



City of Lawton

Lawton Transit Trust Authority

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Agenda

Tuesday, June 24, 2025

6:00 PM

Lawton City Hall
Wayne Gilley Auditorium

"Official action can be taken only on items which appear on the agenda. The Authority may adopt, approve, ratify, deny, defer, recommend, or continue any agenda item. The Authority may also propose and enact floor amendments to any matter presented before them. When more information is needed to act on an item, the Authority may refer the matter to the City Manager or the City Attorney. The Authority may also refer items to standing committees of the Council or a board, commission, or authority for additional study. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely."

Roll Call

Business Items

1. Consider approving an agreement between Lawton Public Schools and the City Transit Trust, operating LATTS, to provide transit service to all students and staff at no charge.
2. Consider approving a resolution authorizing the filing and execution of a grant for federal assistance under Section 5307 Federal Transit Administration for Federal Fiscal Year 2025 appropriated funding, approving the application, and authorizing the Chairman to sign the split letter.
3. Consider approving a resolution authorizing the filing and execution of a grant for federal assistance under Section 5339 Federal Transit Administration for Federal Fiscal Year 2025 appropriated funding, approving the application, and authorizing the Chairman to sign the split letter.
4. Consider adopting a resolution approving the Certifications and Assurances required under Master Agreement (FTA MAP 33) between the City Transit Trust and the Federal Transit Administration (FTA) for Federal Fiscal Year 2025 and authorizing the Chairman and Secretary to execute the same.
5. Consider approving the annual Cooperative Agreement and an Agreement for Limited Funding between the City of Lawton and the Transit Trust to provide funds for the operation of a public transit system and authorize the Chairman and Secretary to execute the same.

Adjournment

The City of Lawton encourages participation from all of its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at (580) 581-3305 at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48 hour rule if interpreters for the deaf (signing) is not the necessary accommodation."

Item Title:

Consider approving an agreement between Lawton Public Schools and the City Transit Trust, operating LATS, to provide transit service to all students and staff at no charge.

Initiator: Christine James, Director

Information Source: Christine James, Director

Background:

In the summer of 2016, LATS approached Lawton Public School (LPS) with the idea of providing public transportation service to LPS students. After some discussion and research from other cities around the region, LATS finalized a pilot program agreement that would allow all students grades 6 through 12 to ride the transit system at no cost to the students. After finding the pilot program to be a great success, LPS agreed to enter into an annual agreement that includes staff members.

LPS desires to extend the agreement for another year and has agreed to pay a lump sum of \$70,000 to LATS to provide this service. The term of the agreement is from July 1, 2025 through June 30, 2026.

Correlation to the True North Statement:**Exhibit:**

MEMORANDUM OF AGREEMENT LPS (FY 25-26) LATS

Key Issues:**Funding Source:**

Lawton Public Schools

Recommended Action:

Approve the agreement between Lawton Public Schools and the City Transit Trust to provide transit service to all students and staff at no charge.

ATTACHMENTS:

1. MEMORANDUM OF AGREEMENT LPS (FY 25-26) LATS

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement dated this ____ day of _____, 2025, is between the Lawton City Transit Trust (CTT), a public trust operating the Lawton Area Transit System (LATS), and Lawton Public Schools Independent District No. 8 (LPS), an independent school district:

SECTION I – MUTUAL INTERESTS

WHEREAS, LPS desires to alleviate parking problems and congestion on or near LPS middle and high school campuses by encouraging students and LPS Staff to use CTT's public transportation services, Lawton Area Transit System (LATS), in lieu of private automobiles; and

WHEREAS, LPS students and staff are residents of Lawton with a vested interest in the common goals of reducing congestion and air pollution as well as maintaining the overall quality of life within Lawton.

NOW, THEREFORE, CTT AND LPS agree that it is to their mutual benefit to reduce the number of private vehicle commuters going to and from all LPS school campuses and that a reduction requires a cooperative effort on the part of CTT and LPS in developing a program to encourage greater use of the public transit system.

As used herein, "LATS" means the public transit system also known as fixed-route bus service within the City of Lawton and Fort Sill.

SECTION II – TERMS

The term of this agreement is for twelve (12) months and is intended to cover July 1, 2025, till June 30, 2026. However, the agreement will automatically renew if a new agreement is not signed by June 30th of the following year.

SECTION III – TRANSPORTATION SERVICES

LATS will provide the following transportation services:

- A. Unlimited access at no per-trip fare for all LPS students including All Elementary Schools, Central Middle School, Eisenhower Middle School, MacArthur Middle School, Life Ready Center, Eisenhower High School, Lawton High School, MacArthur High School, and Gateway Success Center during 2025 & 2026 (July 1 – June 30) on LATS fixed route bus system during LATS' operating hours.
- B. Unlimited access at no per-trip fare for all LPS staff including All Elementary Schools, Central Middle School, Eisenhower Middle School, MacArthur Middle School, Life Ready Center, Eisenhower High School, Lawton High School, MacArthur High School, and Gateway Success Center during 2025 & 2026 (July 1 – June 30) on LATS fixed route bus system during LATS' operating hours.

SECTION IV – PAYMENTS

LPS agrees to pay LATs:

- A. An invoice will be sent to LPS for the term of July 1, 2025, through June 30th, 2026. The amount of the invoice shall be \$70,000. Invoice is to be paid within 30 days of the date of the invoice.

SECTION V – CONDITIONS

It is mutually agreed upon by LATs and LPS that:

- A. Current LPS photo identification card will be accepted as a pass for the LPS students on LATs bus service. Students and staff boarding LATs without a current LPS photo ID or the LATs pass will be charged regular fare. Any student under the age of 6 must be accompanied by an Adult.
- B. LATs will not prohibit, without cause, any student or staff member from riding the bus as outlined, upon presentation of proper identification or payment of appropriate fare.
- C. During the school year, LATs and LPS agree to develop and implement a marketing and public information program that will provide information to students and staff regarding the use of public transportation and other alternative transportation modes to and from campus, in lieu of private vehicles. Representatives of LATs will be available to assist with this program.
- D. It is understood that LATs is not the agent or partner of LPS with respect to the control or operation of any LATs vehicle.
- E. LPS recognizes that LATs is a public transit provider under Title 49 of the Code of Federal Regulations, Chapter 53, and as such, if circumstances beyond LATs' control cause a reduction in service, e.g., days of service or hours of operation, the service described in this Agreement will be subject to the reduction.

SECTION VI – CONTACT OFFICES

All notices and communications on all matters pertaining to this Agreement are to be addressed as follows:

For Lawton City Transit Trust:

John Ratliff, City Manager
City of Lawton
212 SW 9th Street
Lawton, Oklahoma 73501
(580) 581-3301
john.ratliff@lawtonok.gov

cc: Ryan Landers, General Manager
Lawton Area Transit System
611 SW Bishop Road
Lawton, Oklahoma 73501
(580)248-5252
rlanders@ridelats.com

For Lawton Public Schools:

Jack Hanna, Director of Operations
753 Fort Sill Blvd
Lawton, OK 73507
(580) 357-6900
jack.hanna@lawtonps.org

cc: Kevin Hime, Superintendent
753 Fort Sill Blvd
Lawton, OK 73507
(580) 357-6900
kevin.hime@lawtonps.org

SECTION VII – TERMINATION

This Memorandum of Agreement may be canceled by LPS or CTT upon thirty (30) days written notification delivered in person or by registered mail to the other party as provided in Section VI. If canceled, the contract fee will be calculated based upon a prorated amount based upon the number of months the service was used during the term of the Agreement. Any refund due shall be paid within thirty (30) days of the end of the last contract month.

It is mutually acknowledged that the services and payments covered by this Memorandum of Agreement require annual funding appropriations by LPS and CTT. Should such funding appropriations fail to occur, this Agreement becomes null and void immediately. A written notice of failure to obtain funding shall be sent to the other party within five (5) working days. Payments received by CTT for services not provided will be refunded as provided above.

SECTION VIII – ADDITIONAL TERMS

Assignment: The parties agree that LATS will operate public transportation services within the Lawton city limits. No other assignment of rights or duties under this Agreement shall be effective without the written consent of both parties.

Discrimination Prohibited: In performing the service required herein, neither LATS nor LPS shall discriminate against any person on the basis of color, religion, sex, national origin or ancestry, age, or disability.

Construction and Severability: If any part of this Memorandum of Agreement is held to be invalid or unenforceable, such holding will not affect the validity or enforceability of any other part of this Memorandum of Agreement, so long as the remainder of the Memorandum of Agreement is reasonably capable of completion.

Entire Agreement: This Memorandum of Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

Applicable Law: This Memorandum of Agreement shall be governed by and construed and enforced in accordance with the laws of the state of Oklahoma and the laws, rules, and regulations of LATS, CTT, and the Federal Transit Administration.

Approval Required: This Memorandum of Agreement shall not become effective or binding until approved by CTT and LPS. Both parties acknowledge that the Federal Transit Administration (FTA) has approved this Agreement and no amendments can be made without FTA's approval.

IN WITNESS WHEREOF, CTT and LPS have executed this Memorandum of Agreement as of the date first above written.

LAWTON CITY TRANSIT TRUST

LAWTON PUBLIC SCHOOLS

STAN BOOKER, CHAIRMAN


PATTY NEUWIRTH, PRESIDENT

ATTEST:

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this ____ day of __August_____, 2025.

TIMOTHY WILSON, INTERM
ATTORNEY
LAWTON CITY TRANSIT TRUST

STEVE J. COLEMAN, ATTORNEY
LAWTON PUBLIC SCHOOLS

BOARD APPROVED
APR 28 2025
LAWTON PUBLIC SCHOOLS

Item Title:

Consider approving a resolution authorizing the filing and execution of a grant for federal assistance under Section 5307 Federal Transit Administration for Federal Fiscal Year 2025 appropriated funding, approving the application, and authorizing the Chairman to sign the split letter.

Initiator: Christine James, Director

Information Source: Christine James, Director

Background:

Lawton Area Transit System (LATS) has prepared a grant application in the amount of \$1,873,241 for transit operations using Federal Fiscal Year 2025 appropriated funding, to be used in FY26. The local share for this grant is \$1,400,000, which is projected to be in the City of Lawton's General Budget under Mass Transit in FY 25-26. The application will be filed and reviewed electronically.

The federal share of this grant will be a combination of 50% federal and 50% local for all operating expenses and 80% federal and 20% local for capital expenses such as preventative maintenance, lease, and capital ADA.

The City of Lawton is not obligated to spend the federal funds if they do not have the local share available or if there are changes to the projected amount of local share.

The Urbanized Area Formula Program Grants under 49 U.S.C. Chapter 53, Sections 5307 & 5340 as reauthorized under the Bipartisan Infrastructure Law. The Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act, continues, without change, the Urbanized Area Formula Funding program that makes federal resources available to urbanized areas and governors for transit capital and operating assistance in urbanized areas and for transportation-related planning. An urbanized area is an incorporated area with a population of 50,000 or more that is designated as such by the U.S. Department of Commerce, Bureau of the Census.

Funding is made available to designated recipients that must be public bodies with the legal authority to receive and dispense federal funds. Governors, responsible local officials, and publicly owned operators of transit services are required to designate a recipient to apply for, receive, and dispense funds for urbanized areas pursuant to 49 U.S.C. 5307. The governor or governor's designee is the designated recipient for urbanized areas between 50,000 and 200,000.

Eligible Activities:

The Bipartisan Infrastructure Law continues without change the broad range of activities eligible under the Urbanized Area Formula Program, including:

- Capital projects
- Planning
- Job access and reverse commute projects
- Operating costs of equipment and facilities for use in public transportation (in urbanized

areas with a population of fewer than 200,000 individuals)

Eligible activities include planning, engineering design and evaluation of transit projects and other technical transportation-related studies; capital investments in bus and bus-related activities such as replacement of buses and overhaul and rebuilding of buses; crime prevention and security equipment; construction of maintenance and passenger facilities; and capital investments in new and existing fixed guideway systems, including rolling stock, overhaul, and rebuilding of vehicles, track, signals, communications, and computer hardware and software. All preventive maintenance and some Americans with Disabilities Act complementary paratransit service costs are considered capital costs.

For urbanized areas with populations less than 200,000, the cost to operate equipment and facilities for use in public transportation is an eligible expense. In areas with a population greater than or equal to 200,000, operating assistance is an eligible expense for agencies that operate 100 or fewer vehicles in peak service, subject to published limits on expenditures for such expenses. For urbanized areas with populations of 200,000 or greater, funds are apportioned and flow directly to a designated recipient selected locally to apply for and receive federal funds. For urbanized areas under 200,000 in population, the funds are apportioned to the governor of each state for distribution.

Correlation to the True North Statement:

Exhibit:

Resolution 25-
5307 Split Letter

Key Issues:

Execution of this grant does not commit the City of Lawton to spending the funds outlined in this agenda. FTA only requires you to have the local match when executing a drawdown to reimburse the City from the federal share on eligible costs.

Funding Source:

FTA \$1,873,241 and City of Lawton General Budget under Mass Transit Fund \$1,400,000
FY2026 Planning Operational Budget 1004410-52025

Recommended Action:

Approve Resolution No. 25-____authorizing the filing of a grant for federal assistance under Section 5307 Federal Transit Administration for Federal Fiscal Year 2025 appropriated funding, approving execution of the application and authorizing the Chairman to sign the split letter.

ATTACHMENTS:

1. 5307 Funds Split Letter for City of Lawton 2025



May 14, 2025

Ms. Gail Lyssy
Deputy Regional Administrator
Federal Transit Administration, Region VI
819 Taylor Street, Room 14A02
Fort Worth, Texas 76102

Dear Ms. Lyssy:

As the Governor's designee with regard to the administration of Oklahoma's Section 5307 funds for areas with populations under 200,000, ODOT exercised its rights to delegate the administration of this grant to the City of Lawton Trust recognizing them as direct recipients. This grants them the authority to apply and manage funds attributed to the City of Lawton Trust as outlined below for the associated Federal Fiscal (FY) year(s):

Small Urban Transit System			
City of Lawton Trust, OK		2025 5307 Funds Apportionment	\$1,873,241.00

As identified in this Split Letter, the Designated Recipient authorizes the assignment/allocation of Section 5307 to the Direct Recipient(s) named herein. The undersigned agree to the Split Letter and the amounts allocated/assigned to each Direct Recipient. Each Direct Recipient is responsible for its application to the Federal Transit Administration to receive Section 5307 funds and assumes the responsibilities associated with any award for these funds.

FOR THE AGENCY: City of Lawton Transit Trust

Stan Booker
Mayor

Date

FOR THE DEPARTMENT: State of Oklahoma Department of Transportation

Jared Schwennesen
Multimodal Division Manager
Office of Mobility & Public Transit

Date

Item Title:

Consider approving a resolution authorizing the filing and execution of a grant for federal assistance under Section 5339 Federal Transit Administration for Federal Fiscal Year 2025 appropriated funding, approving the application, and authorizing the Chairman to sign the split letter.

Initiator: Christine James, Director

Information Source: Christine James, Director

Background:

Lawton Area Transit System (LATS) has prepared a grant application in the amount of \$167,549 for the construction of the LATS downtown transfer Center using Federal Fiscal Year 2025 (October 1, 2024-September 30, 2025) appropriated funding. The local share for this grant is \$41,887, which is projected to be in the City of Lawton's Capital Improvement Program (CIP) in FY 25-26. The application will be filed and reviewed electronically.

The federal share of eligible capital costs is 80 percent of the net capital project cost, unless the grant recipient requests a lower percentage.

The Grants for Buses and Bus Facilities Competitive Program (49 U.S.C. 5339(b)) makes federal resources available to states and direct recipients to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities, including technological changes or innovations to modify low or no emission vehicles or facilities. Funding is provided through formula allocations and competitive grants.

Eligible applicants for the Buses and Bus Facilities Program include designated recipients that allocate funds to fixed-route bus operators, states (including territories and Washington D.C.) or local governmental entities that operate fixed route bus service, and Indian tribes. Eligible subrecipients include all otherwise eligible applicants and also private nonprofit organizations engaged in public transportation.

Correlation to the True North Statement:**Exhibit:**

Resolution 25-
LATS 5339 FY25 Split Letter

Key Issues:

Execution of this grant does not commit the City of Lawton to spending the funds outlined in this agenda. FTA only requires you to have the local match when executing a draw-down to reimburse the City from the federal share on eligible costs.

Funding Source:

FTA \$167,549 and CIP \$41,887

Recommended Action:

Approve Resolution No. 25-____ authorizing the filing of a grant for federal assistance under Section 5339 Federal Transit Administration for Federal Fiscal Year 2025 appropriated funding, approving execution of the application, and authorizing the Chairman to sign the split letter.

ATTACHMENTS:

1. Resolution 25
2. LATS 5339 FY25 Split Letter

RESOLUTION NO. - ____

A RESOLUTION AUTHORIZING THE FILING OF A GRANT FOR FEDERAL ASSISTANCE UNDER SECTION 5339, FEDERAL TRANSIT ADMINISTRATION, APPROVING THE APPLICATION FOR PART OF FTA FEDERAL FISCAL YEAR 2025 APPROPRIATED FUNDING AND AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE APPROVAL OF THE SAME.

WHEREAS, the City Transit Trust is the designated recipient of Urbanized Area Formula Program assistance authorized by 49 U.S.C. Section 5307 Federal Transit Administration (FTA) grants to provide financial assistance in the operation of a public transportation system in the Lawton-Fort Sill community, and

WHEREAS, the City Transit Trust desires to obtain financial assistance from the Federal Transit Administration for the purpose of continuing its public transit system, and

WHEREAS, the City Transit Trust has approved Master Agreement (FTA MA 33) for FTA Federal Fiscal Year 2025, which provides that any entity receiving federal financial assistance must abide by applicable Federal laws and regulations; and

WHEREAS, the City Transit Trust has been previously provided copies of the approved budget and cost allocation plan for this grant.

NOW, THEREFORE, BE IT RESOLVED by the City Transit Trust of Lawton, Oklahoma that:

SECTION 1. The grant application for part of FTA Federal Fiscal Year 2025 appropriated funding under Section 5339, Federal Transit Administration is approved, and the Chairman and Secretary are authorized to execute the same electronically and this instrument shall serve as confirmation of the signatures on the application.

PASSED AND APPROVED by the City Transit Trust this 24th day of June 2025.

STAN BOOKER, CHAIRMAN

ATTEST:

DONALYNN BLAZEK-SCHERLER, SECRETARY

APPROVED as to form this ____ day of _____, 2025.

TIMOTHY WILSON, INTERIM CITY ATTORNEY

May 14, 2025

Ms. Gail Lyssy
Deputy Regional Administrator
Federal Transit Administration, Region VI
819 Taylor Street, Room 14A02
Fort Worth, Texas 76102

Dear Ms. Lyssy:

As the Governor's designee with regard to the administration of Oklahoma's Section 5339 funds for areas with populations under 200,000, The Oklahoma Department of Transportation (ODOT) exercised its rights to delegate the administration of this grant to the City of Lawton Trust, recognizing them as direct recipients. This grants them the authority to apply and manage funds attributed to the City of Lawton Trust as outlined below for the associated Federal Fiscal (FY) year(s):

Small Urban Transit System	FY-2025 Funds
City of Lawton Trust, OK	\$167,549.00 NOTE: FT. Smith, AR OK's FY-25 apportionments has been released to ODOT for redistribution in an email. Amount shown signifies Lawton's total share of the available funds.

As identified in this Split Letter, the Designated Recipient authorizes the assignment/allocation of Section 5339 to the Direct Recipient(s) named herein. The undersigned agree to the Split Letter and the amounts allocated/assigned to each Direct Recipient. Each Direct Recipient is responsible for its application to the Federal Transit Administration to receive Section 5339 funds and assumes the responsibilities associated with any award for these funds.

FOR THE AGENCY: City of Lawton Transit Trust

Stan Booker Date
Mayor

FOR THE DEPARTMENT: State of Oklahoma Department of Transportation

Jared Schwennesen Date
Multimodal Division Manager
Office of Mobility & Public Transit

Item Title:

Consider adopting a resolution approving the Certifications and Assurances required under Master Agreement (FTA MAP 33) between the City Transit Trust and the Federal Transit Administration (FTA) for Federal Fiscal Year 2025 and authorizing the Chairman and Secretary to execute the same.

Initiator: Christine James, Director

Information Source: Christine James, Director

Background:

The electronic filing of the annual FTA Certifications and Assurances must be accomplished within 90 days of posting on the FTA website. The Certifications and Assurances were posted on May 23, 2025. It is a requirement to receive FTA funding to annually certify and assure the Federal government that the Trust will abide by all current Federal laws and regulations. These Certifications are annual documents that the Trust must take formal action on prior to electronically entering the information for current and future grants.

Correlation to the True North Statement:**Exhibit:**

Resolution 25-
Certifications and Assurances FFY25

Key Issues:**Funding Source:****Recommended Action:**

Adopt Resolution 25-__ approving the Certifications and Assurances required under Master Agreement (FTA MA 33) between the City Transit Trust and the Federal Transit Administration (FTA) for Federal Fiscal Year 2025 (beginning October 2025) and authorize the Chairman and Secretary to execute the same.

ATTACHMENTS:

1. Resolution 25-
2. Certifications and Assurances FY25 FTA

RESOLUTION NO. 2025-__

A RESOLUTION RELATED TO THE FEDERAL TRANSIT ADMINISTRATION, APPROVING THE CERTIFICATIONS AND ASSURANCES REQUIRED UNDER THE MASTER AGREEMENT (FTA MA 33) BETWEEN THE CITY TRANSIT TRUST AND THE FEDERAL TRANSIT ADMINISTRATION FOR FTA FEDERAL FISCAL YEAR 2025 AND AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE APPROVAL OF THE SAME.

WHEREAS, the City Transit Trust proposes to continue operation of the Lawton Area Transit System; and

WHEREAS, the City Transit Trust desires to obtain financial assistance from the Federal Transit Administration; and

WHEREAS, the City Transit Trust is in receipt of the Master Agreement (FTA MA 33) for FTA Federal Fiscal Year 2025 which provides that any entity receiving federal financial assistance must abide by applicable Federal laws and regulations; and

WHEREAS, the Master Agreement is an annual document that contains the Certifications and Assurances; and

WHEREAS, the City Transit Trust has been provided copies of all the attached Certificates and Assurances.

NOW, THEREFORE, BE IT RESOLVED by the Trustees of the City Transit Trust, Lawton, Oklahoma, that:

SECTION 1. The attached Certifications and Assurances required for financial assistance under Section 5307, Federal Transit Administration are approved, and the Chairman and Secretary are authorized to execute the same both electronically and this instrument shall serve as confirmation of the signatures on each required certification.

PASSED AND APPROVED by the City Transit Trust this_____ of June, 2025.

Stan Booker, CHAIRMAN

ATTEST:

Donalynn Blazek-Scherler, SECRETARY

APPROVED as to form this _____ day of _____, 2025

Timothy Wilson, INTERIM CITY ATTORNEY

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.

Text in italic is not part of a certification and is of no legal effect. Its purpose is to provide explanation and context for the certification.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

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

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

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).
- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:

- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21, including any amendments thereto;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.
- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

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

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

1.2. Standard Assurances: Additional Assurances for Construction Projects.

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

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

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

1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Increased Micro-Purchase Threshold.

A recipient may establish a micro-purchase threshold that is higher than the Federal micro-purchase threshold. Pursuant to 2 CFR § 200.320(a)(1)(iv), the recipient may self-certify a micro-purchase threshold up to \$50,000. Pursuant to 2 CFR § 200.320(a)(1)(v), the recipient may set a micro-purchase threshold higher than \$50,000, but only with the approval of the recipient’s Federal cognizant agency for indirect costs. To determine an applicant’s cognizant agency for indirect costs, consult the definition of “cognizant agency for indirect costs” in 2 CFR § 200.1.

If the recipient uses a micro-purchase threshold that is higher than the Federal micro-purchase threshold, the recipient certifies:

- (a) The recipient’s micro-purchase threshold does not exceed \$50,000, or the recipient has approval from its Federal cognizant agency for indirect costs to use a higher micro-purchase threshold;
- (b) The recipient has a written justification for its micro-purchase threshold; and
- (c) The recipient has supporting documentation of any of the following:
 - (1) The recipient qualifies as a low-risk auditee, in accordance with the criteria in 2 CFR § 200.520 for the most recent audit;
 - (2) The recipient has an annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or
 - (3) For public institutions, a higher threshold is consistent with State law.

1.5. Suspension and Debarment.

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

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

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

1.6. Lobbying.

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

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

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

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

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

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

1.6.2. Statement for Loan Guarantees and Loan Insurance.

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

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

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement

shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

1.7. Real Property Use

This certification responds to Recommendation #7 in the U.S. Department of Transportation's Office of Inspector General Report FS2024025 (May 20, 2024).

If the applicant will use assistance provided by the Federal Transit Administration to acquire or improve real property, the applicant certifies that it will comply with the requirements of 2 CFR § 200.311, including but not limited to, requirements to use the property for the purposes authorized in its award, and to seek disposition instructions from FTA when the property no longer is needed for any authorized purpose.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA's state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).

This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.

This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

- (a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and
- (b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax-exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Further Consolidated Appropriations Act, 2024, Pub. L. 118-47, div. B, tit. VII, §§ 744-745. U.S. DOT Order 4200.6 defines a "corporation" as "any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association", and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

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

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

CATEGORY 4. PRIVATE SECTOR PROTECTIONS.

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

4.1. Charter Service Agreement.

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

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

4.2. School Bus Agreement.

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

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
 - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
 - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
 - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.

- (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 5. TRANSIT ASSET MANAGEMENT PLAN.

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

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

CATEGORY 6. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

6.1. Rolling Stock Buy America Reviews.

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

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

6.2. Bus Testing.

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

The applicant certifies that the bus was tested at the Bus Testing Facility established in accordance with 49 U.S.C. § 5318 (currently the Larson Transportation Institute's Bus Research and Testing Center at Pennsylvania State University) and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 7. URBANIZED AREA FORMULA GRANTS PROGRAM.

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

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;
- (c) Will maintain equipment and facilities in accordance with the applicant’s transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);

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

CATEGORY 8. FORMULA GRANTS FOR RURAL AREAS.

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

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected

intercity bus service providers, and the intercity bus service needs of the State are being met adequately.

- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 9. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

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

The applicant certifies that it:

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

CATEGORY 10. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 7 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 7 or Category 8.

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

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in 49 U.S.C. § 5339(c)(1)) or related infrastructure under 49 U.S.C. § 5339(b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 11. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 7 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 7, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 7 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 7, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;

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

CATEGORY 12. STATE OF GOOD REPAIR GRANTS.

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

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

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

CATEGORY 13. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act ("TIFIA") Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks ("SIB") Program (23 U.S.C. § 610), it must make the certifications in Category 7 for the Urbanized Area Formula Grants Program, Category 9 for the Fixed Guideway Capital Investment Grants program, and Category 12 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 7, 9, and 12 by reference.

CATEGORY 14. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

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

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

CATEGORY 15. RAIL SAFETY TRAINING AND OVERSIGHT.

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

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

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

CATEGORY 16. DEMAND RESPONSIVE SERVICE.

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

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

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;

- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 17. INTEREST AND FINANCING COSTS.

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

The applicant certifies that:

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

CATEGORY 18. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

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

CATEGORY 19. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant

must select the Certifications in this Category, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

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

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
 - (1) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
 - (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
 - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
 - (1) Category 4.1 and 4.2 (Charter Service Agreement and School Bus Agreement),
 - (2) Category 5 (Transit Asset Management Plan),
 - (3) Category 6.1 and 6.2 (Rolling Stock Buy America Reviews and Bus Testing),
 - (4) Category 8 (Formula Grants for Rural Areas),
 - (5) Category 14 (Alcohol and Controlled Substances Testing), and
 - (6) Category 16 (Demand Responsive Service).

CATEGORY 20. EMERGENCY RELIEF PROGRAM.

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

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

**FEDERAL FISCAL YEAR 2025 CERTIFICATIONS AND ASSURANCES FOR FTA
ASSISTANCE PROGRAMS**

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

Name of Applicant: _____

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

Or,

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

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

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

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

AFFIRMATION OF APPLICANT

Name of the Applicant: _____

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

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

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

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 _____ Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm the Applicant has the 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 _____ Attorney for Applicant

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

Item Title:

Consider approving the annual Cooperative Agreement and an Agreement for Limited Funding between the City of Lawton and the Transit Trust to provide funds for the operation of a public transit system and authorize the Chairman and Secretary to execute the same.

Initiator: Christine James, Director

Information Source: Christine James, Director

Background:

Included in the FY 2025–2026 City budget is funding in the amount of \$1,400,000 for the public transit system for the upcoming year. These funds in addition to Federal Transit Administration (FTA) monies will be used by the Trust to operate transit service. Per the recommendation of the City Attorney, each year the City Council and the Transit Trust are asked to approve annual agreements to transfer this money to the Transit Trust. Approval of these annual agreements is considered to be a routine action.

Correlation to the True North Statement:

The Transit System provides a convenient and affordable way for citizens to travel without a personal vehicle.

Exhibit:

Cooperative Agreement
Agreement for Limited Funding

Key Issues:**Funding Source:**

City of Lawton Mass Transit Budget FY2026 1004410-52025

Recommended Action:

Approve the Cooperative Agreement and the Agreement for Limited Funding between the City of Lawton and the City Transit Trust to provide funds for the operation of a public transit system and authorize the Chairman and Secretary to execute the same.

ATTACHMENTS:

1. Cooperative Agreement FY 26
2. Funding Agreement fy 26

THE CITY OF LAWTON, OKLAHOMA
AND
THE CITY TRANSIT TRUST
COOPERATIVE AGREEMENT

THIS AGREEMENT is entered into this 24th day of June, 2025, by and between the City of Lawton, Oklahoma, a municipal corporation, (hereinafter “City”) and the City Transit Trust, a public trust (hereinafter “Trust”).

WHEREAS, the City desires to provide public transportation to the citizens of Lawton; and

WHEREAS, the City has determined the Trust is the entity who should be responsible for providing public transportation to the citizens; and

WHEREAS, the City has determined public transportation provides a public benefit to the citizens of Lawton.

NOW, THEREFORE, in consideration of the mutual promises and other good and valuable consideration exchanged herein, the parties hereby acknowledge, understand and agree as follows:

1. TERM OF AGREEMENT.

This agreement shall commence on the 1st day of July, 2025, and remain in effect until the 30th day of June, 2026, unless sooner terminated by mutual agreement of the parties or for cause.

2. TRUST’S SCOPE OF SERVICES

A. The Trust shall, in a professional and competent manner, apply for federal and state funds available for the operation of a public mass transit system.

B. The Trust shall provide at its expense all personnel, equipment, materials and supplies necessary and appropriate to staff and operate the mass transit system. The City shall have no responsibility or liability whatsoever for any wages or benefits earned or accrued by the Trust’s employees or any wages or benefits mandated by federal or state law.

C. The Trust shall also be authorized to place transit system equipment such as signage, benches, shelters, and transfer facilities on any property in which the City has adequate property rights for such placement.

3. MAINTENANCE

The Trust shall be responsible at its own expense for maintenance, upkeep and repair of all elements of the mass transit system.

4. FUNDING BY THE CITY

Without incurring any obligation or liability to furnish a minimum level of funding during any fiscal year while this Agreement is in effect, the City hereby agrees, when the amount of funds available to the City permit, to furnish monetary aid to the Trust to help defray the costs of operating the mass transit system. In addition to any monetary aid the City may provide, the City agrees to furnish minor administrative support to the Trust. Whether adequate funding is available for such purposes will be determined solely by the governing body of the City. Upon a determination that adequate funding is available, the amount of funds to be provided shall likewise be determined solely by the City's governing body as a matter within its sound discretion. The City retains the absolute right to determine funding during any fiscal year irrespective of the level of funding furnished in prior fiscal years. The Trust shall annually submit a proposed budget and request for funding pursuant to the Funding Agreement.

5. INSURANCE

During the term of this Agreement, the Trust shall cause its contractor or subcontractor to provide a policy or policies of public liability insurance insuring the Trust and the City against any and all claims and demands made by any person or persons whomsoever for injuries, damages or losses arising from or in any way connected with the use, operation and maintenance of the transit system. The limits of liability of each policy shall not be less than the maximum limits of liability as provided under the Governmental Tort Claims Act. All policies shall name the Trust and the City, as their respective interests may appear, as the entities insured by such policies and shall provide the City with at least thirty (30) days written notice should the limits be reduced or the policies canceled.

6. INDEMNIFICATION

The Trust shall forever indemnify and hold harmless the City, its officials, agents and employees, from and against all loss, injuries, damage, liability, cost or expense of every kind and nature, including legal fees, arising out of, resulting from or in any way connected with any act, omission or negligence of the Trust or any official, employee, agent, contractor, invitee or visitor of the Trust arising or resulting from the use or operation of the mass transit system.

7. COMPLIANCE WITH LAWS, RULES AND REGULATIONS.

The Trust shall fully comply with all current and future applicable City, State and Federal laws, rules and regulations and all amendments thereto. The Trust agrees to devote special attention to its responsibilities under Federal and State statutes. Observance and compliance with the requirements thereof shall be the responsibility of the Trust without reliance on or direction from the City.

8. REVENUE-GENERATING ACTIVITIES

All revenue derived from the operation of the mass transit system shall be collected by the Trust and expended exclusively for the furtherance and enhancement of the purposes of the mass transit system.

9. TERMINATION OF AGREEMENT

In the event the Trust fails to meet the terms, conditions and covenants of this Agreement or fails to provide the services in accordance with the Agreement, the City may, upon sixty (60) days written notice of default to the Trust, terminate this Agreement. Such termination shall not be an exclusive remedy but shall be in addition to any other rights and remedies the City may have as provided by law.

10. AMENDMENT OF AGREEMENT

No modification, amendment or waiver of any provisions of this Agreement shall be of any force or effect unless in writing and signed by the authorized officials of the parties.

11. VENUE

All material transactions to this Agreement occurred in Comanche County, Oklahoma. This agreement shall be governed by the laws of the State of Oklahoma.

12. SEVERABILITY

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their appropriate officials as of the day and year first above written.

CITY OF LAWTON, OKLAHOMA
A Municipal Corporation

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

CITY TRANSIT TRUST
A public trust

STANLEY BOOKER, CHAIRMAN

ATTEST:

DONALYNN BLAZEK-SCHERLER, SECRETARY

APPROVED as to form this ____ day of _____, 2025.

CITY ATTORNEY

THE CITY OF LAWTON, OKLAHOMA
AND
THE CITY TRANSIT TRUST
AGREEMENT FOR LIMITED FUNDING

This Agreement for Limited Funding is entered into this 24th day of June 2025, by and between the City of Lawton, Oklahoma, a municipal corporation, hereinafter referred to as “City”, and the City Transit Trust, a public trust, hereinafter referred to as “Trust”.

WHEREAS, the City, by and through its governing body, has determined that the City should provide financial support to the Trust for the operation of a mass transportation service thereby providing a public benefit to the citizens of Lawton; and

NOW, THEREFORE, in consideration of the mutual obligations of the parties, the City and Trust agree as follows:

1. City agrees as follows:

To provide the Trust the sum of one million and four hundred thousand dollars (\$1,400,000) during Fiscal Year 2025-2026 for the operation, management and administration of the mass transit system. Said amounts will be paid to the Trust on an incremental basis upon submission of claims by the Trust to the City. Such claims will be processed by the City and paid to the Trust in accordance with the City’s policies and procedures for payment of contractual claims.

2. Trust agrees as follows:

a. To periodically submit to the City’s accounting office claims for reimbursement for services performed in the operation, management, and administration of the mass transit system. Such claims will be submitted in accordance with and in compliance with the City’s contractual claims policies and procedures.

b. To submit to the Lawton City Council monthly narrative reports which will include the number of riders of the transit system, projects and activities undertaken by the Trust during the reporting period and any other information which may be of interest to the Lawton City Council.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the date and year first above written.

CITY OF LAWTON, OKLAHOMA
A Municipal Corporation

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

CITY TRANSIT TRUST
A public trust

STANLEY BOOKER, CHAIRMAN

ATTEST:

DONALYNN BLAZEK-SCHERLER, SECRETARY

APPROVED as to form for the City of Lawton, Oklahoma, this ____ day of _____, 2025.

CITY ATTORNEY