

DUE DATE AND TIME: August 18, 2014, 12:00 PM CST

THE COMMISSIONS RESPONSE TO QUESTIONS RECEIVED BY THE DUE DATE AND TIME:

Q1: On Page 6:13 under General Terms and Conditions Associated with FTA Contracts: section 1 Financial Assistance it states “The work provided for in this Contract (Agreement) is financed, in part, through financial assistance received from the Federal Transit Administration (FTA) of the U.S. Department of Transportation under the authority provided by the Surface Transportation Act of 1982, as amended, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, the Transportation Efficiency Act for the 21st Century (TEA-21), and Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU). As such it is subject to a grant agreement between FTA and the Commission, which will be furnished to Contractor upon request.” And Section 3 Contract Termination Provisions: “The following provisions have been developed by commission in accordance with 49 CFR Part 18 and FTA Circular 4220.1F

May we please have these documents ASAP?

A: 1. See the grant agreement between the FTA and the Commission on Page 3 and 4 of this document.

The following links provide additional information on the Terms and Conditions between the FTA and the Commission:

FTA Circular 4220.1F: http://www.fta.dot.gov/legislation_law/12349_8641.html

Master Agreement: <http://www.fta.dot.gov/documents/20-Master.pdf>

2. Termination Provisions:

49 CFR Part 18

Title 49: Transportation
PART 18—UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS
Subpart C—Post-Award Requirements

§18.44 Termination for convenience.

Except as provided in §18.43 awards may be terminated in whole or in part only as follows:

(a) By the awarding agency with the consent of the grantee or subgrantee in which case the two parties shall agree upon the termination conditions, including the effective date and in the case of partial termination, the portion to be terminated, or

(b) By the grantee or subgrantee upon written notification to the awarding agency, setting forth the reasons for such termination, the effective date, and in the case of partial termination, the

portion to be terminated. However, if, in the case of a partial termination, the awarding agency determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the awarding agency may terminate the award in its entirety under either §18.43 or paragraph (a) of this section.

49 CFR Part 18: <http://www.gpo.gov/fdsys/pkg/CFR-2005-title49-vol1/pdf/CFR-2005-title49-vol1-part18.pdf>

FTA Circular 4220.1F

Chapter IV, Sec. 2.b(6)(b)4

Termination. Termination for cause and termination for convenience provisions must be included in contracts exceeding \$10,000.

The Common Grant Rule for non-governmental recipients requires administrative, contractual, or legal contract remedies in instances in which a contractor violates or breaches terms of a contract that exceeds the small purchase threshold, which FTA recognizes as the simplified acquisition threshold. *See*, Chapter II, Subsection 3.b. The Common Grant Rule for non-governmental recipients also requires termination clauses for non-governmental recipients when procurements exceed the small purchase threshold, which FTA recognizes as the simplified acquisition threshold. *See*, Chapter II, Subsection 3.b. FTA strongly encourages care in developing appropriate performance remedies in all third party contracts.

42201.F: http://www.fta.dot.gov/legislation_law/12349_8641.html

Q2: I did not see a matrix including functional specs included in the attached document. Is there a separate document for the functional requirements?

A: There are no additional specs or functional requirements other than what is in the Scope of Work.

Q3: Did you send this (RFP) out to several different people?

A: Yes. The Request for Proposals was sent to a list of vendors and the RFP is also posted on the NIRPC website.

Q4: The RFP 14-05 is for accounting software only, and should not include payroll, correct?

A: This is incorrect. NIRPC prepares payroll in-house therefore the Scope of Work includes specifications for a payroll module and it must be included in your proposal.



U.S. Department of Transportation

Federal Transit Administration

Part 9: Agreement

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION

GRANT AGREEMENT
(FTA G-19, October 1, 2012)

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official's electronic signature is entered for this Grant Agreement, FTA has Awarded Federal assistance in support of the Project described below. Upon Execution of this Grant Agreement by the Grantee named below, the Grantee affirms this FTA Award, and enters into this Grant Agreement with FTA. The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(19), October 1, 2012, <http://www.fta.dot.gov/documents/19-Master.pdf>
- (2) The Certifications and Assurances applicable to the Project that the Grantee has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE GRANTEE DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING THE DATE OF THIS FTA AWARD SET FORTH HEREIN.

FTA AWARD

FTA hereby awards a Federal grant as follows:

Project No: IN-90-X653-00

Grantee: NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

Citation of Statute(s) Authorizing Project: 49 USC 5307 - Urbanized Area Formula (FY2006 forward)

Estimated Total Eligible Cost (in U.S. Dollars): \$3,021,507

Maximum Total FTA Amount Awarded (in U.S. Dollars): \$2,433,412 Amount of

This FTA Award (in U.S. Dollars): \$2,433,412

Maximum Percentage(s) of FTA Participation:

Percentages of Federal participation are based on amounts included in the Approved Project Budget, modified as set forth in the text following the Project Description.

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Project Certification Date: 7/15/2013 Project

Description:

FY2011/12 CCC, PM, Vans, Planning Support

The Project Description includes information describing the Project within the Project Application submitted to FTA, and the Approved Project Budget, modified by any additional statements displayed in this Grant Agreement, and, to the extent FTA concurs, statements in other documents including Attachments entered into TEAM-Web.

Awarded By:

Ms. Marisol Simon
Regional Administrator
FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
08/19/2013

EXECUTION OF GRANT AGREEMENT

Upon full execution of this Grant Agreement by the Grantee, 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 Grantee intends to enter into a legally binding agreement in which the Grantee:

- (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.

By executing this Grant Agreement, I am simultaneously executing any Supplemental Agreement that may be required to effectuate this Grant Agreement.

Executed by:

Tyson Warner
Executive Director
NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION
09/18/2013