

Application

Federal Award Identification Number (FAIN)	WI-2020-021-01
Temporary Application Number	6818-2020-2
Application Name	5311 Tribal Transit CARES Act Formula for Operating, Vehicle
Application Status	Final Concurrence / Reservation
Application Budget Number	0

Period of Performance Start Date	5/11/2020	
Original Period of Performance End Date	3/30/2024	
Current Period of Performance End Date	3/30/2024	Revision #: 0

Part 1: Recipient Information

Name: Lac Courte Oreilles Band Of Lake Superior Chippewa Indians Of Wi

Recipient ID	Recipient OST Type	Recipient Alias	Recipient DUNS
6818	Indian Tribe	LAC COURTE OREILLES TRIBAL GOVERNMENT	063616700

Location Type	Address	City	State	Zip
Headquarters	13394 W Trepania Rd	Hayward	WI	54843
Physical Address	13394 W TREPANIA RD BLD 1	HAYWARD	WI	54843
Mailing Address	13394W TREPANIA ROAD	HAYWARD	WI	54843

Union Information

There are no union contacts for this application

Part 2: Application Information

Title: 5311 Tribal Transit CARES Act Formula for Operating, Vehicle
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FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
WI-2020-021-01	Final Concurrence / Reservation	Grant	3/2/2021	3/2/2021	No

Application Executive Summary

Amendment#1: Adding \$3,062.00 in Cares Act Funding due to FTA Apportionment error. Being use towards operating expenses.

Original This grant uses \$118,164 in FY20 5311 Tribal CARE Acts Formula Funds for Capital: 1 new transit vehicle to expand tribal transit fleet operations and Operating: expenses related to the new vehicle and operating expenses related to Covid-19 and the prevention of other infectious diseases for public transit services, including masks, gloves, and PPE for drivers, and cleaning supplies and equipment. This application uses 100% Federal share under the 5311 Tribal Transit CARES Act program. No local match required. Apportionment Table and indirect cost rate documentation attached.

The Lac Courte Oreilles Tribe agrees that if it receives Federal funding from the Federal Emergency Management Agency (FEMA) or through a pass-through entity through the Robert T. Stafford Disaster Relief and Emergency Assistance Act, a different Federal agency, or insurance proceeds for any portion of a project activity approved for FTA funding under this Grant Agreement, it will provide written notification to FTA, and reimburse FTA for any Federal share that duplicates funding provided by FEMA, another Federal agency, or an insurance company.

In executing this grant, the Lac Courte Oreilles Tribe agrees to abide by Section 3011 of the FAST Act (49 U.S.C. 5323(j)(2)(C) regarding the phased increase in domestic content under the Buy America statute for rolling stock.

As the Grant Agreement includes an FTA-funded transit vehicle purchase, the Lac Courte Oreilles Tribe agrees to comply with the related requirements set forth in 49 CFR § 26.49(a). Specifically, the Lac Courte Oreilles Tribe must ensure as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, that each transit vehicle manufacturer certified that it complied with DOT requirements for submitting a DBE program and goal to FTA prior to bidding. The Lac Courte Oreilles Tribe is also required to submit the name of the successful bidder and the total dollar value of the contract within 30 days of making a FTA- assisted transit vehicle award using the required FTA reporting tool. The Lac Courte Oreilles Tribe understands that failure to comply with these requirements may result in formal enforcement action or appropriate sanction as determined by FTA, including reimbursement of FTA funds used for the vehicle procurement.

Frequency of Milestone Progress Reports (MPR)

Annual

Frequency of Federal Financial Reports (FFR)

Annual

Does this application include funds for research and/or development activities?

This award does not include research and development activities.

Pre-Award Authority

This award is using Pre-Award Authority.

Does this application include suballocation funds?

Recipient organization is directly allocated these funds and is eligible to apply for and receive these funds directly.

Will this Grant be using Lapsing Funds?

No, this Grant does not use Lapsing Funds.

Will indirect costs be applied to this application?

This award is applying an approved Indirect cost rate(s).

Indirect Rate Details: 21.39% or approved annual rate

Requires E.O. 12372 Review

No, this application does not require E.O. 12372 Review.

Delinquent Federal Debt

No, my organization does not have delinquent federal debt.

Application Point of Contact Information

First Name	Last Name	Title	E-mail Address	Phone
Elissa	DeCora	Compliance Officer	elissa.decora@lco-nsn.gov	(715) 634-8934
Colin	Korst	Transportation Program Specialist	colin.korst@dot.gov	312-353-3853

Application Budget Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 Tribal formula (CARES Act)	5311-7	20509	\$121,226
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$121,226

Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
WI-2020-021-01-01	600-00 (600-A1) OTHER PROGRAM COSTS	\$75,000.00	\$0.00	\$75,000.00	1

WI-2020-021-01-01		11.13.03	BUY 30-FT BUS FOR EXPANSION	\$75,000.00	\$0.00	\$75,000.00	1
WI-2020-021-02-01	600-00 (600-A2)		OTHER PROGRAM COSTS	\$46,226.00	\$0.00	\$46,226.00	1
WI-2020-021-02-01		30.09.08	EMER RELIEF - OPERATING ASSIST - 100% Fed Share	\$46,226.00	\$0.00	\$46,226.00	1

Discretionary Allocations

This application does not contain discretionary allocations.

Part 3: Project Information

Project Title: FY20 CARES Act Formula Capital
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Project Number	Temporary Project Number	Date Created	Start Date	End Date
WI-2020-021-01-01	6818-2020-2-P1	3/2/2021	5/30/2020	12/31/2020

Project Description

The capital project budget utilizes \$75,000 in FY20 CARES Act 5311 Tribal Transit Program funding to purchase one 18 passenger bus at \$75,000 for fleet expansion. The new vehicle will provide needed added capacity to tribal transit services. This project is being funded at 100% federal share in accordance with the CARES Act.

Project Benefits

New bus will provide transit service in LCO used for the purpose of safety and transportation capability for the people in the community.

Additional Information

None provided.

Location Description

Lac Courte Oreilles Reservation

Project Location (Urbanized Areas)

UZA Code	Area Name
550000	Wisconsin

Congressional District Information

State	District	Representative
Wisconsin	7	Sean P Duffy

Program Plan Information

STIP/TIP

Date: N/A

Description: N/A

UPWP

Date: N/A

Description: N/A

Long Range Plan

Date: N/A

Description: N/A

Project Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 Tribal formula (CARES Act)	5311-7	20509	\$75,000
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$75,000

Project Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
WI-2020-021-01-01	600-00 (600-A1) OTHER PROGRAM COSTS	\$75,000.00	\$0.00	\$75,000.00	1
WI-2020-021-01-01	11.13.03 BUY 30-FT BUS FOR EXPANSION	\$75,000.00	\$0.00	\$75,000.00	1

Project Budget Activity Line Items

Budget Activity Line Item: 11.13.03 - BUY 30-FT BUS FOR EXPANSION

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
OTHER PROGRAM COSTS (600-00)	11.13.03	BUY 30-FT BUS FOR EXPANSION	BUY EXPANSION - CAPITAL BUS	1

Extended Budget Description

One new 18 Passenger Transit Bus with a useful life benchmark of at least five years or an accumulation of at least 150,000 miles.

Will 3rd Party contractors be used to fulfill this activity line item?

Yes, 3rd Party Contractors will be used for this line item.

Funding Source	Section of Statute	CFDA Number	Amount
5311 Tribal formula (CARES Act)	5311-7	20509	\$75,000
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$75,000

Milestone Name	Est. Completion Date	Description
RFP/Procurement Start Date	5/30/2020	Purchasing off of state bid.
Contract Award	7/31/2020	Contract Award Date TVM report
Contract Closed/Final Delivery	12/31/2020	Delivery of Vehicle and Contract Closed

Project Environmental Findings

Finding: Class II(c) - Categorical Exclusions (C-List)

Class Level Description

Class II(c) consists of projects called categorical exclusions (CEs) which are known not to have, either individually or cumulatively, a significant environmental impact on the human or natural environment and are therefore categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement. Class II(c) does not require documentation.

Categorical Exclusion Description

Type 07: Acquisition, installation, rehabilitation, replacement, and maintenance of vehicles or

equipment, within or accommodated by existing facilities, that does not result in a change in functional use of the facilities, such as: equipment to be located within existing facilities and with no substantial off-site impacts; and vehicles, including buses, rail cars, trolley cars, ferry boats and people movers that can be accommodated by existing facilities or by new facilities that qualify for a categorical exclusion.

Date	Description	Date
	Class IIc CE Approved	4/29/2020

Project Title: FY20 CARES Act Formula Operating

Project Number	Temporary Project Number	Date Created	Start Date	End Date
WI-2020-021-02-01	6818-2020-2-P2	3/2/2021	5/1/2020	9/30/2021

Project Description

Amendment#1: Adding \$3,062.00 in Cares Act Funding due to FTA Apportionment error. Being used towards operating expenses as detailed below.

Original: This project budget for operating assistance utilizes \$43,164 in FY2020 CARES Act 5311 Tribal Transit Program funds for Operating Assistance for wages/hazard pay/admin, cleaning supplies, disinfectants, and cleaning equipment, gloves, and masks. Also, provides fluid and fuel for the new vehicle added to the fleet. This project is funded at 100% federal share. Period of performance 5/1/20 - 9/30/21

Project Benefits

Continuing essential operations in the community during the Covid-19 pandemic while protecting our drivers and passengers.

Additional Information

None provided.

Location Description

Lac Courte Oreilles Reservation

Project Location (Urbanized Areas)

UZA Code	Area Name
550000	Wisconsin

Congressional District Information

State	District	Representative
Wisconsin	7	Sean P Duffy

Program Plan Information

STIP/TIP

Date: N/A

Description: N/A

UPWP

Date: N/A

Description: N/A

Long Range Plan

Date: N/A

Description: N/A

Project Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 Tribal formula (CARES Act)	5311-7	20509	\$46,226
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$46,226

Project Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
WI-2020-021-02-01	600-00 (600-A2) OTHER PROGRAM COSTS	\$46,226.00	\$0.00	\$46,226.00	1
WI-2020-021-02-01	30.09.08 EMER RELIEF - OPERATING ASSIST - 100% Fed Share	\$46,226.00	\$0.00	\$46,226.00	1

Project Budget Activity Line Items

Budget Activity Line Item: 30.09.08 - EMER RELIEF - OPERATING ASSIST - 100% Fed Share

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
OTHER PROGRAM COSTS (600-00)	30.09.08	EMER RELIEF - OPERATING ASSIST - 100% Fed Share	OPERATING ASSISTANCE	1

Extended Budget Description

Amendment#1: Adding \$3,062.00 in Cares Act Funding due to FTA Apportionment error. Being used towards operating expenses as detailed below.

Original: Operating Assistance for driver wages/hazard pay, cleaning supplies, gloves, mask and disinfectants. Also, fluid and fuel for the vehicle.

This budget covers the shortfall of revenue and extra expenses related to emergency relief for the LCO the weekend transit service. Period of performance for emergency relief operating assistance is 5/1/20 - 9/30/21.

Undertakings are consistent with allowable activities outlined in C9040.1G, page III-11

Will 3rd Party contractors be used to fulfill this activity line item?

No, 3rd Party Contractors will not be used for this line item.

Funding Source	Section of Statute	CFDA Number	Amount
5311 Tribal formula (CARES Act)	5311-7	20509	\$46,226
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$46,226

Milestone Name	Est. Completion Date	Description
Start Date	5/1/2020	
End Date	9/30/2021	

Project Environmental Findings

Finding: Class II(c) - Categorical Exclusions (C-List)

Class Level Description

Class II(c) consists of projects called categorical exclusions (CEs) which are known not to have, either individually or cumulatively, a significant environmental impact on the human or natural environment and are therefore categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement. Class II(c) does not require documentation.

Categorical Exclusion Description

Type 04: Planning and administrative activities which do not involve or lead directly to construction,

such as: training, technical assistance and research; promulgation of rules, regulations, directives, or program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing service or increase service to meet routine demand.

Date Description	Date
Class IIc CE Approved	4/29/2020

Part 4: Fleet Details

No fleet data exists for this application.

Part 5: FTA Review Comments

FTA Comments for DOL

Comment By Colin Korst

Comment Type DOL Review for Information

Date 3/4/2021

Comment 5311 Special Waiver for Tribal Transit Funds. No DOL Certification Required.

Part 6: Agreement

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

**GRANT AGREEMENT
(FTA G-28, February 9, 2021)**

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official signs this Grant Agreement, FTA has obligated and awarded federal assistance as provided below. Upon execution of this Grant Agreement by the Recipient named below, the Recipient affirms this FTA Award, enters into this Grant Agreement with FTA, and binds its compliance with the terms of this Grant Agreement.

The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(28), February 9, 2021, <http://www.transit.dot.gov>,
- (2) The Certifications and Assurances applicable to the FTA Award that the Recipient has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

WHEN THE TERM "FTA AWARD" OR "AWARD" IS USED, EITHER IN THIS GRANT AGREEMENT OR THE APPLICABLE MASTER AGREEMENT, "AWARD" ALSO INCLUDES ALL TERMS AND CONDITIONS SET FORTH IN THIS GRANT AGREEMENT.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE RECIPIENT DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING FTA's AWARD DATE SET FORTH HEREIN.

FTA AWARD

Federal Transit Administration (FTA) hereby awards a Federal Grant as follows:

Recipient Information

Recipient Name: Lac Courte Oreilles Band Of Lake Superior Chippewa Indians Of Wi

Recipient ID: 6818

DUNS No: 063616700

Application Information

Federal Award Identification Number: WI-2020-021-01

Application Name: 5311 Tribal Transit CARES Act Formula for Operating, Vehicle

Application Start Date: 5/11/2020

Original Award End Date: 3/30/2024

Current Award End Date: 3/30/2024

Application Executive Summary: Amendment#1: Adding \$3,062.00 in Cares Act Funding due to FTA Apportionment error. Being use towards operating expenses.

Original This grant uses \$118,164 in FY20 5311 Tribal CARE Acts Formula Funds for Capital: 1 new transit vehicle to expand tribal transit fleet operations and Operating: expenses related to the new vehicle and operating expenses related to Covid-19 and the prevention of other infectious diseases for public transit services, including masks, gloves, and PPE for drivers, and cleaning supplies and equipment. This application uses 100% Federal share under the 5311 Tribal Transit CARES Act program. No local match required. Apportionment Table and indirect cost rate documentation attached.

The Lac Courte Oreilles Tribe agrees that if it receives Federal funding from the Federal Emergency Management Agency (FEMA) or through a pass-through entity through the Robert T. Stafford Disaster Relief and Emergency Assistance Act, a different Federal agency, or insurance proceeds for any portion of a project activity approved for FTA funding under this Grant Agreement, it will provide written notification to FTA, and reimburse FTA for any Federal share that duplicates funding provided by FEMA, another Federal agency, or an insurance company.

In executing this grant, the Lac Courte Oreilles Tribe agrees to abide by Section 3011 of the FAST Act (49 U.S.C. 5323(j)(2)(C) regarding the phased increase in domestic content under the Buy America statute for rolling stock.

As the Grant Agreement includes an FTA-funded transit vehicle purchase, the Lac Courte Oreilles Tribe agrees to comply with the related requirements set forth in 49 CFR § 26.49(a). Specifically, the Lac

Courte Oreilles Tribe must ensure as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, that each transit vehicle manufacturer certified that it complied with DOT requirements for submitting a DBE program and goal to FTA prior to bidding. The Lac Courte Oreilles Tribe is also required to submit the name of the successful bidder and the total dollar value of the contract within 30 days of making a FTA- assisted transit vehicle award using the required FTA reporting tool. The Lac Courte Oreilles Tribe understands that failure to comply with these requirements may result in formal enforcement action or appropriate sanction as determined by FTA, including reimbursement of FTA funds used for the vehicle procurement.

Research and Development: This award does not include research and development activities.

Indirect Costs: This award is applying an approved Indirect cost rate(s).

Suballocation Funds: Recipient organization is directly allocated these funds and is eligible to apply for and receive these funds directly.

Pre-Award Authority: This award is using Pre-Award Authority.

Application Budget

Total Application Budget: \$121,226.00

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars): \$3,062.00

Amount of Non-Federal Funds Committed to This FTA Action (in U.S. Dollars): \$0.00

Total FTA Amount Awarded and Obligated (in U.S. Dollars): \$121,226.00

Total Non-Federal Funds Committed to the Overall Award (in U.S. Dollars): \$0.00

Application Budget Control Totals

(The Budget includes the individual Project Budgets (Scopes and Activity Line Items) or as attached)

Funding Source	Section of Statute	CFDA Number	Amount
5311 Tribal formula (CARES Act)	5311-7	20509	\$121,226
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$121,226

(The Transportation Development Credits are not added to the amount of the Total Award Budget.)

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Certification Date:

Special Conditions

There are no special conditions.

FINDINGS AND DETERMINATIONS

By signing this Award on behalf of FTA, I am making all the determinations and findings required by federal law and regulations before this Award may be made.

FTA AWARD OF THE GRANT AGREEMENT

Awarded By:

FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
Contact Info:
Award Date:

EXECUTION OF THE GRANT AGREEMENT

Upon full execution of this Grant Agreement by the Recipient, the Effective Date will be the date FTA or the Federal Government awarded Federal assistance for this Grant Agreement.

By executing this Grant Agreement, the Recipient intends to enter into a legally binding agreement in which the Recipient:

- (1) Affirms this FTA Award,
- (2) Adopts and ratifies all of the following information it has submitted to FTA:
 - (a) Statements,
 - (b) Representations,
 - (c) Warranties,
 - (d) Covenants, and
 - (e) Materials,
- (3) Consents to comply with the requirements of this FTA Award, and
- (4) Agrees to all terms and conditions set forth in this Grant Agreement.

Executed By:

Lac Courte Oreilles Band Of Lake Superior Chippewa Indians Of Wi