Grant Agreement, Supplemental Agreement, and Cooperative Agreement

The following changes have been made:

(1) New document numbers and dates have been added as follows:
(a) Grant Agreement, FTA G-15, October 1, 2008,
(b) Supplemental Agreement, Attachment to FTA G-15, October 1, 2008, and
(c) Cooperative Agreement, FTA C-15, October 1, 2008.

(2) The website address for the new Master Agreement has been established at http://www.fta.dot.gov/documents/15-Master.pdf, and referenced in the Grant Agreement and the Cooperative Agreement.

Master Agreement

Below are the important changes to the new Master Agreement. Minor editorial changes and minor changes in wording have not been identified:


(4) Throughout the Circular. Federal laws and regulations are identified as Federal requirements, while Federal directives are identified and treated as guidance rather than requirements.

(5) Throughout the Circular. To facilitate the use of the Master Agreement for a variety of Project participation arrangements, requirements applicable to subrecipients, lessees, and third party contractors have generally been applied to other Project participants. Exceptions can be crafted for special situations as appropriate for specific projects and arrangements.

(6) Subsection 1.m. Subsection 201(a) of the SAFETEA-LU Technical Corrections Act, 2008, amended 49 U.S.C. § 5302 to restore the term “sightseeing” from the list of transportation services that are excluded from the definition of “public transportation”
Accordingly, the definition of “public transportation” in the Master Agreement has been amended to expressly exclude “sightseeing” as a type of “public transportation.”

(7) Subsection 1.n. The definition of “Recipient” has been amended to specify that a “joint venture” and a “team” are examples of multi-party entities whose individual members will be treated as a “Recipient” for purposes of the Grant Agreement or Cooperative Agreement, and Master Agreement.


(9) New Subsection 3.g. A new subsection has been added to implement section 106(g) of the Trafficking Victims Protection Act of 2000, as amended, 22 U.S.C. § 7104(g), and OMB guidance, “Trafficking in Persons: Grants and Cooperative Agreements,” 2 C.F.R. Part 175.

(10) Subsection 15.a. This subsection has been amended to substitute a reference to the new FTA Circular 4220.1F, “Third Party Contracting Guidance,” November 1, 2008, and remove the reference to FTA Circular 4220.1E, “Third Party Contracting Requirements,” June 19, 2003, which will be cancelled November 1, 2008, when FTA Circular 4220.1F becomes effective.


(12) Subsection 15.p. Subsection 201(k) of the SAFETEA-LU Technical Corrections Act, 2008, clarifies that contracts for architectural engineering services shall be awarded competitively as provided under chapter 11 of title 40, United States Code, or under an approved state procurement program adopted before enactment of SAFETEA-LU [August 10, 2005] that is equivalent to the requirements under federal law. The Master Agreement has been amended to reflect that change.


(16) Subsection 25.j. This subsection has been expanded and divided into paragraphs to consolidate the requirements for historic sites and separate them from requirements from certain publicly owned lands. DOT’s statutory requirements at 49 U.S.C. § 303 apply to historic sites irrespective of whether publicly or privately owned. Again a reference has been added to final Joint FHWA/FTA regulations, “Parks, Recreations Areas, Wildlife and Waterfowl Refuges, and Historic Sites,” 23 C.F.R. Part 774, and referenced in 49 C.F.R. Part 622. See, 73 Fed. Reg. 13368 et seq., March 12, 2008, and amendment at 73 Fed. Reg. 31609 et seq., June 3, 2008.


(18) Subsection 44.d. The popular name “Animal Welfare Act, as amended” has been substituted for “Laboratory Animal Welfare Act, as amended” 7 U.S.C. §§ 2131 et seq., to reflect the broader protections afforded animals under the amended Act.

(19) Subsection 44.e. The citation for the U.S. Department of Commerce, “Export Administration Regulations,” has been corrected to read “15 C.F.R. Parts 730 et seq.”

(20) Section 49. Subsection 201(i) of the SAFETEA-LU Technical Corrections Act, 2008 changed the name of the “Alternative Transportation in Parks and Public Lands Program,” 49 U.S.C. § 5320 to the “Paul S. Sarbanes Transit in Parks Program.” The Master Agreement has been amended to reflect that change.

(21) New Subsection 50.c. A new subsection has been added referring the Recipient to the new employee protection provisions for the Over-the-Road Bus Accessibility
Program at Subsection 24.d(4) of the Master Agreement. Former Subsection 50.c has been re-numbered Subsection 50.d.