

## Application

<b>Federal Award Identification Number (FAIN)</b>	NC-2021-037-00
<b>Temporary Application Number</b>	6726-2020-6
<b>Application Name</b>	5311 FFY 2020 Qualla Boundary Community Transportation Program/ 5311 Appalachian Funding
<b>Application Status</b>	Final Concurrence / Reservation
<b>Application Budget Number</b>	0

<b>Period of Performance Start Date</b>	N/A
<b>Original Period of Performance End Date</b>	3/31/2025
<b>Current Period of Performance End Date</b>	N/A Revision #: N/A

### Part 1: Recipient Information

**Name: Eastern Band Of Cherokee Indians**

Recipient ID	Recipient OST Type	Recipient Alias	Recipient DUNS
6726	Indian Tribe	EASTERN BAND OF CHEROKEE INDIANS	074511999

Location Type	Address	City	State	Zip
Headquarters	88 COUNCIL HOUSE LOOP	CHEROKEE	NC	287190419
Physical Address	88 COUNCIL HOUSE LOOP	CHEROKEE	NC	28719
Mailing Address	P.O. BOX 455	CHEROKEE	NC	28719

### Union Information

There are no union contacts for this application

### Part 2: Application Information

<p><b>Title: 5311 FFY 2020 Qualla Boundary Community Transportation Program/ 5311 Appalachian Funding</b></p>
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<b>FAIN</b>	<b>Application Status</b>	<b>Application Type</b>	<b>Date Created</b>	<b>Last Updated Date</b>	<b>From TEAM?</b>
NC-2021-037-00	Final Concurrence / Reservation	Grant	8/19/2020	8/19/2020	No

**Application Executive Summary**

This is an FFY 2020 Section 5311 application in the amount of \$110,971. This application is for 5311 Administrative Assistance for public transportation in rural and small urban areas by way of formula grant program administered by NCDOT, to enhance access to passenger for the purpose of health care, shopping, education, recreation, public service and employment by encouraging the maintenance, development, improvement, and the use of public transportation systems. Utilization of these funds will begin when the grant has been awarded. This application is not for research and development. EBCI will be applying for FFY 2020 - 5311 Rural Formula funding in the amount of \$70,321 with a 20% local match of \$17,580 and 5311 Appalachian funding in the amount of \$40,650 with a 20% local match of \$10,163 for a total award amount of \$138,714 and to include indirect cost rate. As a federally recognized tribe these funds will come to us as a direct recipient. The overall start date in the grant award date and the overall end date is 03/30/2025.

**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:* Eastern Band of Cherokee Indians provides their own calculated indirect cost rate. For FY20 the indirect cost rate is 26%.

**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
Julia	Walker	Environmental Protection Specialist	julia.walker@dot.gov	404-865-5645
Kevin	Tafoya	Manager	kevitafo@nc-chokeee.com	8283596740

## Application Budget Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 - Rural Area Formula	5311-1A	20509	\$110,971
Local			\$27,743
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
<b>Total Eligible Cost</b>			<b>\$138,714</b>

## Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
NC-2021-037-01-00	600-00 (600-A2) OTHER PROGRAM COSTS	\$70,321.00	\$17,580.00	\$87,901.00	1
NC-2021-037-01-00	11.79.00 PROJECT ADMINISTRATION	\$70,321.00	\$17,580.00	\$87,901.00	1
NC-2021-037-01-00	648-00 (648-A1) APPALACHIAN DEV PUB TRANSIT ASSIST	\$40,650.00	\$10,163.00	\$50,813.00	1
NC-2021-037-01-00	11.79.00 PROJECT ADMINISTRATION	\$40,650.00	\$10,163.00	\$50,813.00	1

## Discretionary Allocations

This application does not contain discretionary allocations.

## Part 3: Project Information

## Project Title: Qualla Boundary Public Transportation Program

Project Number	Temporary Project Number	Date Created	Start Date	End Date
NC-2021-037-01-00	6726-2020-6-P1	8/31/2020	10/1/2020	9/30/2023

### Project Description

EBCI will utilize administrative funding to support the provision of community transportation services to the human service agencies and to the general public.

### Project Benefits

Provides administrative assistance for the EBCI Public Transportation System to enhance access for people in our service area for purposes such as shopping healthcare, education, recreation, public services and employment through maintenance, development and improvement of our public transportation system.

### Additional Information

This project location will be within our service area located on and in the proximity of Eastern Band of Cherokee Indians Tribal Lands on the Qualla Boundary and the Snowbird Community in Robbinsville, NC

### Location Description

This project location will be within our service area located on and in the proximity of Eastern Band of Cherokee Indians Tribal Lands on the Qualla Boundary and the Snowbird Community in Robbinsville, NC

## Project Location (Urbanized Areas)

UZA Code	Area Name
370000	North Carolina

## Congressional District Information

State	District	Representative
North Carolina	11	Mark Meadows

## 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
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## Project Budget Activity Line Items

### Budget Activity Line Item: 11.79.00 - PROJECT ADMINISTRATION

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
OTHER PROGRAM COSTS (600-00)	11.79.00	PROJECT ADMINISTRATION	OTHER CAPITAL ITEMS (BUS)	1

### Extended Budget Description

EBCI will utilize funding to assist in travel/training through various public transit programs including but not limited to; RTAP, CTAA, NCPTD and the FTA. Funding will also utilized for coordination with other regional transit systems to plan and provide customer service provision. Funding will also be utilized to

maintain service from our Snowbird transit office in the Snowbird/Robbinsville area. Being that Snowbird is a rural community that lacks a good outlet for communication including; internet, mobile/cellular communications, the main office of EBCI Transit manages their administrative activities including marketing, data input, financial requisitions, and billing. Safety training materials and instruction through our our program's Safety Coordinator will also be provided with the administrative funding. Funding will also be used for costs associated with the administering of drug and alcohol testing. All of these activities will enhance the access of people in our service areas for the purpose of transportation.

**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 - Rural Area Formula	5311-1A	20509	\$70,321
Local			\$17,580
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
<b>Total Eligible Cost</b>			<b>\$87,901</b>

Milestone Name	Est. Completion Date	Description
Start Date	10/1/2020	Start Date
End Date	9/30/2023	End Date

**Budget Activity Line Item: 11.79.00 - PROJECT ADMINISTRATION**

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
APPALACHIAN DEV PUB TRANSIT ASSIST (648-00)	11.79.00	PROJECT ADMINISTRATION	BUS OTHER CAPITAL ITEMS APPALACHIAN	1

**Extended Budget Description**

EBCI will utilize funding to assist in travel/training through various public transit programs including but not limited to; RTAP, CTAA, NCPTD and the FTA. Funding will also utilized for coordination with other regional transit systems to plan and provide customer service provision. Funding will also be utilized to maintain service from our Snowbird transit office in the Snowbird/Robbinsville area. Being that Snowbird is a rural community that lacks a good outlet for communication including; internet, mobile/cellular communications, the main office of EBCI Transit manages their administrative activities including marketing, data input, financial requisitions, and billing. Safety training materials and instruction through our our program's Safety Coordinator will also be provided with the administrative funding. Funding will also be used for costs associated with the administering of drug and alcohol testing. All of these activities will enhance the access of people in our service areas for the purpose of transportation.

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Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
<b>Total Eligible Cost</b>			<b>\$50,813</b>

Milestone Name	Est. Completion Date	Description
Start Date	10/1/2020	Start Date
End Date	9/30/2023	End Date

## 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
	Class IIc CE Approved

Scope Name / Code	Line Item Number	Line Item Name	Quantity	FTA Amount	Total Eligible Cost
APPALACHIAN DEV PUB TRANSIT ASSIST (648-00)	11.79.00	PROJECT ADMINISTRATION	1	\$40,650.00	\$50,813.00

### 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.

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Date	Description	Date
	Class IIc CE Approved	

Scope Name / Code	Line Item Number	Line Item Name	Quantity	FTA Amount	Total Eligible Cost
OTHER PROGRAM COSTS (600-00)	11.79.00	PROJECT ADMINISTRATION	1	\$70,321.00	\$87,901.00

**Part 4: Fleet Details**

No fleet data exists for this application.

**Part 5: FTA Review Comments**

**FTA Comments for DOL**

**Comment By** Julia Walker

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Comment Type	DOL Review for Information
Date	8/11/2021
Comment	Tribal Formula Grant, sent to DOL for informational purposes.

**Application Review Comments**

**Comment By** Julia Walker

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Comment Type	FTA Post Review Comments for Grantee
Date	3/22/2021
Comment	Grant to be deleted from TrAMS

**Application Review Comments**

**Comment By** Julia Walker



Comment Type	Pre-Award Manager Returns Application
Date	4/1/2021
Comment	Please provide information on who will provide the training. Is it an outside vendor or will it be inhouse? Additionally, please attach the required documents to the application.

**Comment By Julia Walker**

Comment Type	Pre-Award Manager Returns Application
Date	4/12/2021
Comment	Please check Certification #4 (lobbying), like they did last year. And, per TPM's A-Z SOP, since the same person PIN'd for both the AO and atty, we need a justification as to why the AO and atty could not PIN in TrAMS themselves. Thank you!

**Comment By Julia Walker**

Comment Type	Pre-Award Manager Returns Application
Date	6/2/2021
Comment	Tribes are limited to 10% indirect cost rate per TPM. Please update that section of the application to reflect this limit.

## Part 6: Agreement

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

**GRANT AGREEMENT  
(FTA G-26, October 1, 2019)**

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(26), October 1, 2019, <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: Eastern Band Of Cherokee Indians

Recipient ID: 6726

DUNS No: 074511999

#### **Application Information**

Federal Award Identification Number: NC-2021-037-00

Application Name: 5311 FFY 2020 Qualla Boundary Community Transportation Program/ 5311 Appalachian Funding

Application Start Date: N/A

Original Award End Date: 3/31/2025

Current Award End Date: N/A

Application Executive Summary: This is an FFY 2020 Section 5311 application in the amount of \$110,971. This application is for 5311 Administrative Assistance for public transportation in rural and small urban areas by way of formula grant program administered by NCDOT, to enhance access to passenger for the purpose of health care, shopping, education, recreation, public service and employment by encouraging the maintenance, development, improvement, and the use of public transportation systems. Utilization of these funds will begin when the grant has been awarded. This application is not for research and development. EBCI will be applying for FFY 2020 - 5311 Rural Formula funding in the amount of \$70,321 with a 20% local match of \$17,580 and 5311 Appalachian funding in the amount of \$40,650 with a 20% local match of \$10,163 for a total award amount of \$138,714 and to include indirect cost rate. As a federally recognized tribe these funds will come to us as a direct recipient. The overall start date in the grant award date and the overall end date is 03/30/2025.

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: \$138,714.00

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars): \$110,971.00

Amount of Non-Federal Funds Committed to This FTA Action (in U.S. Dollars): \$27,743.00

Total FTA Amount Awarded and Obligated (in U.S. Dollars): \$110,971.00

Total Non-Federal Funds Committed to the Overall Award (in U.S. Dollars): \$27,743.00

**Application Budget Control Totals**

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

<b>Funding Source</b>	<b>Section of Statute</b>	<b>CFDA Number</b>	<b>Amount</b>
5311 - Rural Area Formula	5311-1A	20509	\$110,971
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Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
<b>Total Eligible Cost</b>			<b>\$138,714</b>

(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:

*Eastern Band Of Cherokee Indians*