \$100,000)**

As required by Title 49 of the CFR Part 661.5-.6, all steel and iron manufactured for the structure(s) and equipment, described below, meet the requirements of Section 165(a) and (b) of the Surface Transportation Assistance Act of 1982 as amended. The recipient signing below has reviewed the documentation provided by the manufacturer which lists the following: (1) the proposed component and sub-component parts of the structure and equipment identified by the manufacturer, country of origin and cost; and (2) the proposed location of the final assembly point for the structure and equipment, including a description of the activities that took place at the final assembly point and the cost of final assembly.

\_\_\_\_ Manufacturer's certification was received and is in this agency's procurement file.

TYPE OF FACILITY: \_\_\_\_\_

(e.g., passenger shelters, bus barn, administration offices, transfer station). For certification of multiple facilities, an attached listing may be provided.

PROPERTY DEEDED TO: \_\_\_\_\_ DATE: \_\_\_\_\_

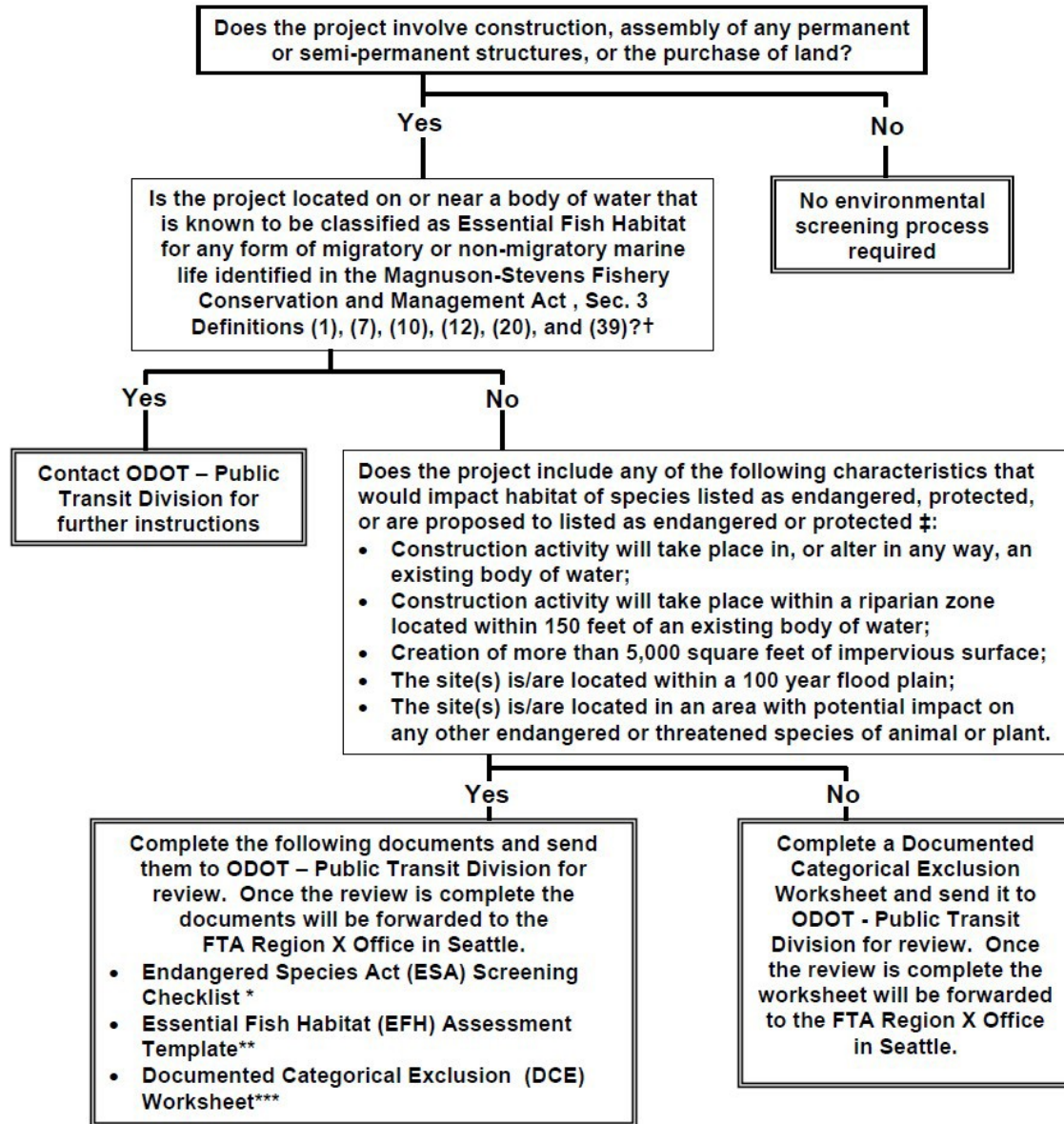
RESTRICTIVE COVENANT HOLDER: \_\_\_\_\_ ODOT AGREEMENT NUMBER: \_\_\_\_\_

RECIPIENT AGENCY: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE, ZIP: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ TITLE: \_\_\_\_\_

## Construction Project Environmental Requirements Flow Chart



† Link to Magnuson-Stevens Fishery Conservation and Management Act:  
<https://www.fisheries.noaa.gov/resource/document/magnuson-stevens-fishery-conservation-and-management-act>

‡ Link to Endangered and Threatened Species in Oregon List:  
[https://www.dfw.state.or.us/wildlife/diversity/species/threatened\\_endangered\\_candidate\\_list.asp](https://www.dfw.state.or.us/wildlife/diversity/species/threatened_endangered_candidate_list.asp)

\* Link to ESA Checklist:  
<https://www.transit.dot.gov/about/regional-offices/region-10/esa-screening-checklist>

\*\* Environmental Provisions and Related Information:  
[https://www.environment.fhwa.dot.gov/nepa/other\\_disciplines.aspx](https://www.environment.fhwa.dot.gov/nepa/other_disciplines.aspx)

\*\*\* Link to DCE Worksheet:  
[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/April%202016%20DCE\\_CE\\_Worksheet.rev\\_.doc](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/April%202016%20DCE_CE_Worksheet.rev_.doc)

## **Required Documentation for State Funded Facilities and Structures Grants**

### **Introduction**

Sometimes capital shelters or facilities projects are funded with state discretionary funds. These projects are still complicated and the ODOT RPTD requires permits and site maps to be provided, before a grant agreement is entered into.

### **Process**

After a facilities project has been awarded and your grant agreement is in place, the following steps must be taken in order to proceed with your project:

1. Notify ODOT Rail and Public Transit Division (RPTD) prior to breaking ground. Submit copies of any local contracts or agreements regarding structure or building placement, easements, etc. to RPTD.
2. A site map showing details of the project must be submitted. This should include a narrative description of the project, such as building size, location, etc., or submit copies of documents required for building permits.
3. A restrictive covenant on the property deed for the portion of the project funded by the grant must be in place prior to breaking ground. Submit copies of any agreements regarding building placement, easements, etc. to RPTD.
4. Once all of the noted documents are submitted, you may proceed with the procurement of the shelters or for construction of a different type of structure.
5. Report progress of the project in your quarterly reports to RPTD. If you have any questions about your grant requirements, contact the Capital Program Coordinator for assistance.
6. If you document stages of the project with photos, submit copies to RPTD. This will assist in the monitoring of the grant and will provide documentation allowing RPTD to make payments on reimbursement requests.
7. If the project will not be completed within the timeframe of the grant, remember to request an extension for time at least 45 days before the grant expires. You should receive notification from RPTD giving you ample time to request an extension. Extension requests should include:
  - detailed explanation explaining why the extension is needed,
  - progress to date,
  - what remains to be accomplished and
  - an updated schedule for completion.
8. When the project is complete, submit all requests for reimbursement timely so the grant can be paid and closed. Photos or a site visit by ODOT RPTD staff will be required prior to final payment.