

## Appendix A

*Format For Proposals for the Department of Transportation Office of Small and Disadvantaged Business Utilization's Small Business Transportation Resource Center (SBTRC) Program*

Submitted proposals for the DOT, Office of Small and Disadvantaged Business Utilization's Small Business Transportation Resource Center Program must contain the following 12 sections and be organized in the following order:

### 1. Table of Contents

Identify all parts, sections and attachments of the application.

### 2. Application Summary

Provide a *summary overview* of the following:

- The applicant's proposed SBTRC region and city and key elements of the plan of action/strategy to achieve the SBTRC objectives.
- The applicant's relevant organizational experience and capabilities.

### 3. Understanding of the Work

Provide a narrative which contains specific project information as follows:

- The applicant will describe its understanding of the OSDBU's SBTRC program mission and the role of the applicant's proposed SBTRC in advancing the program goals.
- The applicant will describe specific outreach needs of transportation-related small businesses in the applicant's region and how the SBTRC will address the identified needs.

### 4. Approach and Strategy

- Describe the applicant's plan of action/strategy for conducting the program in terms of the tasks to be performed.
- Describe the specific services or activities to be performed and how these services/activities will be implemented.
- Describe innovative and creative approaches to assist small businesses to become successful transportation contractors and increase their ability to access DOT contracting opportunities and financial assistance programs.
- Estimated direct costs, other than labor, to execute the proposed strategy.

### 5. Linkages

- Describe established relationships within the geographic region and demonstrate the ability to coordinate and establish effective networks with DOT grant recipients and local/regional technical assistance agencies.
- Describe the strategy to obtain support and collaboration on SBTRC

activities from DOT grantees and recipients, transportation prime contractors and subcontractors, the SBA, U.S. Department of Commerce's Minority Business Development Centers (MBDCs), Service Corps of Retired Executives (SCORE), Procurement Technical Assistance Centers (PTACs), Small Business Development Centers (SBDCs), State DOTs, and State highway supportive services contractors.

- Describe the outreach strategy related to the identified needs that can be successfully carried out within the period of this agreement and a plan for involving the Planning Committee in the execution of that strategy.

### 6. Organizational Capability

- Describe recent and relevant past successful performance in addressing the needs of small businesses, particularly with respect to transportation-related small businesses.
- Describe internal technical, financial management, and administrative resources.
- Propose a plan for sufficient matching alternative financial resources to fund the general and administrative costs of the SBTRC.

### 7. Staff Capability and Experience

- List proposed key personnel, their salaries and proposed fringe benefit factors.
- Describe the education, qualifications and relevant experience of key personnel. Attach detailed resumes.
- Proposed staffing plan. Describe how personnel are to be organized for the program and how they will be used to accomplish program objectives. Outline staff responsibilities, accountability and a schedule for conducting program tasks.

### 8. Cost Proposal

- Outline the total proposed cost of establishing and administering the SBTRC in the applicant's geographical region for a 12 month period, inclusive of costs funded through alternative matching resources. Clearly identify the portion of the costs funded by OSDBU.
- Provide a brief narrative linking the cost proposal to the proposed strategy.

### 9. Proof of Tax Exempt Status

### 10. Assurances Signature Form

Complete Standard Form 424B ASSURANCES—NON-CONSTRUCTION PROGRAMS identified as Attachment 1. SF424B may be downloaded from <http://www.grants.gov/techlib/SF424B-V1.1.pdf>.

### 11. Certification Signature Forms

Complete form DOTF2307-1 DRUG-FREE WORKPLACE ACT CERTIFICATION FOR A GRANTEE OTHER THAN AN INDIVIDUAL and Form DOTF2308-1 CERTIFICATION REGARDING LOBBYING FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS identified as Attachment 2. The forms may be downloaded from <http://www.osdbu.dot.gov/financial/docs/Cert Drug-Free DOT F 2307-1.pdf> and <http://www.osdbu.dot.gov/financial/docs/Cert Lobbying DOT F 2308-1.pdf>.

### 12. Signed Conflict of Interest Statements

The statements must say that they, or members of their immediate families, do not have a personal, business or financial interest in any DOT-funded transportation projects, nor any relationships with local or state transportation agencies that may have the appearance of a conflict of interest.

### 13. Standard Form 424

Complete Standard Form 424 Application for Federal Assistance identified as Attachment 3. SF424 can be downloaded from [http://apply07.grants.gov/apply/forms/sample/SF424\\_2\\_1-V2.1.pdf](http://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf).

Please be sure that all forms have been signed by an authorized official who can legally represent the organization.

Issued in Washington, DC on May 19, 2011.

**Brandon Neal,**

*Director, Office of Small and Disadvantaged Business Utilization, Office of the Secretary, U.S. Department of Transportation.*

[FR Doc. 2011-13186 Filed 5-26-11; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Docket No. FHWA-2011-0047]

### Renewed and Amended Memorandum of Understanding (MOU) Assigning Environmental Responsibilities to the State of Utah

**AGENCY:** Federal Highway Administration (FHWA), Utah Division Office, DOT.

**ACTION:** Notice of MOU renewal and amendments and request for comments.

**SUMMARY:** This notice announces that the FHWA and the Utah Department of Transportation (State) plan to renew and amend an existing MOU established pursuant to 23 U.S.C. 326 under which

the FHWA has assigned to the State the FHWA's responsibility for determining whether a project is categorically excluded from preparation of an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.* (NEPA) and for carrying out certain other responsibilities for conducting environmental reviews, consultations, and related activities for Federal-aid highway projects. The proposed amendments include removal of language referring to existing programmatic agreements between the State and FHWA concerning categorical exclusions. This change is proposed to make the processing of these documents more clearly defined. The public is invited to comment on any aspect of the proposed MOU, including the scope of environmental review, consultation, and other activities which are assigned.

**DATES:** Please submit comments by June 27, 2011.

**ADDRESSES:** You may submit comments through the U.S. Document Management System (DMS) identified by Docket No. FHWA-2011-0047, or by any of the methods described below.

*Web site:* <http://www.udot.utah.gov/go/environmental>.

*Fax:* 1-202-493-2251.

*Mail:* Docket Management Facility; U.S. Department of Transportation, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

*Hand Delivery:* U.S. Department of Transportation, Ground Floor Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m. (EST), Monday through Friday, except Federal holidays.

*Docket:* For access to the docket to view a complete copy of the proposed MOU, or to read background documents or comments received, go to <http://www.regulations.gov> at any time or go to the ground floor Room U.S. Department of Transportation, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590 between 9 a.m. and 5 p.m. (EST), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Edward Woolford, Environmental Program Manager, Federal Highway Administration, 2520 West 4700 South, Suite 9A, Salt Lake City, UT 84118. Office Hours: 7:00 a.m. to 3:30 p.m. (MST), [Edward.Woolford@DOT.gov](mailto:Edward.Woolford@DOT.gov); Mr. Brandon Weston, Environmental Services Director, Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, UT 84114, Office Hours 6:30 a.m. to 5:30 p.m. (Monday through

Thursday) (MST), [brandonweston@utah.gov](mailto:brandonweston@utah.gov).

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

An electronic copy of this notice may be downloaded using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Office of the Federal Register's home page at <http://www.archives.gov> and the Government Printing Office's Web site at <http://www.access.gpo.gov>. An electronic version of the proposed MOU may be downloaded by accessing the DMS docket, as described above, at <http://www.regulations.gov>.

##### Background

Section 6004(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Pub. L. 109-59), codified as Section 326 of amended Chapter 3 of Title 23, United States Code (23 U.S.C. 326, SAFETEA-LU), allows the Secretary of the United States Department of Transportation (USDOT Secretary), to assign, and a State to assume, responsibility for determining whether certain designated activities are included within classes of action that are categorically excluded from requirements for environmental assessments or environmental impact statements pursuant to regulations promulgated by the Council on Environmental Quality under part 1500 of Title 40, Code of Federal Regulations (CFR) (as in effect on October 1, 2003). The FHWA is authorized to act on behalf of the USDOT Secretary with respect to these matters.

In July 2008, the FHWA and the State executed a MOU, which assigned the responsibility to the State for determining certain designated activities as categorically excluded under Section 6004(a) of SAFETEA-LU. The assignments include:

1. Activities listed in 23 CFR 771.117(c); and
2. The example activities listed in 23 CFR 771.117(d).

The MOU had an initial term of 3 years and may be renewed and/or amended. The renewal/amendments are the subject of this Notice. As part of this renewal, proposed changes to the MOU, include modification to terminate an existing programmatic agreement between the State and FHWA for processing proposed projects that are candidates for categorical exclusion but

that are not included on the lists described in 1-2 above.

The MOU assigns to the State the responsibility for conducting Federal environmental review, consultation, and other related activities for projects that are subject to the MOU with respect to the following Federal laws and Executive Orders:

1. Clean Air Act (CAA), 42 U.S.C. 7401-7671q (determinations of project-level conformity if required for the project).
2. Compliance with the noise regulations in 23 CFR 772.
3. Section 7 of the Endangered Species Act of 1973, 16 U.S.C. 1531-1544, and Section 1536.
4. Marine Mammal Protection Act, 16 U.S.C. 1361.
5. Anadromous Fish Conservation Act, 16 U.S.C. 757a-757g.
6. Fish and Wildlife Coordination Act, 16 U.S.C. 661-667d.
7. Migratory Bird Treaty Act, 16 U.S.C. 703-712.
8. Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended, 16 U.S.C. 1801 *et seq.*
9. Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470(f) *et seq.*
10. Section 4(f) of the Department of Transportation Act of 1966, 23 U.S.C. 138 and 49 U.S.C. 303; and 23 CFR part 774.
11. Archeological and Historic Preservation Act of 1966, as amended, 16 U.S.C. 469-469(c).
12. American Indian Religious Freedom Act, 42 U.S.C. 1996.
13. Farmland Protection Policy Act (FPPA), 7 U.S.C. 4201-4209.
14. Clean Water Act, 33 U.S.C. 1251-1377 (Section 404, Section 401, Section 319).
15. Coastal Barrier Resources Act, 16 U.S.C. 3501-3510.
16. Coastal Zone Management Act, 16 U.S.C. 1451-1465.
17. Safe Drinking Water Act (SDWA), 42 U.S.C. 300f-300j-6.
18. Rivers and Harbors Act of 1899, 33 U.S.C. 401-406.
19. Wild and Scenic Rivers Act, 16 U.S.C. 1271-1287.
20. Emergency Wetlands Resources Act, 16 U.S.C. 3921-3931.
21. TEA-21 Wetlands Mitigation, 23 U.S.C. 103(b)(6)(m), 133 (b)(11).
22. Flood Disaster Protection Act, 42 U.S.C. 4001-4128.
23. Land and Water Conservation Fund (LWCF), 16 U.S.C. 4601-4604 (known as section 6(f)).
24. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601-9675.

25. Superfund Amendments and Reauthorization Act of 1986 (SARA).

26. Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992k.

27. Landscaping and Scenic Enhancement (Wildflowers), 23 U.S.C. 319.

28. Executive Orders Relating to Highway Projects (E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593, Protection and Enhancement of Cultural Resources; E.O. 13007, Indian Sacred Sites; E.O. 13175, Consultation and Coordination with Indian Tribal Governments; E.O. 13112, Invasive Species).

The MOU allows the State to act in the place of the FHWA in carrying out the functions described above, except with respect to government-to-government consultations with federally recognized Indian tribes. The FHWA will retain responsibility for conducting formal government-to-government consultation with federally recognized Indian tribes, which is required under some of the above-listed laws and executive orders. The State also may assist the FHWA with formal consultations, with consent of a tribe, but the FHWA remains responsible for the consultation. This assignment includes transfer to the State of Utah the obligation to fulfill the assigned environmental responsibilities on any proposed projects meeting the Criteria in Stipulation I(B) of the MOU that were determined to be CEs prior to the effective date of the proposed MOU but that have not been completed as of the effective date of the MOU.

A copy of the proposed MOU may be viewed on the DOT DMS Docket, as described above, or may be obtained by contacting the FHWA or the State at the addresses provided above. A copy may also be viewed online at the following URL: <http://www.udot.utah.gov/go/environmental>. Once the FHWA makes a decision on the proposed MOU, the FHWA will place in the DOT DMS Docket, a statement describing the outcome of the decision-making process and a copy of the final MOU, if any. Copies of the final documents also may be obtained by contacting the FHWA or the State at the addresses provided above, or by viewing the documents at <http://www.udot.utah.gov/go/environmental>.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372

regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 326; 42 U.S.C. 4331, 4332; 23 CFR 771.117; 40 CFR 1507.3, 1508.4.

Issued on: May 23, 2011.

**James C. Christian,**

*Division Administrator, Salt Lake City, Utah.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No: FTA–2010–0027]

#### National Transit Database: Amendments to Urbanized Area Annual Reporting Manual

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of Amendments to 2011 National Transit Database Urbanized Area Annual Reporting Manual.

**SUMMARY:** This notice announces the adoption of certain amendments for the Federal Transit Administration's (FTA) 2011 National Transit Database (NTD) Urbanized Area Annual Reporting Manual (Annual Manual). On October 11, 2010, FTA published a notice in the **Federal Register** (73 FR 7361) inviting comments on proposed amendments to the 2011 Annual Manual. This notice provides responses to those comments, and announces the adoption of certain amendments for the 2011 Annual Manual.

**DATES:** *Effective Date:* May 27, 2011.

**FOR FURTHER INFORMATION CONTACT:** For program issues, John D. Giorgis, Office of Budget and Policy, (202) 366–5430 (telephone); (202) 366–7989 (fax); or [john.giorgis@dot.gov](mailto:john.giorgis@dot.gov) (e-mail). For legal issues, Richard Wong, Office of the Chief Counsel, (202) 366–0675 (telephone); (202) 366–3809 (fax); or [richard.wong@dot.gov](mailto:richard.wong@dot.gov) (e-mail).

**SUPPLEMENTARY INFORMATION:**

#### I. Background

The National Transit Database (NTD) is the Federal Transit Administration's (FTA's) primary database for statistics on the transit industry. Congress established the NTD to “help meet the needs of \* \* \* the public for information on which to base public transportation service planning \* \* \*” (49 U.S.C 5335). Currently, over 700 transit providers in urbanized areas report to the NTD through its online reporting system. Each year, performance data from these

submissions are used to apportion over \$6 billion of FTA funds under the Urbanized Area Formula (Section 5307) Grants and the Fixed Guideway Modernization Grants Programs. These data are made available on the NTD website at <http://www.ntdprogram.gov> for the benefit of the public, transit systems, and all levels of government. These data are also used in the annual National Transit Summaries and Trends report, the biennial Conditions and Performance Report to Congress, and in meeting FTA's obligations under the Government Performance and Results Act. Reporting requirements are governed by a *Uniform System of Accounts* (USOA) and an Annual Reporting Manual that is issued each year. Both the USOA and the Annual Manual are available for review on the NTD Web site at <http://www.ntdprogram.gov>. Additionally, urbanized area transit systems also make monthly reports to the NTD on safety and security incidents through the NTD Safety & Security Module and on ridership and vehicle operations through the NTD Monthly Module.

In an ongoing effort to improve the NTD reporting system, to be responsive to the needs of transit providers reporting to the NTD, and to the needs of the transit data user community, FTA annually refines and clarifies reporting requirements to the NTD. This notice announces the adoption of certain amendments for the 2011 Annual Reporting Manual.

#### II. Comments and FTA Response to Comments

On October 11, 2010, FTA published a notice in the **Federal Register** (75 FR 192) inviting comments on proposed amendments to the 2011 Annual Manual. FTA received responses from 38 commenters.

##### (a) Vanpool Eligibility

FTA currently requires all vanpools reported to the NTD to have a public sponsor, a requirement that is currently interpreted as meaning that all vanpool reports to the NTD involving the private sector must be reported by the public sponsor as a “purchased transportation” contract. FTA proposed to replace this requirement with a new four-part test for determining that vanpools were publicly available, compliant with the Americans with Disabilities Act of 1990 (the ADA), and able to report fully-allocated costs to the NTD. FTA also proposed that all existing vanpools in the NTD would have to recertify their reporting eligibility for the 2011 Report Year, and that NTD ID's for vanpools would be assigned to vanpool sponsors.