

FTA FISCAL YEAR 2011 AGREEMENTS
COMPARED WITH
FTA FISCAL YEAR 2010 AGREEMENTS

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-17, October 1, 2010,
 - (b) Supplemental Agreement, Attachment to FTA G-17, October 1, 2010, and
 - (c) Cooperative Agreement, FTA C-17, October 1, 2010.

- (2) The website address for the new Master Agreement has been established at <http://www.fta.dot.gov/documents/17-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:

- (1) Cover Page. The document number and date for the new Master Agreement is FTA MA(17), October 1, 2010, and the FTA website is established at <http://www.fta.dot.gov/documents/17-Master.pdf>.

- (2) New Subsection 8.b. A new subsection has been added to include special reporting requirements imposed by U.S. Office of Management and Budget (U.S. OMB) on recipients of Federal grants and cooperative agreements. At this time, these include reporting requirements described in OMB Guidance “Universal Identifier and Central Contractor Registration” 2 C.F.R. Part 25, and OMB Interim Final Guidance “Reporting Subawards and Executive Compensation,” 2 C.F.R. Part 170. In addition, we anticipate that during the next fiscal year, OMB may well issue additional Guidance, “Recipient Integrity and Performance Matters,” OMB indicates will be codified at 2 C.F.R. Part 35. Consequently, former subsections 8.b through 8.e have been re-designated subsections 8.c through 8.f.

- (3) Subsection 12.j. A citation has been added referencing DOT Order 5620.3, “Department of Transportation Actions To Address Environmental Justice in Minority Populations and Low-Income Populations,” 62 *Fed. Reg.* 18377 *et seq.*, April 15, 1997.

- (4) Section 36 has been expanded to address broader concerns than seat belt use and is now renamed “Safe Operation of Motor Vehicles.” The Special Condition about text messaging that was added to the FY 2010 Grant Agreements and Cooperative Agreements has been transferred to a new subsection 36.b “Distracted Driving, Including Text Messaging While Driving.” Subsection 36.a now covers “Seat Belt Use.”

- (5) Section 37 has been changed to revise the citation to former 49 U.S.C. § 114(s) that

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is now re-designated as 49 U.S.C. § 114(r) pursuant to General Provision 568 of Division E of the Consolidated Appropriations Act, 2008.

(6) Paragraph 44.a(1). This paragraph has been revised to emphasize that a Recipient of FTA national research funding must submit a sufficiently comprehensive report satisfactory to FTA that can be made public.

(7) New Subsection 53(k). A new subsection 53(k) has been added to remind recipients that Section 1554 of the Recovery Act directs them to use fixed priced contracts awarded through the use of competitive procedures when using Recovery Act funds. Consequently, former Subsection 53(k) has been re-designated Subsection 53(l).

(8) New Section 54. A new Section 54 has been added to incorporate provisions that may be needed should FTA and the Federal Railroad Administration jointly enter into a Recovery Act rail project with a Recipient.

(9) New Section 55. A new Section 55 has been added to caution Recipients that the Freedom of Information Act applies to information submitted to the Federal Government in connection with the Project. This will be true, irrespective of any claim of confidentiality accompanying a submission of information. As a result of the addition of new Sections 54 and 55, former Sections 54 through 58 have been re-designated Sections 56 through 60.