

EXHIBIT
TO TULARE COUNTY ASSOCIATION OF GOVERNMENTS SERVICES AGREEMENT
ADDITIONAL TERMS & CONDITIONS FOR FTA-FUNDED CONTRACTS
(Form revision approved 05/16/2018)

(1) TCAG will be paying for the services to be provided under this Agreement, in whole, or in part, with Federal Transit Administration (FTA) funds. CONTRACTOR acknowledges that TCAG must abide by certain terms and conditions that apply to FTA-funded programs, including applicable provisions in the 2018 FTA Certifications and Assurances, which are appended to this Exhibit as Attachment 1. If CONTRACTOR is not certain whether specific provisions in the 2018 FTA Certifications and Assurances apply to this Agreement, CONTRACTOR will contact TCAG in writing for clarification.

(2) By executing this contract, CONTRACTOR hereby

(A) Agrees to become familiar with the requirements contained in the 2018 FTA Certifications and Assurances;

(B) Agrees to abide by and be bound to all applicable provisions in the 2018 FTA Certifications and Assurances, including all governing laws and regulations; and

(C) Under penalty of perjury, makes all of the applicable certifications required of any third party contract, third party subcontract, subagreement, or third party agreement (including any certifications that must be extended to subrecipients, lower tier contractors or subcontractors, or other participant in this Agreement), which include, but are not limited to, those certifications listed in Categories 01, 02, and 09 of the 2018 FTA Certifications and Assurances. CONTRACTOR understands and acknowledges that these certifications constitute material representations of fact that TCAG and the federal government are relying upon, and that failure to make accurate certifications may subject CONTRACTOR to statutory penalties. Furthermore, TCAG may require the CONTRACTOR to repay any funds disbursed in reliance on such certifications.

(3) CONTRACTOR further acknowledges that several 2018 FTA Certifications and Assurances contain requirements that must be included in subagreements, subcontracts, contracts with successors in interest, and any other contract(s) paid for with FTA funds. Such certifications and/or assurances include, but are not limited to, those regarding the legal, technical, and financial capacity of the subrecipient, subcontractor, or other party to the contract; nondiscrimination; suspension and debarment; lobbying; alcohol and controlled substances testing; procurement requirements; and continuing control over equipment and facilities acquired or improved with FTA funds. Accordingly, CONTRACTOR hereby agrees to include all required provisions in any subagreements, subcontracts, contracts with successors in interest, or any other contract(s) paid for with FTA funds.

(4) CONTRACTOR further acknowledges that some provisions in the 2018 FTA Certifications and Assurances are not explicitly required to be made part of such contracts or subcontracts, but do include limitations or requirements that would impact parties with which CONTRACTOR will be contracting or to which CONTRACTOR is transferring interests, or the performance of the parties under such contract(s). CONTRACTOR further agrees to include any provisions in its subcontracts or other contracts as necessary to ensure compliance with all 2018 FTA Certifications and Assurances.