

Regional Transportation District



Mr. Louis F. Mraz, Jr.
Regional Manager
Urban Mass Transportation Administration
Federal Office Building, Room 520
1961 Stout Street
Denver, Colorado 80294

1600 Blake Street
Denver, Colorado 80202-1399
303/628 9000

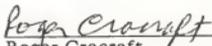
Dear Mr. Mraz:

The Regional Transportation District hereby certifies that it will comply with all Federal statutes, regulations, Executive Orders and administrative requirements applicable to applications made to and grants received from the Urban Mass Transportation Administration under Sections 3, 3(a)(1)(c), 4(i), 6, 8, 9, 9B, 10, 16(b)(2), 18 or for human resource assistance under Section 20 of the Urban Mass Transportation Act of 1964, as amended, as well as for transit related projects under the Federal Aid Urban Systems and Interstate Transfer Programs, (Sections 142 and 103 (e)(4), respectively, of Title 23 of the United States Code.)

The provisions of Section 1001 of Title 18, U.S.C., apply to all certifications and submissions in connection with applications made to and grants received from UMTA.

The applicant certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. §§3801 et seq. are applicable thereto.

Sincerely,


Roger Cracraft
Chairman, Board of Directors

The undersigned chief legal counsel for the Regional Transportation District hereby certifies that the Regional Transportation District has authority under State and local law to comply with the subject assurances and that the certification above has been legally made.


John R. Kennedy
Legal Counsel

Nov. 17, 1988
Date

DEC 26 1985

LABOR

Certain employees of the RTD, including bus drivers and maintenance personnel, are represented by the Amalgamated Transit Union (ATU), Division 1001.
Address: 360 Acoma St., Room 108, Denver, CO 80223.



UTE

State of Colorado

EXECUTIVE CHAMBERS

DENVER

RICHARD D. LAMM
GOVERNOR

February 13, 1975

The Honorable Frank C. Herring
Administrator
Urban Mass Transportation Administration
400 7th Street, S.W.
Washington, D.C. 20590

Dear Mr. Herring:

By separate letter, which has been cosigned by the Executive Directors of the organizations which comprise the Joint Regional Planning Program (the designated Metropolitan Planning Organization for the Denver Urbanized Area), the Regional Transportation District has been submitted for your concurrence as the designated recipient of formula funds allocated to that urbanized area under the provisions of Section 5(b) (2) of the National Mass Transportation Assistance Act of 1974. Herewith, I wish to further designate the Regional Transportation District as the recipient for Section 5 funds for the Boulder Urbanized Area.

The Regional Transportation District is statutorily responsible for the financing, construction and operation of public transportation services in a six-county region which wholly includes the Boulder Urbanized Area as well as the Denver Urbanized Area. Thus, the RTD is the appropriate recipient of funds allocated to the development and operation of the Boulder system. RTD will, under this designation, maintain a separate account for Section 5 funding received and expended in support of its activities within the Boulder Urbanized Area. The status of this account will be periodically reported to me, to the Urban Mass Transportation Administration, and to the City of Boulder to insure that the funds received in support of the Boulder Urbanized Area are fully expended within that area in addition to all other legal obligations for support of that system by the Regional Transportation District.

Sincerely,



Richard D. Lamm
Governor



1325 South Colorado Boulevard
Denver, Colorado 80222
303/759 1000

February 7, 1975

Mr. Frank C. Herringer
Administrator
Urban Mass Transportation Administration
400 7th Street, S.W.
Washington, D.C. 20590

Re: Opinion of Counsel, Legal Capacity of Section 5
Designated Recipient

Dear Sir:

The undersigned is an attorney at law admitted to practice in the State of Colorado. As legal counsel for the Regional Transportation District (hereinafter referred to as the "RTD") I have examined Section 5 of the Urban Mass Transportation Act of 1964, as amended, and the Capital and Operating Assistance Formula Grants, Interim Guidelines and Procedures published by the Urban Mass Transportation Administration.

Based upon examination of applicable state law, I am of the opinion that:

1. The RTD has the legal capacity requisite to its designation as recipient of Section 5 funds to receive and disburse Section 5 funds for transit purposes;
2. Submit a program of projects to UMTA and the Governor through the metropolitan planning organization;
3. Submit project applications to UMTA;
4. Enter into formal project agreements with UMTA; and
5. Certify that a public hearing in connection with submitting project applications has been conducted.

Mr. Frank C. Herringer
February 7, 1975
Page 2

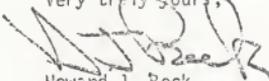
Authority for the foregoing is found in inter alia Section
32-9-119 C.R.S. 1973:

32-9-119 Additional Power of the District. (1) In addition to
any other powers granted to the district in this article, the
district has the following powers:

(q) To accept grants or loans from the federal government, the
state government, or any political subdivision thereof, to enter
into contracts and cooperate with the federal government, the
state government, or any political subdivision thereof, and to do
all things necessary, not inconsistent with this article or the
laws of this state, in order to avail itself of such aid, assistance,
and cooperation under any federal or state legislation.

If you have need of any further information, do not hesitate to
contact me.

Very truly yours,



Howard J. Beck
Legal Counsel

GDJ/HJB/tlc

Section 9 Certification

Certification is given by the recipient named herein, the Regional Transportation District, with respect to its application(s) for assistance pursuant to Section 9 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. Sections 1601, et seq.) ("the Act"), filed with the Urban Mass Transportation Administration (UMTA), as to the following:

- A. That it has or will have the legal, financial and technical capacity to carry out the proposed program of projects and budget;
- B. That it has or will have satisfactory continuing control, through operation or lease otherwise, over the use of the facilities and equipment, and will maintain such facilities and equipment;
- C. That it will comply with the provision for elderly and handicapped half-fare as prescribed by Section 5(m) of the Act;
- D. That it will give the rate required by Section 5(m) of the Act to any person presenting a Medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act;
- E. In carrying out any procurement under Section 9, that it will use competitive procurement processes as defined by UMTA, or, for procurement of associated capital maintenance only, the sole source provisions detailed in Appendix D of UMTA C 9030.1A; will not utilize exclusionary or discriminatory specifications in the procurement; and will carry out the procurement in compliance with applicable Buy America provisions;
- F. That it has or will comply with the following requirements of Section 9(f) in that it has or will:
 1. Make available, to the public, information concerning the amount of funds available under Section 9 and the program of projects and budget that the recipient proposes to undertake with such funds;
 2. Develop a proposed program of projects and budget concerning activities to be funded in consultation with interested parties, including private transportation providers;
 3. Publish a proposed program of projects and budget in such a manner to afford affected citizens, private transportation providers and, as appropriate, local elected officials an opportunity to examine their content and to submit comments on the proposed program of projects and budget and on the performance of the recipient;
 4. Afford an opportunity for a public hearing to obtain the views of citizens on the proposed program of projects and budget;
 5. Consider comments and views, particularly those of private transportation providers, and, if deemed appropriate, modify the proposed program of projects and budget; and

- 6. Make the final program of projects and budget available to the public.
- G. That it has or will have available and will provide the required amount of funds in accordance with Section 9(k)(1) of the Act, and will comply with the requirements of Sections 8 and 16 of the Act;
- H. That it has or will have a locally developed process to solicit and consider public comments prior to raising fares or implementing a major reduction of transit service;
- I. That the organization(s) to receive benefits directly from the Section 9 grant will be subject to the uniform system of accounts and records and has submitted the latest required Section 15 report of financial and operating data as prescribed in Section 15 of the Act and further defined in the UMTA regulations (49 C.F.R. Part 630);
- J. That any proposed project for the acquisition of or investment in rolling stock will be in conformance with UMTA rolling stock guidelines; and
- K. That any capital expenditure(s) proposed for funding under the 90% or 95% Federal match provisions of Section 16(e) will be in conformance with the requirements of these provisions; and that any asset acquired or improved under such provisions will remain in the specialized service to which it was originally dedicated for its useful life.

The provisions of the 18 U.S.C. Section 10001, apply to any certifications or submissions under this section.

Roger Crockett
Designated Official's Signature

Robert G. Kennedy
Attorney's Signature

Chairman, Board of Directors
Title of Designated Official

December 31, 1987
Date

December 31, 1987
Date

Assurance Concerning Nondiscrimination on the
Basis of Handicap in Federally-Assisted Programs
and Activities Receiving or Benefitting from
Federal Financial Assistance

(Department of Transportation)

Regional Transportation District, (the "Recipient") AGREES
(Name of Applicant)

THAT, as a condition to the approval or extension of any Federal financial assistance from the United States Department of Transportation to construct any facility, or to participate in or obtain any benefit from any program administered by the Department, to which the Department's regulation set forth in Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 27-- "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefitting from Federal Financial Assistance" (the "Regulation") applies, no otherwise qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance administered by the Department of Transportation, including the Urban Mass Transportation Administration, and GIVES ASSURANCE that it will conduct any program or operate any facility so assisted in compliance with all of the requirements imposed by the Regulation, or any directive issued pursuant to that Regulation.

July 25, 1979

DATE

Regional Transportation District

Legal Name of Applicant

By:

DJ Beck for
Signature of Authorized Official
Executive Director and
General Manager

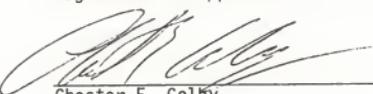
CHARTER BUS AGREEMENT

I, Chester E. Colby, General Manager, agree that the Denver Regional Transportation District and all recipients through the Denver Regional Transportation District will provide charter service that uses equipment or facilities provided under the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.) or under 23 U.S.C. 103(e)(4), 142(a) or 142 (c) (the Acts) only to the extent that there are no private charter service operators willing and able to provide the charter service that the Denver Regional Transportation District and all recipients through the Denver Regional Transportation District desire to provide unless one or more of the exceptions in 49 CFR 604.9 applies.

I further agree that the Denver Regional Transportation District and all recipients through the Denver Regional Transportation District will comply with the provisions in 49 CFR Part 604 before they provide any charter service using equipment or facilities provided under the Acts; that the requirements of 49 CFR Part 604 will apply to any such charter service that is provided; and that the definitions in 49 CFR Part 604 apply to this agreement.

This Charter Bus Agreement remains in full force and effect unless and until the United States Congress amends the prevailing Charter Bus laws or the Charter Bus regulations are amended.

Denver Regional Transportation District
Legal Name of Applicant

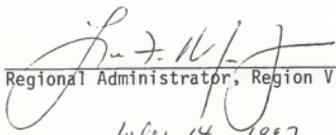


Chester E. Colby

General Manager
Title of Authorized Official

June 30, 1987
Date

URBAN MASS TRANSPORTATION ADMINISTRATION



Regional Administrator, Region VII

July 14, 1987
Date

DEPARTMENT OF TRANSPORTATION TITLE VI ASSURANCE

The Regional Transportation District (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the ACT), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient received Federal financial assistance from the Department of Transportation, including the Urban Mass Transportation Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7[a] of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to all projects/programs funded under the Urban Mass Transportation Act of 1964, as amended.

1. That the Recipient agrees that each "program" and "facility" as defined in subsections 21.23[e] and 21.23[b] of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all UMTA projects and, in adapted form in all proposals for negotiated agreements:

The Regional Transportation District, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to this Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient received Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
7. That where the Recipient receives Federal financial assistance to carry out a program of managerial training under Section 10[a] of the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the recipient to make selection of the trainee or fellow without regard to race, color, or national origin.
8. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the recipient to assign transit operators and to furnish transit operators for charter purposes without regard to race, color, or national origin.
9. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, routing, scheduling, quality of service, frequency of service, age and quality of vehicles assigned to routes, quality of service, frequency of service serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.
10. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements transferred into by the Recipient with other parties: [a] for the subsequent transfer of real property acquired or improved under all projects/programs funded under the Urban Mass Transportation Act of 1964, as amended and [b] for the construction or use of or access to space on, over, or under real property acquired, or improved under all projects/programs funded under the Urban Mass Transportation Act of 1964, as amended.

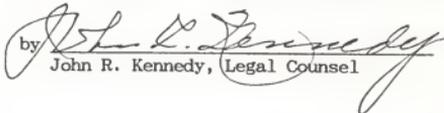
11. That the assurance obligates the Recipient for the period during which Federal financial assistance is extended to the UMTA projects, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: [a] the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or [b] the period during which the Recipient retains ownership or possession of the property.
12. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
13. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under all projects/programs funded under the Urban Mass Transportation Act of 1964, as amended and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in all projects/programs funded under the Urban Mass Transportation Act of 1964, as amended. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATED: 12/15/67

REGIONAL TRANSPORTATION DISTRICT

by 
Chester E. Colby, General Manager

by 
John R. Kennedy, Legal Counsel

URBAN MASS TRANSPORTATION ADMINISTRATION
CIVIL RIGHTS ASSURANCE

The Regional Transportation District HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The Regional Transportation District will compile, maintain, and submit in a timely manner Title VI information required by UMTA Circular 1160.1A and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The Regional Transportation District will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Urban Mass Transportation Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.



Chester E. Colby, General Manager

DATE: 12/5/87



John R. Kennedy, Legal Counsel

DATE: 12/3/87

CERTIFICATION BY A RECIPIENT
OF
A GRANT OR COOPERATIVE AGREEMENT

Appendix 2 provides the primary certifications required by the Office of Management and Budget's (OMB) Common Rule for Nonprocurement, Debarment and Suspension. The first certification is to be used where the application is not a State. The second certification is to be submitted whenever a State acts as the applicant/grantee.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

The Primary Participant (Applicant for an UMTA grant or cooperative agreement), the Regional Transportation District, certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

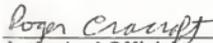
(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the primary participant (Applicant for an UMTA grant or cooperative agreement) is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this proposal.

THE PRIMARY PARTICIPANT (APPLICANT FOR AN UMTA GRANT OR COOPERATIVE AGREEMENT), THE REGIONAL TRANSPORTATION DISTRICT, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. §§3801 ET SEQ. ARE APPLICABLE THERETO.



Authorized Official



Attorney's Signature



Chairman of the Board
Title of Authorized Official



Date

ONE TIME ASSURANCE
REAL PROPERTY ACQUISITION REQUIREMENTS
AND RELOCATION REQUIREMENTS OF TITLE II
OF THE
UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY
ACQUISITION POLICIES ACT OF 1970, AS AMENDED

The Regional Transportation District hereby assures that it will comply with Section 305 and Section 210 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by the Uniform Relocation Act Amendments of 1987, Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987, P.L. 100-17, 101 Stat. 246-256 and the implementing regulations at 49 CFR Part 24.

Michael J. Garcia



Chairman, Board of Directors

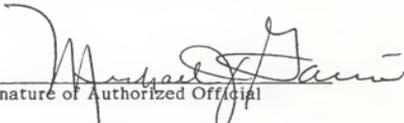
April 21, 1989

CERTIFICATION FOR THE INTERIM BUS TESTING
PROGRAM (49 CFR PART 665)

In accordance with the requirements of 49 CFR Part 665, the Regional Transportation District certifies that, by the time of final acceptance of the first vehicle, the following two conditions will have been met for any new bus model or any bus model with a major change in configuration or components acquired or leased with funds obligated by UMTA after September 30, 1989.

1. A model of the bus has been tested at the bus testing facility,

and
2. The applicant has received a copy of the Test Report prepared on the bus model.



Signature of Authorized Official

Chairman, Board of Directors

Title

October 17, 1989

Date

CERTIFICATION
OF
RESTRICTIONS ON LOBBYING

I, William C. Womack, hereby certify on behalf of the Regional Transportation District that:

- (1) 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 any 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.
- (2) 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 on 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.
- (3) 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 is 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.

Executed this 15th Day of February, 1990.

By William C. Womack
Chairman, Board of Directors

DOT LIBRARY



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