

Certification of Voluntary Non-Inclusion



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
STATEWIDE TRANSPORTATION PLANNING OFFICE
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

5310 Voluntary Non-Inclusion Certification

Federal Transit Administration (FTA) Procurements

FTA recipients and their subrecipients must comply with federal procurement requirements in 2 CFR Part 200(1) and guidance contained in the current FTA Circular 4220.1F "Third Party Contracting Guidance."

Subrecipients that are private for-profit organizations must comply with FTA procurement requirements contained in the current FTA Circular for Third Party Contracting Guidance for procurements conducted with federal funds. States (i.e. HDOT and STP) are responsible for ensuring that private for-profit subrecipients are aware of and comply with these additional requirements.

When the State is procuring on behalf of the subrecipient, the subrecipient must provide its share of the cost of the item to be procured prior to procurement. If the subrecipient is procuring on its own behalf, then the subrecipient must pay 100 percent of the item before seeking reimbursement. Upon delivery of the procured item(s), the acceptance form, invoice, purchase order, cancelled check(s) and other paperwork (depending on the type of purchase) must be submitted to the State for reimbursement. The State reimburses the subrecipient and then seeks FTA reimbursement.

Voluntary Non-Inclusion Disclosure

For voluntary non-inclusion in the HDOT STP procurement process, an eligible FTA 5310 subrecipient must have a pending vehicle award which has not yet been delivered, as of the date of this certification. The reason for non-inclusion must be disclosed in writing by an authorized agent of the subrecipient organization and accepted by HDOT and FTA. By signing and submitting this certification, the subrecipient nullifies any prior Memorandum of Agreements (MOAs). If accepted, this voluntary non-inclusion declaration shall be retained by all parties for future reference, and may not be reversed except by mutual agreement amongst all parties.

To that effect, I **attest** that my agency meets at least one of the following criteria for voluntary non-inclusion for a 5310 award: (please circle the applicable letters or numbers from the options 1-3 identified below)

- (1) At this time, the financial resources deemed necessary for the local match cost are unavailable. As such, our agency:
 - (a) Requests that the subrecipient award be held for future use at a later date, when funds are available.
 - (b) Declines the subrecipient award, in which case HDOT has permission to release these funds for perpetuity.
- (2) The vehicle type or size offered does not meet my agency's needs or currently available infrastructure accommodations.
- (3) A vehicle of comparable or less price and/or size will be financed through other sources (i.e. local or other federal).

Agency Name: _____

Authorized Signature: _____ Date: _____

Printed Name and Title: _____