

**AGENDA FOR MEETING OF THE BOARD OF DIRECTORS
OF
REINVESTMENT ZONE NUMBER TWENTY-SEVEN, CITY OF HOUSTON, TEXAS
AND
MONTROSE REDEVELOPMENT AUTHORITY, CITY OF HOUSTON, TEXAS**

Notice is hereby given that the Board of Directors of Reinvestment Zone Number Twenty-Seven, City of Houston, Texas (the "Zone"), and along with the Board of Directors of the Montrose Redevelopment Authority, City of Houston, Texas (the "Authority"), will hold a regular meeting on **Monday, March 20, 2023, at 6:30 p.m., at St. Stephens Episcopal Church, 1827 W. Alabama Street, Havens Center, Houston, Texas*, with supplementary access via Zoom videoconference; REGISTRATION FOR THE VIDEOCONFERENCE IS REQUIRED and can be done at tinyurl.com/272ysh7f** to consider, discuss and adopt such orders, resolutions or motions, and take direct or indirect actions as may be necessary, convenient, or desirable with respect to the following matters:

1. Establish quorum and call to order.
2. Receive public comment.
(A statement of no more than 3 minutes may be made of items of general relevance. There will be no yielding of time to another person. State law prohibits the Board Chair or members of the Board from commenting on any statement or engagement in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Act. Comments should be directed to the entire board, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign, or slander any individual shall be cause for termination of time privileges.)
3. Minutes.
4. Reorganize committees.
5. Projects and Planning:
 - a. Projects and Planning Committee report.
 - b. Report from Gauge Engineering, including:
 - i. update on Hawthorne Street and Woodhead Street Neighborhood Safe Street, including:
 - a. consider pay application;
 - b. consider time extension change order;
 - c. consider construction management and inspection proposal Amendment No. 2 for time extension;
 - ii. update on Montrose Boulevard improvements and public meeting questions and responses;
 - iii. update on sidewalk improvements along West Gray between Woodhead Street to Montrose Boulevard;
 - a. receive bid tabulation and construction contract award recommendation for Board approval;
 - b. proposal for construction management and inspection, construction phase services, and construction materials testing; and
 - iv. update on Dallas and Mandell Street.

6. Public Engagement matters, including:
 - a. Public Engagement Committee Report; and
 - b. review responses to communications specialist RFQ and take appropriate action.
7. Resolution of Support and Funding Commitment for FY 24 Congressional Community Project Funding submittal for W. Alabama Street.
8. Certifications and Assurances for FY 23 in connection with FTA Assistance Programs.
9. Affordable Housing, including Affordable Housing Committee report and take appropriate action regarding Development Agreement Policy.
10. Financial matters, including report from bookkeeper, review financial information, and authorize payment of invoices.
11. Report from Masterson Advisors, including discuss financial capacity of Zone and the Authority, and authorize action as appropriate.
12. Report from Zone administrator.
13. Report from Attorney.
14. Announcements regarding workshops, seminars, and presentations relating to Zone and Authority matters.
15. Discuss meeting schedule and proposed agenda items for upcoming Board meeting(s).
16. Receive public comment.

(A statement of no more than 3 minutes may be made of items of general relevance. There will be no yielding of time to another person. State law prohibits the Board Chair or members of the Board from commenting on any statement or engagement in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Act. Comments should be directed to the entire board, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign, or slander any individual shall be cause for termination of time privileges.)



Attorney for the Zone

***The Board will conduct an in-person meeting at its physical meeting location. As an accommodation during the current levels of transmission during this COVID-19 virus epidemic emergency, the Board is making available a video and/or telephone option for members of the public to listen to the meeting and to address the Board during the public comment item. Members of the Board may participate via videoconference in accordance with the requirements of the Texas Open Meetings Act, provided a quorum of the Board meets in-person, REGISTRATION FOR THE VIDEOCONFERENCE IS REQUIRED and can be done at tinyurl.com/272ysh7f and upon registration, a telephone number to join via teleconference, a link to join via videoconference, and a password to access the conference will be provided.**

Tax Increment Reinvestment Zone (TIRZ) #27 – Montrose
Committee Report Form

Committee Name: Projects and Planning Committee **Date of Meeting:** 3/6/2023

Chairperson: Joe Webb

Attendees:

| | |
|---------------------|----------------------|
| <u>Joe Webb</u> | <u>Abby Noebels</u> |
| <u>Ray Valdez</u> | <u>Muhammad Ali</u> |
| <u>Sanjay Bapat</u> | <u>Jim Webb</u> |
| <u>Patti Joiner</u> | <u>Walter Morris</u> |
| <u> </u> | <u> </u> |
| <u> </u> | <u> </u> |

Meeting Report

Agenda

- Presentation from the Fairview Developers Group
 - Fairview Developer Presentation
 - Q&A with Directors
- Update from the Goodman Corporation
- Incorporation of Art and LGBTQ History in Montrose Boulevard Project
 - LGBTQ Discussion with John Abodeely
 - Q&A with Directors
- Discussion regarding an update on the Kimco Project – West Gray
- Presentation of the Gauge Status Report
- Discussion regarding TIRZ 27 Updated Budget

Notes

- The Fairview group presented their project
- The Committee discussed the Art and LGBTQ History in Montrose Boulevard and implementation strategies
- Muhammad presented the Gauge Status Report
- The Goodman Corporation presented their monthly update

PROGRESS REPORT

MARCH 2023

MONTROSE/TIRZ 27



MONTROSE BOULEVARD IMPROVEMENTS

- 30% plans - ongoing
- Ismaili Center Coordination - ongoing
- Met with City to discuss public comments and how to accommodate bicycle facility along the corridor.

WEST GRAY

- Received bids March 8th.

DALLAS AND MANDELL IMPROVEMENTS

- 90% plans submitted to Public Works
- Received comments from Public Works and Harris County Precinct 1
 - Currently addressing comments
- Potential delays to construction due to City's water line replacement project along Mandell St

PROGRESS REPORT—MARCH 2023

HAWTHORNE ST. & WOODHEAD ST. NEIGHBORHOOD SAFE STREETS IMPROVEMENTS

WBS No. N-T27000-0002-7



MONTROSE
TAX INCREMENT REINVESTMENT ZONE 27

PROJECT LOCATION

The project is located in west central Houston, Texas, just north of the US 59 highway. The project limits include:

- Woodhead Street: from West Clay Street to IH-69
- West Clay Street: from Dunlavy Street to Woodhead Street.
- Hawthorne Street: from Woodhead Street to Spur 527.

FUNDING PARTNERS

- *Montrose Redevelopment Authority/TIRZ 27*
 - 50% of Construction Cost
 - Design and Construction Oversight Cost
- *Harris County Precinct 1– Commissioner Rodney Ellis*
 - 50% of Construction Cost



PROJECT BACKGROUND

This project was recommended in the Walk+Bike Montrose plan, which identified these corridors to be developed into Neighborhood Safe Streets. A Neighborhood Safe Street is a corridor designed so that roadway users of all ages and abilities, no matter their mode of travel, will feel safe and comfortable traveling along that corridor



PROJECT OBJECTIVES

Convert Woodhead St. and Hawthorne St. corridors into Neighborhood Safe Streets and making the corridors more walkable and safer for all, recognizing the daily walk trips by parents and kids to Lanier Middle School.

PROJECT DESCRIPTION

• **Improve Bicycle Safety & Mobility:**

Mill & overlay existing deteriorated asphalt roadway, re-stripe the roadway, replace speed humps with speed cushions, and install curb extensions at intersections to develop a safe, low-stress shared roadway experience for both motorists and bicyclists.

• **Improve Pedestrian Facilities:**

Promote a pedestrian-friendly environment by incorporating 6-FT wide, continuous, uninterrupted and safe sidewalks accompanied by City compliant curb ramps along the project corridors, within public right-of-way. The sidewalks are only reduced at specific spots to accommodate mature trees. The corridors were physically walked with an Urban Forester to assist with the sidewalk design around any mature trees.

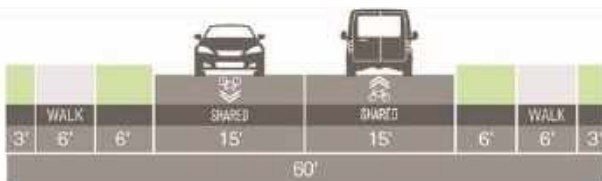
PROJECT STATUS

All sidewalks completed except the following streets;

- Woodhead St from Westheimer Rd to Missouri St
- Missouri St to Fairview St
- Fairview St to Indiana St
- Indiana St to Welch St
- Welch St to West Gray St
- All mill & overlay at Woodhead St and west Clay completed.

NEXT STEPS

- Begin mill & overlay at Woodhead St and West Gray intersection.
- Construction of sidewalks from Indiana St to Westheimer Rd
- Striping of Woodhead St



30-FT Curb to Curb Width Section

PROGRESS REPORT—MARCH 2023

HAWTHORNE ST. & WOODHEAD ST. NEIGHBORHOOD SAFE STREETS IMPROVEMENTS

WBS No. N-T27000-0002-7



CONSTRUCTION TIME

- Original Contract Time: 12 Months
- Notice to Proceed Date: March 23, 2022

CONTACT INFORMATION

Construction Manager:

Gauge Engineering
11750 Katy Freeway, Suite 400
Houston, TX 77079



Contractor:

R. Miranda Trucking & Construction
6326 Perch Creek Dr.
Houston, TX 77049

PAYMENT ESTIMATES

| | |
|-----------------------------|----------------|
| Original Contract Amount | \$4,729,510.00 |
| Change Order Amount to Date | - |
| Current Contract Amount | \$4,729,510.00 |
| Previous Payments | \$3,146,500.10 |
| Current Payment(s) Due | \$494,070.61 |
| Contract Completion Date | 03/22/2023 |
| Balance Remaining | \$1,088,939.29 |

PROGRESS PHOTOS



Forming work for Sidewalk



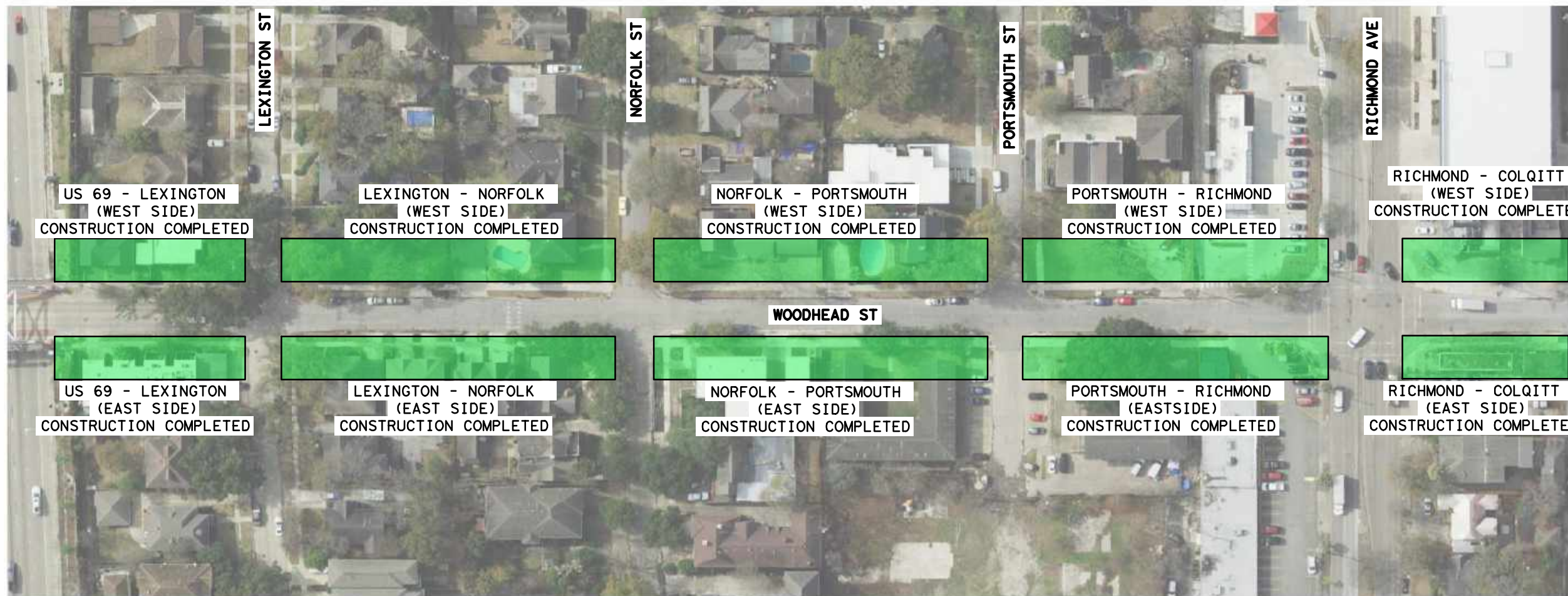
Replacing old Inlet



Sidewalk Demolition

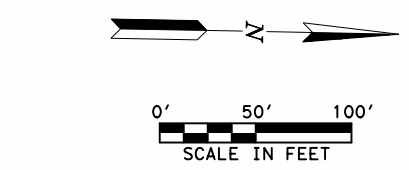
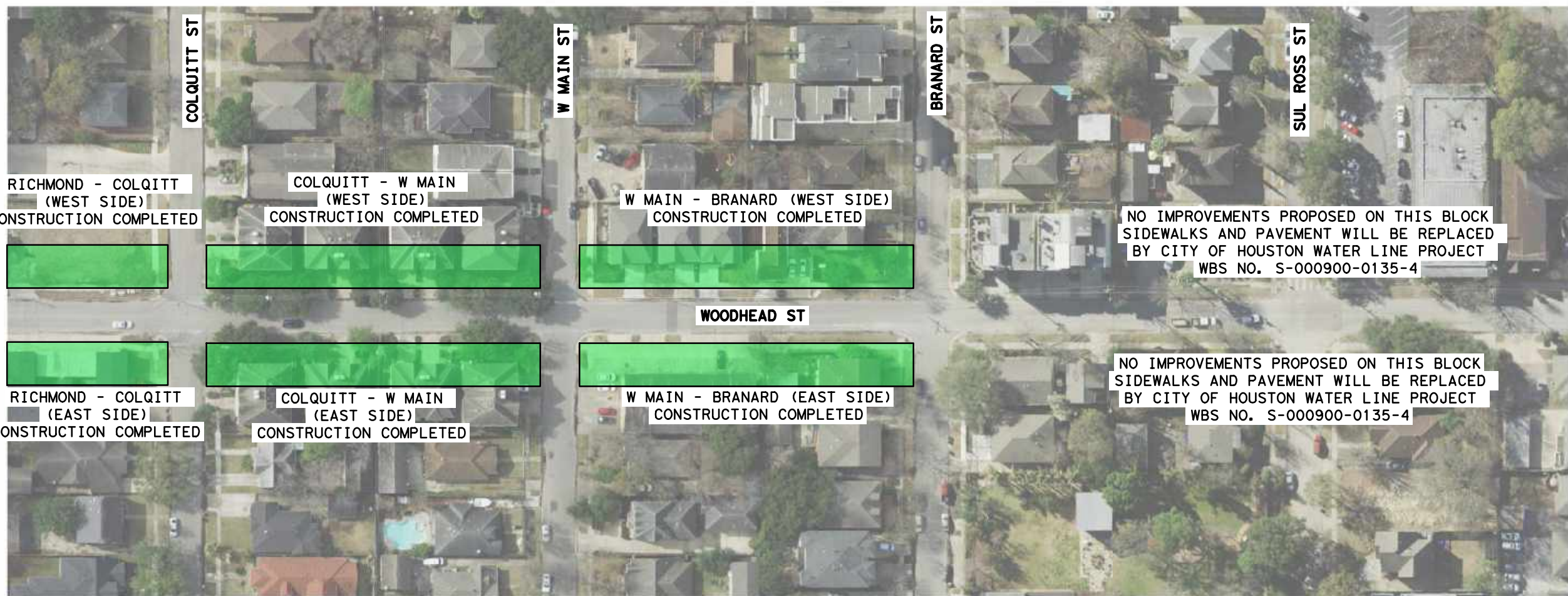


Driveway Completion



LEGEND

- SIDEWALK INSTALLATION COMPLETED
- SIDEWALK INSTALLATION IN PROGRESS
- SIDEWALK FUTURE PLAN
- MILL & OVERLAY COMPLETED



Gauge
 ENGINEERING
 11750 KATY FREEWAY, Suite 400
 Houston, TX 77079
 www.GaugeEngineering.com
 Texas PE Firm Reg. #F-20017

SURVEYED BY:

CITY OF HOUSTON
 HOUSTON PUBLIC WORKS
HAWTHORNE ST. & WOODHEAD ST.
 NEIGHBORHOOD SAFE STREET
 IMPROVEMENTS
 WOODHEAD STREET
 CONSTRUCTION SCHEDULE

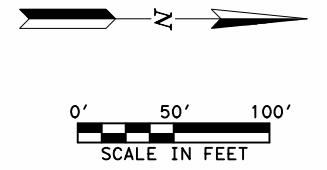
SHEET 1 OF 4

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| WBS NUMBER | FOR CITY OF HOUSTON USE ONLY |
| N-T27000-002-7 | |
| DRAWING SCALE | |
| AS NOTED | |
| CITY OF HOUSTON PM | |
| SHAPOOR GOLSHAN | |
| SHEET NO. OF 247 | |



LEGEND

- SIDEWALK INSTALLATION COMPLETED
- SIDEWALK INSTALLATION IN PROGRESS
- SIDEWALK FUTURE PLAN
- MILL & OVERLAY COMPLETED

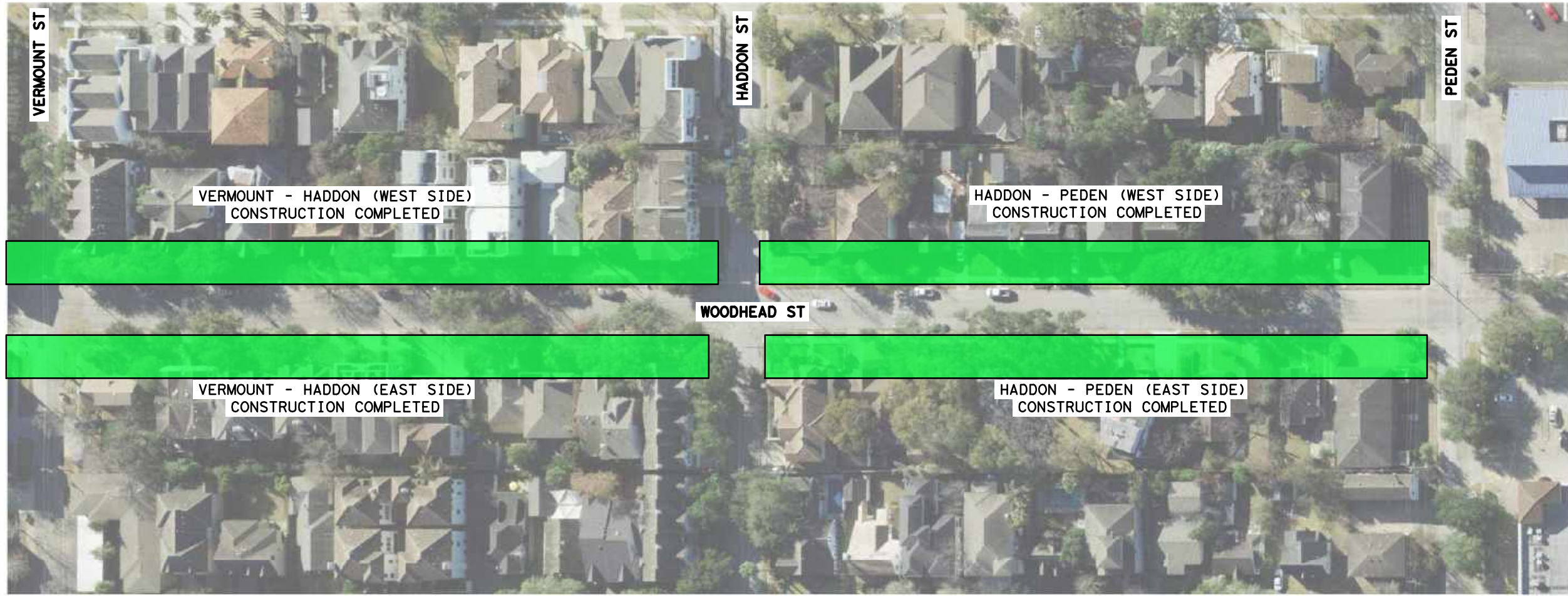
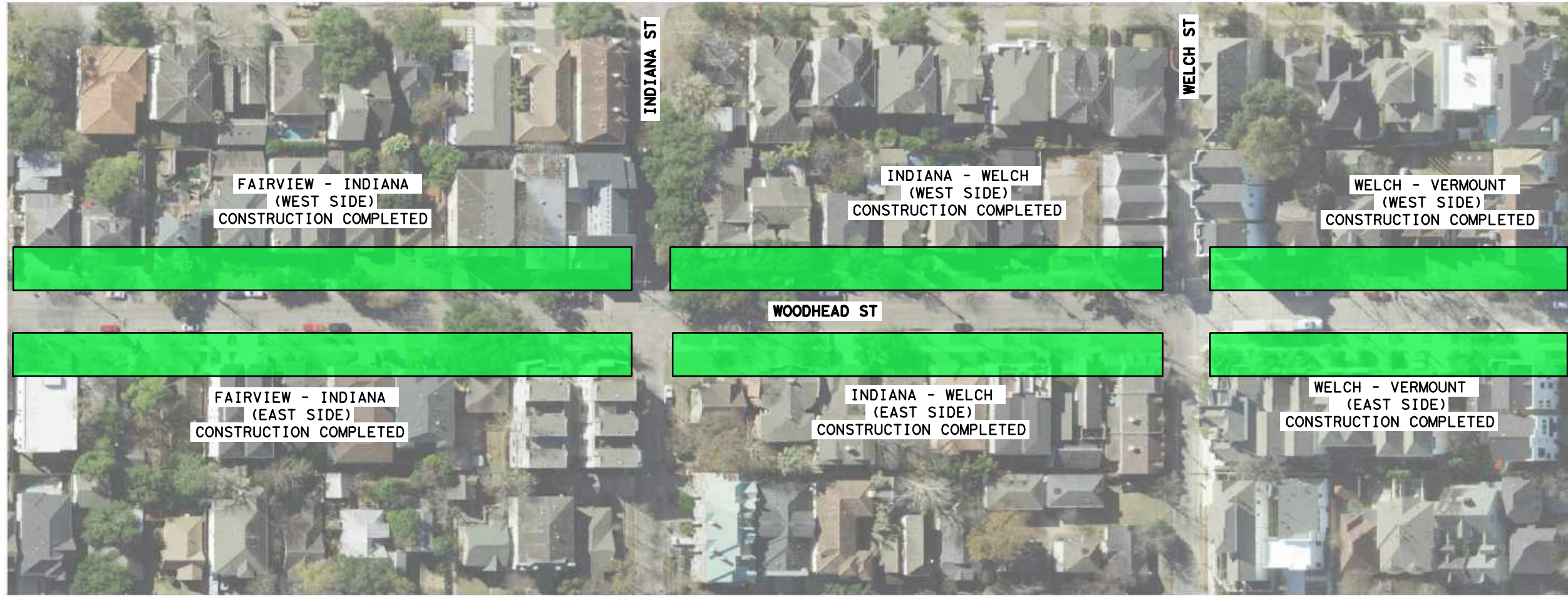


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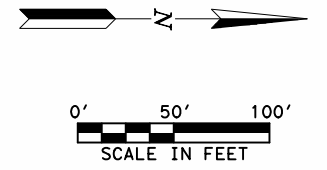
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CITY OF HOUSTON
 HOUSTON PUBLIC WORKS
HAWTHORNE ST. & WOODHEAD ST.
 NEIGHBORHOOD SAFE STREET
 IMPROVEMENTS
 WOODHEAD STREET
 CONSTRUCTION SCHEDULE

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| SHEET 2 OF 4 | |
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| SHAPOOR GOLSHAN | |
| SHEET NO. | OF 247 |



- LEGEND**
- SIDEWALK INSTALLATION COMPLETED
 - SIDEWALK INSTALLATION IN PROGRESS
 - SIDEWALK FUTURE PLAN
 - MILL & OVERLAY COMPLETED



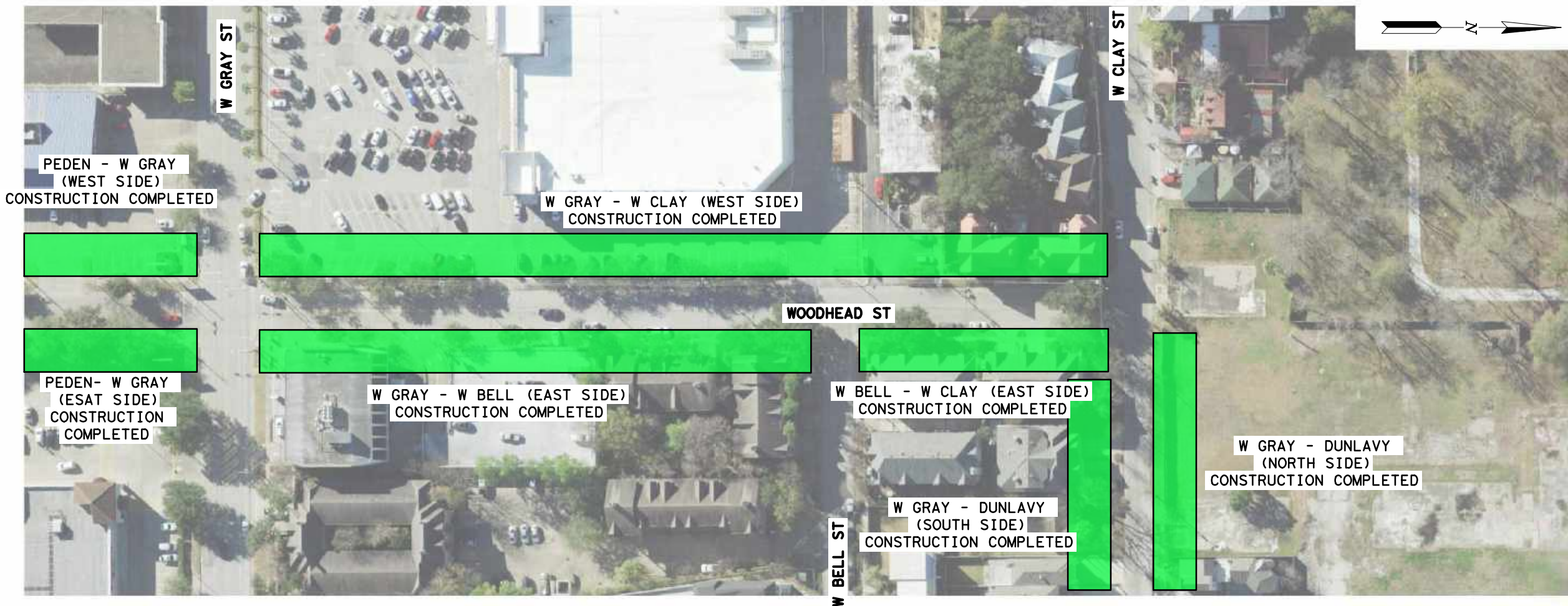
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 HOUSTON PUBLIC WORKS

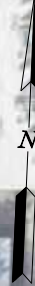
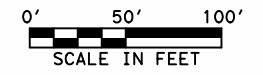
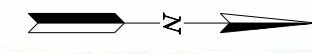
**HAWTHORNE ST. & WOODHEAD ST.
 NEIGHBORHOOD SAFE STREET
 IMPROVEMENTS**
 WOODHEAD STREET
 CONSTRUCTION SCHEDULE

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| SHEET 3 OF 4 | |
| WBS NUMBER | FOR CITY OF HOUSTON USE ONLY |
| N-T27000-002-7 | |
| DRAWING SCALE | |
| AS NOTED | |
| CITY OF HOUSTON PM | |
| SHAPOOR GOLSHAN | |
| SHEET NO. | OF 247 |



LEGEND

- SIDEWALK INSTALLATION COMPLETED
- SIDEWALK INSTALLATION IN PROGRESS
- SIDEWALK FUTURE PLAN
- MILL & OVERLAY COMPLETED



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HAWTHORNE ST. & WOODHEAD ST.
 NEIGHBORHOOD SAFE STREET
 IMPROVEMENTS
 WOODHEAD STREET
 CONSTRUCTION SCHEDULE

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| SHEET 4 OF 4 | |
| WBS NUMBER | FOR CITY OF HOUSTON USE ONLY |
| N-T27000-002-7 | |
| DRAWING SCALE | |
| AS NOTED | |
| CITY OF HOUSTON PM | |
| SHAPOOR GOLSHAN | |
| SHEET NO. | OF 247 |

Document 00941
CHANGE ORDER No. 1

PROJECT: Hawthorne St and Woodhead St Neighborhood Safe Street Improvements Project

EXECUTIVE SUMMARY

| 1.01 CONTRACT PRICE SUMMARY | | <u>DOLLAR AMOUNT</u> | <u>PERCENT</u> |
|-----------------------------|-------------------------|----------------------|----------------|
| A | Original Contract Price | \$4,729,510.00 | 100% |
| B | Previous Change Orders | | 0.0% |
| C | This Change Order | \$0.00 | 0.0% |
| D | Contract Price | \$4,729,510.00 | 100.0% |

Date of Commencement of the Work: Wednesday, March 23, 2022

| 1.02 CONTRACT TIME SUMMARY | | <u>DURATION</u> | <u>COMPLETION DATE</u> |
|----------------------------|------------------------|-------------------|--------------------------|
| A | Original Contract Time | 365 Calendar Days | Thursday, March 23, 2023 |
| B | Previous Change Orders | | |
| C | This Change Order | 30 Calendar Days | Saturday, April 22, 2023 |
| D | Contract Time | 395 Calendar Days | Saturday, April 22, 2023 |

END OF DOCUMENT

R. MIRANDA TRUCKING AND CONSTRUCTION LLC

March 7, 2023

Mr. Muhammad Ali
Gauge Engineering

11750 Katy Freeway, Suite 400
Houston, TX 77079

Re: Montrose (TIRZ 27)
Hawthorne St and Woodhead St Neighborhood Safe Street Improvements Project.
WBS No. N-T27000-0002-7

Muhammad,

During the past months, we had multiple situations where the construction schedule was affected due to unforeseen conditions, tree roots evaluation, dealing with property owners or additions to the contract. These are the modifications and the contract extension requested by each one of them:

710 C Hawthorne Street. - Large Tree removed ----- 3 Days
304 Hawthorne Street. - Sidewalk/Driveway removal and replacement ----- 5 Days
Woodhead/Hawthorne Intersection - Southeast corner modification -----7 Days
Woodhead/Indiana Intersection - 2 Large Tree Removed ----- 5 Days
Woodhead/Vermont Intersection - Southeast ADA Ramp reconstruction ---- 3 Days
Woodhead/W Gray Intersection - Milling and Overlay ----- 4 Days
Woodhead/W Clay Intersection – Retaining Wall ----- 3 Days

We are requesting a total of 30 extra days for all the additional work.

Thanks

Adrian Fleites,
Project Manager

R. Miranda Trucking & Construction, LLC
6326 Perch Creek Dr. Houston, Texas 77049

@: mirandaconstruction02@gmail.com

Office: (281) 454-4550

Cell: (786) 443-7317



TASK ORDER



March 7th, 2023

Joe Webb, Chairman
Montrose Tax Increment Reinvestment Zone No. 27
c/o ABHR
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027

**Re: Proposal for Construction Management & Inspection Services – Supplemental No. 2
Hawthorne and Woodhead Neighborhood Safe Street Improvements WBS No. N-T27000-0002-7**

Dear Mr. Webb,

Gauge Engineering, LLC (Gauge) is pleased to submit this supplemental proposal for Construction Management and Inspection Services for Hawthorne and Woodhead Neighborhood safe street Improvements. We propose to perform these services over the additional 30 day construction duration for a Lump Sum amount of **\$34,500.00**. A detailed breakdown of the scope items and fee can be found under Exhibit "A".

Please feel free to contact me at (832) 318-8802 if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to be "MA", written over a horizontal line.

Muhammad Ali, P.E.
Principal

Accepted for
Montrose Tax Increment Reinvestment Zone No. 27

Signature

Date

Print

Accepted for
City of Houston:

Signature

Date

Print

Attachments: Exhibit A - Level-of-Effort

EXHIBIT A

**HAWTHORNE/WOODHEAD NEIGHBORHOOD SAFE STREET IMPROVEMENTS
CONSTRUCTION MANAGEMENT & INSPECTION SERVICES - LEVEL OF EFFORT**

| DESCRIPTION OF WORK TASKS | | Rates x Hours |
|--|---|-------------------|
| A. Construction Management and Inspection Services (1-month duration) | | |
| 1 | Construction Manager | \$170 x 24 Hours |
| 2 | Construction Inspector | \$115 x 174 Hours |
| 3 | Site visits for Engineers to address/resolve issues | \$120 x 24 Hours |
| | | Total |

| LABOR COSTS |
|--------------------|
| \$4,080.00 |
| \$20,010.00 |
| \$2,880.00 |
| \$26,970.00 |

| SUBCONTRACTS | | TOTAL |
|--------------|---|-------------------|
| 1 | Aviles Engineering Corporation - Construction Materials Testing | \$4,400.00 |
| 2 | Traffic Engineers Inc - Construction Phase Services | \$1,650.00 |
| 3 | CN Koehl - Tree Protection - Construction Phase Services | \$1,100.00 |
| 4 | Expenses | \$380.00 |
| | TOTAL REIMBURSABLE EXPENSES | \$7,530.00 |

| |
|-----------------|
| \$34,500 |
|-----------------|

MONTROSE REDEVELOPMENT AUTHORITY

RESOLUTION OF SUPPORT AND FUNDING COMMITMENT FOR THE WEST ALABAMA STREET PROJECT

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE MONTROSE REDEVELOPMENT AUTHORITY, A LOCAL GOVERNMENT CORPORATION, FOR THE SUPPORT AND FUNDING COMMITMENT OF A COMMUNITY PROJECT FUNDING REQUEST THROUGH THE OFFICES OF CONGRESSWOMEN SHEILA JACKSON LEE AND LIZZIE FLETCHER

WHEREAS, the Montrose Redevelopment Authority (Authority) is a local government corporation with a mission to improve economic development and related infrastructure within its boundaries, which includes the 7th Congressional District of Texas;

WHEREAS, the Authority has been developing a project for the reconstruction of West Alabama Street over the last several years;

WHEREAS, a component of the project, within Midtown, is within the 18th Congressional District of Texas;

WHEREAS, the project is being developed and submitted for funding support in a joint manner, to both Congressional Districts;

WHEREAS, the Authority has the financial, technical, and legal capacity to deliver their portion of the Project, if awarded; and,

WHEREAS, the Authority is committed to providing a 20% local share commitment for their share of federal funds for their portion of the project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTROSE REDEVELOPMENT AUTHORITY THAT:

Section 1. The Authority Board hereby authorizes the submittal of all required data and information to support a Community Project Funding request for this project.

Section 2. The Authority Board hereby authorizes the allocation and commitment of non-federal resources to provide the local match requirement for the project.

PASSED AND APPROVED this 20th day of March, 2023.

Chair, Board of Directors

Secretary, Board of Directors

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.

Text in italic is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
 - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - (2) Notification of violating facilities pursuant to EO 11738;
 - (3) Protection of wetlands pursuant to EO 11990;
 - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
 - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
 - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

- animals held for research, teaching, or other activities supported by this award of assistance.
- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
 - (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
 - (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
 - (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:
 - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
 - (3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.

The applicant certifies:

- (a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

1.6. American Rescue Plan Act Funding.

The applicant certifies:

- (a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).

This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.

This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C.

§ 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

- (a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and
- (b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2023, Pub. L. 117-328, div. E, tit. VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT

Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.

This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) 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 an 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.
- (b) 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 in 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.
- (c) 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 was 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.

4.2. Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any 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 in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement 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 statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
 - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
 - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
 - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
 - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
 - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 CFR Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

7.1. Rolling Stock Buy America Reviews.

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;

- (c) Will maintain equipment and facilities in accordance with the applicant's transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
 - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
 - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act's Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 672, “Public Transportation Safety Certification Training Program”; and
- (b) Compliant with the requirements of 49 CFR Part 674, “State Safety Oversight”.

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
 - (1) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost

- Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
- (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
 - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
- (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
 - (2) Category 06 (Transit Asset Management Plan),
 - (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
 - (4) Category 09 (Formula Grants for Rural Areas),
 - (5) Category 15 (Alcohol and Controlled Substances Testing), and
 - (6) Category 17 (Demand Responsive Service).

CATEGORY 21. EMERGENCY RELIEF PROGRAM.

An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

FEDERAL FISCAL YEAR 2023 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: _____

The Applicant certifies to the applicable provisions of all categories: (*check here*) _____.

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

| Category | Certification |
|--|----------------------|
| 01 Certifications and Assurances Required of Every Applicant | _____ |
| 02 Public Transportation Agency Safety Plans | _____ |
| 03 Tax Liability and Felony Convictions | _____ |
| 04 Lobbying | _____ |
| 05 Private Sector Protections | _____ |
| 06 Transit Asset Management Plan | _____ |
| 07 Rolling Stock Buy America Reviews and Bus Testing | _____ |
| 08 Urbanized Area Formula Grants Program | _____ |
| 09 Formula Grants for Rural Areas | _____ |
| 10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program | _____ |
| 11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs | _____ |

12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs

13 State of Good Repair Grants

14 Infrastructure Finance Programs

15 Alcohol and Controlled Substances Testing

16 Rail Safety Training and Oversight

17 Demand Responsive Service

18 Interest and Financing Costs

19 Cybersecurity Certification for Rail Rolling Stock and Operations

20 Tribal Transit Programs

21 Emergency Relief Program

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

AFFIRMATION OF APPLICANT

Name of the Applicant: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant’s behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: _____

Name _____ Authorized Representative of Applicant

AFFIRMATION OF APPLICANT’S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: _____

Name _____ Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant’s Attorney pertaining to the Applicant’s legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney’s signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

Montrose Redevelopment Authority / TIRZ No. 27

Cash Management Report

February 28, 2023

ETI BOOKKEEPING SERVICES

17111 ROLLING CREEK DRIVE SUITE 108

HOUSTON TX 77090

TELEPHONE 281 444 3384 FAX 281 440 8304

Fiscal Year End: June 30, 2023

Summary

| <u>Current Activity</u> | <u>General Operating Fund</u> | <u>Harris County Project Fund</u> | <u>Debt Service Fund</u> | <u>Total</u> |
|-------------------------|-----------------------------------|---------------------------------------|------------------------------|--------------|
| Beginning Balance | 8,529,976.11 | 891,664.64 | 0.00 | 9,421,640.75 |
| Revenue | 183,100.73 | 2,809.34 | 0.00 | 185,910.07 |
| Expenditures | 536,757.26 | 154,375.00 | 0.00 | 691,132.26 |
| Ending Balance | 8,176,319.58 | 740,098.98 | 0.00 | 8,916,418.56 |

NOTES:

February 28, 2023

General Operating Fund

| | | |
|--------------------------------------|------------|-------------------------|
| BEGINNING BALANCE: | | 8,529,976.11 |
| REVENUE: | | |
| Allegiance Bank Interest | 21.07 | |
| TexPool Interest | 28,704.66 | |
| Due from HC Precinct One | 154,375.00 | |
| Voided Check (s) | 0.00 | |
| Total Revenue: | | 183,100.73 |
| DISBURSEMENTS: | | |
| Checks Presented At Last Meeting | 536,757.26 | |
| Checks Written at/after Last Meeting | 0.00 | |
| Bank Charges | 0.00 | |
| Total Expenditures | | 536,757.26 |
| Ending Balance: | | 8,176,319.58 |

Location of Assets:

| Institution | Investment Number | Interest Rate | |
|-----------------|-------------------|---------------|---------------------|
| Allegiance Bank | *5200 | 0.1000 | 12,316.13 |
| TexPool | *0001 | 4.4991 | 8,164,003.45 |
| | | Total | 8,176,319.58 |

TIRZ 27 - Montrose RDA
Checks Presented
March 20, 2023

| Num | Name | Description | Amount |
|--------------|---|-----------------------------------|--------------------|
| 2165 | Allen, Boone, Humphries, Robinson LLP | Legal Fees | -11,911.25 |
| 2166 | Equi-Tax Inc. | Tax Roll Management | -638.10 |
| 2167 | ETI Bookkeeping Services | Bookkeeping Fee | -1,550.00 |
| 2168 | Gauge Engineering, LLC | Engineering | -127,169.27 |
| 2169 | Knudson, LP | Professional Consultant | -12,732.34 |
| 2170 | R. Miranda Trucking & Construction, LLC | Hawthorne & Woodhead Safe Streets | -494,070.64 |
| 2171 | The Goodman Corporation | Planning Consultant | -49,740.00 |
| 2172 | TML Intergovernmental Risk Pool | Insurance | -868.28 |
| Total | | | -698,679.88 |

**Projects Fund
Joint Project Account**

| | | |
|--------------------------------------|------------|-------------------|
| BEGINNING BALANCE | | 891,664.64 |
| REVENUE | | |
| Due from GOF | 0.00 | |
| TexPool Interest | 2,809.34 | |
| Voided Check(s) | 0.00 | |
| Total Revenue | | 2,809.34 |
| EXPENDITURES | | |
| Checks Presented at Last Meeting | 0.00 | |
| Checks Written at/after Last Meeting | 0.00 | |
| Due to GOF | 154,375.00 | |
| Total Expenditures | | 154,375.00 |
| ENDING BALANCE | | 740,098.98 |

Location of Assets:

| Institution | Investment Number | Interest Rate | Current Balance |
|-------------------------|-------------------|---------------|-------------------|
| TexPool HC Precinct One | *0003 | 4.4991 | 740,098.98 |
| | | Total | 740,098.98 |

Montrose Redevelopment Authority / TIRZ 27
Investment Report
February 28, 2023

SCHEDULE OF INVESTMENTS

Investment Pools

| Fund | Location Of Assets | Interest Rate | Beginning Balance | | Market | Deposits or (Withdrawals) | Interest Earned | Ending Balance | |
|------|--------------------|---------------|-------------------|--------------|--------------|---------------------------|-----------------|----------------|--------------|
| | | | N.A.V. | Book | | | | Market | N.A.V. |
| GOF | TexPool | 4.4991 | 8,498,798.56 | 8,500,923.79 | 8,162,044.09 | (365,625.00) | 28,704.66 | 0.99976 | 8,164,003.45 |
| CPF | TexPool | 4.4991 | 891,441.72 | 891,664.64 | 739,921.36 | (154,375.00) | 2,809.34 | 0.99976 | 740,098.98 |

Demand Accounts

| Fund | Location Of Assets | Interest Rate | Purchase Date | Beginning Balance | Interest Earned | Deposits or (Withdrawals) | Ending Balance |
|------|--------------------|---------------|---------------|-------------------|-----------------|---------------------------|----------------|
| GOF | Allegiance Bank | 0.10 | 8/1/2021 | 29,052.32 | 21.07 | (16,757.26) | 12,316.13 |

Collateral Pledged in Addition to FDIC

| Depository Institution | Total Funds On Deposit | Custodial Institution | Securities Pledged | Collateral Description | Par Value | Market Value |
|------------------------|------------------------|-----------------------|--------------------|------------------------|-----------|--------------|
| Allegiance Bank | 12,316.13 | FHLB-Dallas | 6,000,000 | LOC | 6,000,000 | 6,000,000 |

Certification:

The District's investments are in compliance with the investment strategy as expressed in the District's Investment Policy and the Public Funds Investment Act. I hereby certify that pursuant to the Senate Bill 253 and in connection with the preparation of this investment report, I have reviewed the divestment lists prepared and maintained by the Texas Comptroller of Public Accounts, and the District does not own direct or indirect holdings in any companies identified on such lists.

Bookkeeper _____

Investment Officer _____

| Investment Officer | Date Assumed Office | Training Completed |
|--------------------|---------------------|--------------------|
| Kenneth Byrd | 1/13/2020 | 10/14/2020 |

TIRZ 27 - Montrose RDA
Profit & Loss Budget vs. Actual
February 2023

| | February | | | Year to Date (8 Months) | | | Annual |
|---|-----------------|-----------------|-----------------|---------------------------|------------------|-------------------|-------------------|
| | Actual | Budget | Variance | Actual | Budget | Variance | Budget |
| Income | | | | | | | |
| 6-4320 · Increment Collections | 0 | 0 | 0 | 4,480,128 | 5,434,654 | -954,526 | 5,434,654 |
| 6-4330 · Interest | 31,535 | 4,167 | 27,368 | 217,188 | 33,333 | 183,855 | 50,000 |
| 6-4336 · Grants | 0 | 230,338 | -230,338 | 0 | 1,842,704 | -1,842,704 | 2,764,056 |
| 6-4340 · Bond Proceeds | 0 | 0 | 0 | 0 | 0 | 0 | 40,000,000 |
| Total Income | 31,535 | 234,505 | -202,970 | 4,697,316 | 7,310,691 | -2,613,375 | 48,248,710 |
| Expense | | | | | | | |
| 6-6300 · Salaries and Benefits | 12,732 | 6,000 | 6,732 | 50,233 | 48,000 | 2,233 | 72,000 |
| 6-6320 · Legal Fees | 11,911 | 10,000 | 1,911 | 78,851 | 80,000 | -1,149 | 120,000 |
| 6-6321 · Auditing Fees | 0 | 0 | 0 | 14,000 | 10,000 | 4,000 | 10,000 |
| 6-6322 · Engineering Fees | 1,530 | 4,167 | -2,637 | 11,655 | 33,333 | -21,678 | 50,000 |
| 6-6323 · Planning Consultants | 49,740 | 4,167 | 45,573 | 125,255 | 33,333 | 91,922 | 50,000 |
| 6-6324 · Affordable Housing Consultant | 0 | 5,833 | -5,833 | 0 | 46,667 | -46,667 | 70,000 |
| 6-6333 · Accounting | 1,843 | 1,583 | 260 | 13,833 | 12,667 | 1,166 | 19,000 |
| 6-6334 · Tax Roll Management | 638 | 667 | -29 | 4,443 | 5,333 | -890 | 8,000 |
| 6-6353 · Insurance / Bonds | 868 | 0 | 868 | 868 | 5,000 | -4,132 | 5,000 |
| 6-6370 · Board Meeting Expense | 0 | 0 | 0 | 750 | 0 | 750 | 0 |
| 6-6410 · Montrose Collective Reimburse | 0 | 0 | 0 | 118,849 | 0 | 118,849 | 0 |
| 6-6420 · City of Houston Admin Fee | 0 | 0 | 0 | 0 | 271,733 | -271,733 | 271,733 |
| 6-6430 · COH Municipal Services | 0 | 0 | 0 | 189,746 | 196,546 | -6,800 | 196,546 |
| 6-6450 · Public Engagement Expenses | 0 | 1,250 | -1,250 | 0 | 10,000 | -10,000 | 15,000 |
| 6-6460 · Board Development | 0 | 417 | -417 | 0 | 3,333 | -3,333 | 5,000 |
| 6-7000 · Capital Expenditure | | | | | | | |
| 6-7202 · Waugh/Commonwealth | 0 | 5,417 | -5,417 | 81,609 | 43,333 | 38,276 | 65,000 |
| 6-7203 · Localized Micro-Improvement | 0 | 15,017 | -15,017 | 0 | 120,139 | -120,139 | 180,209 |
| 6-7204 · Storm Water Management | 6,996 | 0 | 6,996 | 11,598 | 0 | 11,598 | 0 |
| 6-7206 · Workforce/Affordable Housing | 0 | 41,667 | -41,667 | 0 | 333,333 | -333,333 | 500,000 |
| 6-7212 · Hawthorne Safe Street | 261,547 | 214,771 | 46,776 | 1,518,536 | 1,718,171 | -199,635 | 2,577,256 |
| 6-7213 · Woodhead Safe Street | 261,547 | 215,813 | 45,734 | 1,518,536 | 1,726,504 | -207,968 | 2,589,756 |
| 6-7214 · Dallas Bikeway | 21,363 | 22,500 | -1,137 | 105,246 | 180,000 | -74,754 | 270,000 |
| 6-7216 · BCycle | 0 | 2,917 | -2,917 | 0 | 23,333 | -23,333 | 35,000 |
| 6-7217 · Sidewalk Program/ Safe | 0 | 50,000 | -50,000 | 2,510 | 400,000 | -397,490 | 600,000 |
| 6-7218 · Montrose Blvd - Reconstruction | 64,261 | 100,000 | -35,739 | 468,603 | 800,000 | -331,397 | 1,200,000 |
| 6-7219 · Welch Safe Street | 0 | 10,417 | -10,417 | 0 | 83,333 | -83,333 | 125,000 |
| 6-7220 · Stanford Safe Street | 0 | 10,417 | -10,417 | 0 | 83,333 | -83,333 | 125,000 |
| 6-7221 · Mandell Bikeway | 0 | 55,417 | -55,417 | 114,767 | 443,333 | -328,566 | 665,000 |
| 6-7222 · Safe Route to School Sidewalk | 0 | 20,833 | -20,833 | 39,850 | 166,667 | -126,817 | 250,000 |
| 6-7223 · W Alabama Street | 0 | 15,833 | -15,833 | 93,310 | 126,667 | -33,357 | 190,000 |
| 6-7224 · West Gray - Dallas to Allen Pky | 3,997 | 29,167 | -25,170 | 125,877 | 233,333 | -107,456 | 350,000 |
| Total 6-7000 · Capital Expenditure | 619,711 | 810,186 | -190,475 | 4,080,442 | 6,481,479 | -2,401,037 | 9,722,221 |
| Total Expense | 698,973 | 844,270 | -145,297 | 4,688,925 | 7,237,424 | -2,548,499 | 10,614,500 |
| Net Income | -667,438 | -609,765 | -57,673 | 8,391 | 73,267 | -64,876 | 37,634,210 |

Tax Increment Reinvestment Zone (TIRZ) #27 – Montrose
Committee Report Form

Committee Name: Finance Committee **Date of Meeting:** 3/15/2023

Chairperson: Joe Webb

Attendees:

| | |
|------------------------|--------------------------|
| <u>Joe Webb</u> | <u>Abby Noebels</u> |
| <u>Jeffrey Watters</u> | <u>Kristin Blomquist</u> |
| <u>Patti Joiner</u> | <u>Walter Morris</u> |
| <u> </u> | <u> </u> |
| <u> </u> | <u> </u> |
| <u> </u> | <u> </u> |

Meeting Report

Agenda

- Discussion over the Selection of the Disclosure Council

Notes

- Kristin presented the Committee's options for Prime and Co-Council
- The Committee discussed the selection
- The Committee discussed a recommendation to the Board of Directors

Montrose TIRZ 27 Board Meeting January 23rd, 2023: Knudson Report

Knudson Activity with the Montrose TIRZ:

General Board:

- Checked the City of Houston Plat Report for new plats within the TIRZ boundaries
 - None to report within or adjacent to the TIRZ boundaries:
- Took meeting minutes and created agendas for all Committee meetings;
- Helped with information sharing between the Montrose TIRZ and the City of Houston;
- Assisted in technical help to the Directors;
- Efforts to make updates to the Montrose TIRZ website with the help of the Webmaster;
- Updated and populated the Montrose TIRZ #27 Shared Folder use for simplified information sharing;
- Attended monthly meetings with the Chairman of TIRZ 27;
- Attended design and pre-meetings for future and current CIP projects;
- Managed the Montrose info email;
- Provided Knudson reports for the TIRZ Board Book.

Affordable Housing Committee:

- No Board action.

Projects and Planning Committee:

- Attended 1 Committee meeting;

Finance Committee:

- Managed SAM registration
- Attended 1 Committee Meeting;

Public Engagement Committee:

- Managed the Montrose info email;
- Attended 2 meetings relating to the RFQ process

**SUPPLEMENTAL AGENDA FOR MEETING OF THE BOARD OF DIRECTORS
OF
REINVESTMENT ZONE NUMBER TWENTY-SEVEN, CITY OF HOUSTON, TEXAS
AND
MONTROSE REDEVELOPMENT AUTHORITY, CITY OF HOUSTON, TEXAS**

Notice is hereby given that the Board of Directors of Reinvestment Zone Number Twenty-Seven, City of Houston, Texas (the "Zone"), and along with the Board of Directors of the Montrose Redevelopment Authority, City of Houston, Texas (the "Authority"), will hold a regular meeting on **Monday, March 20, 2023, at 6:30 p.m., at St. Stephens Episcopal Church, 1827 W. Alabama Street, Havens Center, Houston, Texas***, with supplementary access via **Zoom videoconference; REGISTRATION FOR THE VIDEOCONFERENCE IS REQUIRED and can be done at tinyurl.com/272ysh7f** to consider, discuss and adopt such orders, resolutions or motions, and take direct or indirect actions as may be necessary, convenient, or desirable with respect to the following matters:

1. Consider matters regarding entering into a contract for disclosure counsel legal services and adopt Resolution Regarding Approval of Legal Services Contract.



Attorney for the Zone

THIS NOTICE OF MEETING IS INTENDED TO BE A SUPPLEMENTAL NOTICE FOR THE PURPOSE OF ADDING AN ADDITIONAL SUBJECT TO THE AGENDA FOR SUCH MEETING WHICH HAS PREVIOUSLY BEEN CALLED, AND FOR WHICH NOTICE THEREOF HAS BEEN PREVIOUSLY POSTED IN ACCORDANCE WITH THE OPEN MEETINGS LAW.

***The Board will conduct an in-person meeting at its physical meeting location. As an accommodation during the current levels of transmission during this COVID-19 virus epidemic emergency, the Board is making available a video and/or telephone option for members of the public to listen to the meeting and to address the Board during the public comment item. Members of the Board may participate via videoconference in accordance with the requirements of the Texas Open Meetings Act, provided a quorum of the Board meets in-person, REGISTRATION FOR THE VIDEOCONFERENCE IS REQUIRED and can be done at tinyurl.com/272ysh7f and upon registration, a telephone number to join via teleconference, a link to join via videoconference, and a password to access the conference will be provided.**

RESOLUTION REGARDING APPROVAL OF LEGAL SERVICES CONTRACT

WHEREAS, the MONTROSE REDEVELOPMENT AUTHORITY (hereinafter referred to as the “Authority”), a local government corporation created pursuant to Chapter 431, Subchapter C, Texas Transportation Code; REINVESTMENT ZONE NUMBER TWENTY-SEVEN, CITY OF HOUSTON, TEXAS, a tax increment reinvestment zone created by the City pursuant to Chapter 311, Texas Tax Code; and

WHEREAS, the Authority is authorized to engage contractors to provide professional and consulting services for the Authority; and

WHEREAS, the Board of Directors of the Authority (the “Board”) desires to engage the law firm of Norton Rose Fulbright to provide disclosure counsel legal services to the Authority; and

WHEREAS, Section 2254.1036, Government Code, imposes certain requirements for the approval of such engagement, including the provision of a written notice of the meeting at which such engagement is to be considered; and

WHEREAS, the notice attached hereto (the “Notice”) was posted in the Authority at the same location and in the same manner as other public notices; and

WHEREAS, the Notice was posted beginning on March 15, 2023, which is at least 72 hours in advance of the Board meeting; and

WHEREAS, the Board has convened on this date at a meeting open to the public and wishes to consider a contract with Norton Rose Fulbright for legal services; Now, Therefore,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF MONTROSE REDEVELOPMENT AUTHORITY THAT:

Section 1. The Notice attached hereto is hereby approved. The findings and determinations provided in the Notice are hereby adopted by the Board as the Board’s findings and determinations.

Section 2. The Board hereby finds and determines that the contents of the Notice and the timing and manner of the provision of the Notice are in full compliance with Subchapter C, Chapter 2254, Government Code.

Section 3. The Board hereby finds and determines that Norton Rose Fulbright is a well-qualified law firm on the basis of demonstrated competence, qualifications, and experience.

Section 4. The Board hereby finds and determines that: (i) there is a substantial need for the disclosure counsel legal services included in the proposed Norton Rose Fulbright contract; (ii) the Authority does not have any attorneys or other supporting personnel to perform disclosure counsel legal services; and (iii) the disclosure counsel legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matters for which the services will be obtained and because the Authority does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

Section 5. The Board hereby approves the engagement of Norton Rose Fulbright.

Section 6. The Board hereby finds and determines that all requirements of Subchapter C, Chapter 2254, Government Code, related to the Authority's engagement of Norton Rose Fulbright for the matters described herein have been satisfied.

PASSED AND APPROVED on March 20, 2023.

President, Board of Directors

ATTEST:

Secretary, Board of Directors

(SEAL)

MONTROSE REDEVELOPMENT AUTHORITY
PUBLIC NOTICE

Take notice that the Board of Directors of Montrose Redevelopment Authority will meet in open session at St. Stephens Episcopal Church, 1827 W. Alabama Street, Havens Center, Houston, Texas, at 6:30 p.m., on March 20, 2023, at which time the Board will consider engaging Norton Rose Fulbright US LLP as disclosure counsel in connection with the issuance of its contract revenue bonds.

Pursuant to Section 2254.1036, Texas Government Code, the following written notice is given to the public:

1. The reason for pursuing issuance of bonds (the matter that is the subject of the legal services for which the attorney or law firm would be retained) is to finance infrastructure within the boundaries City of Houston Tax Increment Reinvestment Zone No. 27. The desired outcome of the matter is to issue bonds in accordance with federal securities law.
2. Norton Rose Fulbright is nationally recognized in the field of municipal law and among the largest municipal law firms in the nation. They have advised thousands of clients on federal securities matters. Norton Rose Fulbright has experience as disclosure counsel for numerous other City of Houston redevelopment authorities.
3. There is no prior relationship between Norton Rose Fulbright and the Authority.
4. The Authority does not have attorneys and/or supporting personnel who can perform this legal work.
5. The Authority cannot reasonably engage attorneys for these services under an hourly fee contract without contingency because then the Authority would have to pay such attorneys their fee from its unrestricted general funds, and such amounts are needed for other uses.
6. A contingent fee contract for these legal services is in the best interest of the residents of the Authority because it is a fixed fee and only due when bonds are issued.

I hereby certify that the above public notice of Montrose Redevelopment Authority was posted in accordance with the Texas Open Meetings Act (Chapter 551 of the Texas Government Code), on the following date: _____.

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