

Application

Federal Award Identification Number (FAIN)	SD-2020-017-00
Temporary Application Number	6860-2020-1
Application Name	FY18 5311 Tribal Transit Formula - Design and Construction
Application Status	Final Concurrence / Reservation
Application Budget Number	0

Period of Performance Start Date	N/A
Original Period of Performance End Date	12/31/2022
Current Period of Performance End Date	N/A Revision #: N/A

Part 1: Recipient Information

Name: Lower Brule Sioux Tribe

Recipient ID	Recipient OST Type	Recipient Alias	Recipient DUNS
6860	Indian Tribe	LOWER BRULE SIOUX TRIBE	146099668

Location Type	Address	City	State	Zip
Headquarters	187 OYATE CIR	LOWER BRULE	SD	575488500
Physical Address	187 OYATE CIR	LOWER BRULE	SD	57548
Mailing Address	187 OYATE CIRCLE	LOWER BRULE	SD	57548

Union Information

There are no union contacts for this application

Part 2: Application Information

Title: FY18 5311 Tribal Transit Formula - Design and Construction

FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
SD-2020-017-00	Final Concurrence / Reservation	Grant	8/10/2020	8/10/2020	No

Application Executive Summary

Lower Brule Sioux Tribe will use the full apportionment FY18 5311 Tribal Transit Formula funds in the amount of \$357,355 for the design, NEPA work, and ultimate construction for a Transit Maintenance and Administration Facility on the Lower Brule Sioux Tribe Reservation. The grant will include two activities 1) the conceptual design, NEPA analysis and clearances, and Final Design, and 2) construction. Once design work identifies more specific information related to the costs of construction, this grant will be amended to add more funding to complete the construction phase. Work on final design and construction will not proceed until FTA has approved the environmental document.

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?

Yes, this Grant will use Lapsing Funds.

Will indirect costs be applied to this application?

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

Indirect Rate Details: Annually, the tribe negotiates a specific IDC rate to which we will apply to FTA grants.

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
Tim	Azure	Red Tail Express Transit Director	timazure@lowerbrule.net	605-470-0312

Application Budget Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 - Tribal Transit Program Formula	5311-1B	20509	\$357,355
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$357,355

Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
SD-2020-017-01-00	600-00 (600-A1) OTHER PROGRAM COSTS	\$357,355.00	\$0.00	\$357,355.00	2
SD-2020-017-01-00	11.41.03 ENG/DESIGN - ADMIN/MAINTENANCE FACILITY	\$190,000.00	\$0.00	\$190,000.00	1
SD-2020-017-01-00	11.43.03 CONSTRUCT - ADMIN/MAINT FACILITY	\$167,355.00	\$0.00	\$167,355.00	1

Discretionary Allocations

This application does not contain discretionary allocations.

Part 3: Project Information

Project Title: Project 1 - Design and Construction

Project Number	Temporary Project Number	Date Created	Start Date	End Date
SD-2020-017-01-00	6860-2020-1-P1	8/10/2020	7/25/2020	9/30/2022

Project Description

This project includes the conceptual design, NEPA evaluation and clearances, final design, and construction. Once conceptual design (10% to 30%) is available, the NEPA evaluation will be conducted. Upon approval from FTA of the NEPA documentation, final design will proceed and construction cost estimates developed.

The total cost of design is estimated to be \$190,000 (federal) and no local share. The remaining amount (\$167,355) is put in a Construction activity line item and this will be added to when construction estimates are developed through the design phase of the project.

Project Benefits

Provide maintenance and administration facility for Lower Brule Sioux Tribe transit services.

Additional Information

Provide maintenance and administration facility for Lower Brule Sioux Tribe Transit services.

Location Description

Lower Brule Sioux Tribe Reservation.

Project Location (Urbanized Areas)

UZA Code	Area Name
460000	South Dakota

Congressional District Information

State	District	Representative
South Dakota	1	Kristi Noem

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	\$357,355

Local		\$0
Local/In-Kind		\$0
State		\$0
State/In-Kind		\$0
Other Federal		\$0
Transportation Development Credit		\$0
Adjustment		\$0
Total Eligible Cost		\$357,355

Project Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
SD-2020-017-01-00	600-00 (600-A1) OTHER PROGRAM COSTS	\$357,355.00	\$0.00	\$357,355.00	2
SD-2020-017-01-00	11.41.03 ENG/DESIGN - ADMIN/MAINTENANCE FACILITY	\$190,000.00	\$0.00	\$190,000.00	1
SD-2020-017-01-00	11.43.03 CONSTRUCT - ADMIN/MAINT FACILITY	\$167,355.00	\$0.00	\$167,355.00	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

This activity includes funding for construction of the facility. Additional funding and facility details will be added to this ALI once the design is complete and construction estimates have been developed.

The useful life of a facility is estimated at 40 years.

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	\$167,355
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$167,355

Milestone Name	Est. Completion Date	Description
RFP	3/18/2021	
Contract	5/1/2021	
Initiate site work	6/16/2021	
Finish construction	9/30/2022	

Budget Activity Line Item: 11.41.03 - ENG/DESIGN - ADMIN/MAINTENANCE FACILITY

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
OTHER PROGRAM COSTS (600-00)	11.41.03	ENG/DESIGN - ADMIN/MAINTENANCE FACILITY	ENGINEERING & DESIGN - BUS SUPPORT EQUIP/FACIL	1

Extended Budget Description

This activity includes the conceptual design and NEPA evaluation and clearances. Once NEPA has been approved, final design and cost estimates will be developed for the construction of the administrative and maintenance facility on LBST land.

The administrative and maintenance facility will have the following elements:

- Administrative offices for 4 office staff, a dispatching center, kitchen/break room, bathrooms and locker rooms
- Customer waiting area
- Vehicle storage garage for up to 10 vehicles for future expansion needs
- Maintenance area, including office space, work shop area, storage space, 1 vehicle lift
- Bus wash
- Public and employee parking lot (20-25 spaces)
- Generator
- Perimeter security fencing
- Stormwater detention pond to deal with run off

A high level cost estimate was developed to estimate the cost of design based on other similar transit facilities built by nearby tribal transit providers. These other transit facilities averaged \$190 per square foot. Based on estimated space needs (approximately 10,000 square feet), LBST staff estimate that our facility will cost \$1.9M. We estimate that design will cost 10% of that, so this ALI uses \$190,000 for the conceptual design, NEPA work and final design.

An on-call contract for design services was put out for competitive selection in July 2020 and a selection was made in August 2020 and contracting process is in progress as of late August 2020. We expect to have a contract by the end of September 2020 and will initiate design shortly after.

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	\$190,000
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$190,000

Milestone Name	Est. Completion Date	Description
RFP	7/25/2020	RFP published
Contract signed	9/30/2020	Plan to have contract signed with selected engineering firm
Initiate design work	10/1/2020	Meet with consultant team
NEPA	1/15/2021	Initiate NEPA evaluation once 30% design is completed
Final Design and Construction Cost Estimates	5/31/2021	

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 13: Federally-funded projects:

(i) That receive less than \$5,000,000 of Federal funds; or

(ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

Date	Description	Date
	Class IIc CE Approved	8/27/2020

Part 4: Fleet Details

No fleet data exists for this application.

Part 5: FTA Review Comments

FTA Comments for DOL

Comment By Emma Belmont

Comment Type DOL Review for Information

Date 9/1/2020

Transit Manager:

Comment Tim Azure
timazure@lowerbrule.net
605-470-0312

Application Review Comments

Comment By Morgan Hecht

Comment Type Application Details

Date 8/19/2020

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>

Comment 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

- 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.

Application Review Comments

Comment By Emma Belmont

Comment Type	Environmental Findings
Date	8/21/2020
Project Title	Project 1 - Design and Construction
Project Number	SD-2020-017-01-00
Comment	Concur that the design activities are covered by a CE C-list Type 4

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: Lower Brule Sioux Tribe

Recipient ID: 6860

DUNS No: 146099668

Application Information

Federal Award Identification Number: SD-2020-017-00

Application Name: FY18 5311 Tribal Transit Formula - Design and Construction

Application Start Date: N/A

Original Award End Date: 12/31/2022

Current Award End Date: N/A

Application Executive Summary: Lower Brule Sioux Tribe will use the full apportionment FY18 5311 Tribal Transit Formula funds in the amount of \$357,355 for the design, NEPA work, and ultimate construction for a Transit Maintenance and Administration Facility on the Lower Brule Sioux Tribe Reservation. The grant will include two activities 1) the conceptual design, NEPA analysis and clearances, and Final Design, and 2) construction. Once design work identifies more specific information related to the costs of construction, this grant will be amended to add more funding to complete the construction phase. Work on final design and construction will not proceed until FTA has approved the environmental document.

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: \$357,355.00

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars): \$357,355.00

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): \$357,355.00

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 Transit Program Formula	5311-1B	20509	\$357,355
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$357,355

(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:

Lower Brule Sioux Tribe