

DOT

FTA

U.S. Department of Transportation

Federal Transit Administration

Application

Federal Award Identification Number (FAIN)	ND-2020-012-00
Temporary Application Number	5838-2020-2
Application Name	FY 2019 5311Formula TTP - Administrative/Maintenance Facility Expansion
Application Status	Final Concurrence / Reservation
Application Budget Number	0

Period of Performance Start Date	N/A
Original Period of Performance End Date	3/31/2022
Current Period of Performance End Date	N/A Revision #: N/A

Part 1: Recipient Information

Name: Sitting Bull College

Recipient ID	Recipient OST Type	Recipient Alias	Recipient DUNS
5838	Indian Tribe	SITTING BULL COLLEGE	962780326

Location Type	Address	City	State	Zip
Headquarters	9299 HWY 24	FORT YATES	ND	585389706
Physical Address	9299 HWY 24	FORT YATES	ND	58538
Mailing Address	9299 HIGHWAY 24	FORT YATES	ND	58538

Union Information

There are no union contacts for this application

Part 2: Application Information

Title: FY 2019 5311 Formula TTP - Administrative/Maintenance Facility Expansion
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FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
ND-2020-012-00	Final Concurrence / Reservation	Grant	6/4/2020	6/4/2020	No

Application Executive Summary

This is a FY 2019 5311 Tribal Formula grant in the amount of \$444,012 (full apportionment) for the expansion of the existing transit administrative/maintenance facility which is located on the Standing Rock Reservation in Fort Yates, North Dakota.

The scope of work includes the construction of approximately 1,850 square feet of additional space and a 1,050 square foot concrete parking pad.

The useful life of buildings and most other facilities (concrete, steel, and frame construction) is 40 years. Any equipment exceeding \$5,000 per unit and useful life greater than 1 year, and any supplies with an aggregate value greater than \$5,000, will be reported as project property at closeout of this award. Federal share is 100%.

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 not using Pre-Award Authority.

Does this application include suballocation funds?

Recipient organization is the Designated Recipient and can apply for and receive these apportioned funds.

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 does not include an indirect cost rate.

Indirect Rate Details: N/A

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
	pam.ternes@sitbull.edu	Transit Director		
	terry.gonzales@dot.gov	Administrative Officer		

Application Budget Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 - Tribal Transit Program Formula	5311-1B	20509	\$444,012
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$444,012

Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
ND-2020-012-01-00	600-00 (600-A1) OTHER PROGRAM COSTS	\$444,012.00	\$0.00	\$444,012.00	1
ND-2020-012-01-00	CONSTRUCT 11.43.03 - ADMIN/MAINT FACILITY	\$444,012.00	\$0.00	\$444,012.00	1

Discretionary Allocations

This application does not contain discretionary allocations.

Part 3: Project Information

Project Title: Construction of Standing Rock Public Transit Administrative/Maintenance Facility Expansion

Project Number	Temporary Project Number	Date Created	Start Date	End Date
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ND-2020-012-01-00

5838-2020-2-P2

6/19/2020

9/15/2020

12/30/2021

Project Description

Standing Rock Public Transit/Sitting Bull College is proposing the following expansion at the existing transit facility: 1) 1,500 square foot bus port shelter, 2) 240 square foot storage shed to replace an existing shed in the same location, 3) 112 square foot ADA entry vestibule at the front of the existing building and, 4) 1,050 square foot concrete parking pad on the east side of the existing building.

The useful life of buildings and most other facilities (concrete, steel, and frame construction) is 40 years. Any equipment exceeding \$5,000 per unit and useful life greater than 1 year, and any supplies with an aggregate value greater than \$5,000, will be reported as project property at closeout of this award. Federal share is 100%.

Project Benefits

The proposed projects will benefit the program by:

- 1) The construction of a bus port shelter will allow the transit program to increase the useful life of the transit fleet. The existing transit maintenance facility can only provide shelter for 50% of the fleet.
- 2) A storage shed will allow the transit program to increase the useful life of the grounds keeping equipment, i.e. mower, tractor and tools, as well as provide much need storage space for tires and bus parts.
- 3) The vestibule will provide safe accessibility for passengers going to and from the transit facility waiting area. The vestibule is also necessary to separate the waiting room from direct outdoor temperatures.
- 4) An expanded parking lot for employees and customers will significantly improve the safety of passengers. The current parking area is a small space situated directly in front of the transit facility where passenger transfers to and from other buses and the facility waiting room take place. A new parking space will be constructed on the side of the transit center and the current parking lot will be designated specifically for passenger transfers.

Additional Information

None provided.

Location Description

The Standing Rock Public Transit Administration/Maintenance Facility is located on the Standing Rock Indian Reservation in Fort Yates, North Dakota.

Project Location (Urbanized Areas)

UZA Code	Area Name
380000	North Dakota

Congressional District Information

State	District	Representative
North Dakota	1	Kevin Cramer

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 Transit Program Formula	5311-1B	20509	\$444,012
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$444,012

Project Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
ND-2020-012-01-00	600-00 (600-A1) OTHER PROGRAM COSTS	\$444,012.00	\$0.00	\$444,012.00	1
ND-2020-012-01-00	11.43.03 - CONSTRUCT ADMIN/MAINT FACILITY	\$444,012.00	\$0.00	\$444,012.00	1

Project Budget Activity Line Items**Budget Activity Line Item: 11.43.03 - CONSTRUCT - ADMIN/MAINT FACILITY**

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
OTHER PROGRAM COSTS (600-00)	11.43.03	CONSTRUCT - ADMIN/MAINT FACILITY	CONSTRUCTION OF BUS SUPPORT EQUIP/FACIL	1

Extended Budget Description

Standing Rock Public Transit proposes to use \$444,012 (full apportionment) of the FY 2019 5311 funds to expand the existing administrative/maintenance facility to improve vehicle and equipment storage and provide safe and more accessible passenger areas. Sitting Bull College is proposing the following expansion at the existing transit admin/maintenance facility: 1) 1,500 square foot bus port shelter, 2) 240 square foot storage shed to replace an existing shed in the same location, 3) 112 square foot ADA entry vestibule at the front of the existing building and , 4) 1,050 square foot concrete parking pad on the east side of the existing building. The expansion elements will be of pre-fab construction to be installed by the selected contractor.

The project budget is an independent cost estimate based on current market conditions. Budget and schedule for construction projects are reasonable. The budget is in alignment with the amount that is asked for. Contractor will do a design/build.

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 Transit Program Formula	5311-1B	20509	\$444,012
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$444,012

Milestone Name	Est. Completion Date	Description
Advertise Request for Proposals for Contractor	9/15/2020	The transit program will advertise in local newspapers, for three weeks and in two publications, RFPs from contractors. The program will also mail RFPs to contractors registered with the Standing Rock Tribal Economic Recovery Office (TERO).
Notice to Proceed	10/7/2020	The Sitting Bull College Board of Trustees will approve the contractor recommended by a committee comprised of the Transit Director and Coordinator and the Sitting Bull College President and Vice-President. The President will issue a written Notice to Proceed by 10/7/20 to the approved contractor.

Construction Time Frame	12/30/2021	The construction time frame is 8/5/20 to 12/30/21. The construction time frame is extended until 2021 due to potential difficult weather conditions and limited availability of construction materials due to COVID-19.
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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 12: Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.

Date	Description	Date
	Class IIc CE Approved	7/15/2020

Part 4: Fleet Details

No fleet data exists for this application.

Part 5: FTA Review Comments

FTA Comments for DOL

Comment By Terry Gonzales

Comment Type DOL Review for Information

Date 8/19/2020

Comment This is a construction grant to expand the facility.
Contact Information:
Pam Ternes - Transit Director

701-854-8075 (Office)
pam.ternes@sittingbull.edu
9299 Highway 24
Fort Yates, ND 58538

Application Review Comments

Comment By Terry Gonzales

Comment Type FTA Post Review Comments for Grantee

Date 6/22/2020

Comment Change scope codes to 600

Application Review Comments

Comment By Morgan Hecht

Comment Type Application Details

Date 8/7/2020

Your agency must comply with all applicable Federal laws and regulations related to this project, including the ADA Standards for Transportation Facilities, based on the U.S. Access Board's ADA Accessibility Guidelines. Found here: <http://www.access-board.gov/guidelines-and-standards/transportation/facilities/ada-standards-for-transportation-facilities>

Specifically, your agency must comply with the ADA Standards for Transportation Facilities. The following is a non-exhaustive list of ADA standards:

Requirements to Remember for: New Construction of Facilities

- Comment
- As required under DOT ADA Standard 206.4.1, your agency must ensure that 60 percent of all public entrances to the facility will be accessible. If a station has only two entrances, then both must be accessible.
 - As required under DOT ADA Standard 810.10, for rail projects, your agency must ensure that no flange way gap can be greater than 2.5" where passenger circulation paths cross tracks at grade (i.e. a street-level pedestrian crossing over streetcar tracks).
 - As required under DOT ADA Standard 206.3, your agency must ensure that accessible routes coincide with or are located in the same area as general circulation paths, and elements such as ramps, elevators, and fare vending and collection areas are placed to minimize the distance that wheelchair users and other persons who cannot climb steps must travel in comparison to the general public.
 - As required under DOT ADA Standard 406.8, your agency must ensure that curb ramps will have detectable warnings.
 - As required under DOT ADA Standard 810.2, your agency must ensure that bus boarding and alighting areas are in compliance with the ADA-ABA Guidelines (Section 810.2), which address surfaces (sturdy); dimensions (96" long x 60" wide); connection to sidewalks, streets, and pedestrian paths; slope (not steeper than 1:48); signs; and public address systems.
 - As required by DOT ADA Standard 810.5.3, your agency must ensure that station platforms must be coordinated with the vehicle floor height.

Requirements to Remember for: Alterations or Additions to Facilities

- As required under DOT ADA Standard 201 and DOT ADA Regulation 49 C.F.R. 37.43(a)(1), your agency must ensure that altered or added portions of the facility must be made accessible.
- As required by DOT ADA Regulation 49 C.F.R. 37.43(a)(2) and DOT ADA Standard 202.3, your agency must ensure that the path of travel to the altered or added portion of the facility must be made accessible, to the maximum extent feasible.
- As required by DOT ADA Standard 202.4 and DOT ADA Regulation 49 C.F.R. 37.43(e)(1), if the path of travel cannot be made accessible, your agency must submit to FTA an analysis demonstrating that the cost of making the path of travel accessible is disproportionate to (i.e., > 20%) the cost of the alterations or additions to the primary function area.
- As required by DOT ADA Standard 202.4 and DOT ADA Regulation 49 C.F.R. 37.43(b), if the path of travel cannot be made accessible, your agency must submit to FTA an analysis demonstrating that site-specific conditions prevent you from making the path of travel accessible. Include relevant diagrams and maps.

Title VI Requirements for Facilities:

DETERMINATION OF SITE OR LOCATION OF FACILITIES. Title 49 CFR Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, "The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin." For purposes of this requirement, "facilities" does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations:

- a. The recipient shall complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. Recipients shall engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
- b. When evaluating locations of facilities, recipients should give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.
- c. If the recipient determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, the recipient may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The recipient must show how both tests are met; it is important to understand that in order to make this showing,

the recipient must consider and analyze alternatives to determine whether those alternatives would have less Chap. III-12 FTA C 4702.1B of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

The information provided above is intended as technical assistance and applies only to the project as described. Should the project scope change or new information on the project be provided, FTA may require a re-evaluation of the project information and require additional information. This confirmation is not an express or implied promise of project compliance with the ADA or other civil rights requirements.

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: Sitting Bull College

Recipient ID: 5838

DUNS No: 962780326

Application Information

Federal Award Identification Number: ND-2020-012-00

Application Name: FY 2019 5311 Formula TTP - Administrative/Maintenance Facility Expansion

Application Start Date: N/A

Original Award End Date: 3/31/2022

Current Award End Date: N/A

Application Executive Summary: This is a FY 2019 5311 Tribal Formula grant in the amount of \$444,012 (full apportionment) for the expansion of the existing transit administrative/maintenance facility which is located on the Standing Rock Reservation in Fort Yates, North Dakota.

The scope of work includes the construction of approximately 1,850 square feet of additional space and a 1,050 square foot concrete parking pad.

The useful life of buildings and most other facilities (concrete, steel, and frame construction) is 40 years. Any equipment exceeding \$5,000 per unit and useful life greater than 1 year, and any supplies with an aggregate value greater than \$5,000, will be reported as project property at closeout of this award. Federal share is 100%.

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

Indirect Costs: This award does not include an indirect cost rate.

Suballocation Funds: Recipient organization is the Designated Recipient and can apply for and receive these apportioned funds.

Pre-Award Authority: This award is not using Pre-Award Authority.

Application Budget

Total Application Budget: \$444,012.00

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars): \$444,012.00

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): \$444,012.00

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
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5311 - Tribal Transit Program Formula	5311-1B	20509	\$444,012
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$444,012

(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:

Sitting Bull College