

SouthEastern Arizona Governments Organization  
1403 W. Hwy 92  
Bisbee, AZ 85602

March 4, 2020

FTA Grantee Supporting Documentation demonstrating **LEGAL CAPACITY**

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*For questions please contact:*

*Chris Vertrees, Transportation Program Administrator, [cvertrees@seago.org](mailto:cvertrees@seago.org), 520.432.5301 x209 or  
John Merideth, GIS/Technical Services Coordinator, [jmerideth@seago.org](mailto:jmerideth@seago.org), 520.432.5301 x212*

**FTA FISCAL YEAR 2019 CERTIFICATIONS AND ASSURANCES**  
**FEDERAL FISCAL YEAR 2019 CERTIFICATIONS AND ASSURANCES FOR FTA**  
**ASSISTANCE PROGRAMS**

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

Name of Applicant: SouthEastern Arizona Governments Organization

The Applicant certifies to the applicable provisions of categories 01-18.

*CHW*

*Or,*

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

<b>Category</b>	<b>Certification</b>
01 Certifications and Assurances Required of Every Applicant	_____
02 Tax Liability and Felony Convictions	_____
03 Lobbying	_____
04 Private Sector Protections	_____
05 Transit Asset Management Plan	_____
06 Rolling Stock Buy America Reviews and Bus Testing	_____
07 Urbanized Area Formula Grants Program	_____
08 Formula Grants for Rural Areas	_____
09 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
10 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____
11 Enhanced Mobility of Seniors and Individuals with Disabilities Programs	_____
12 State of Good Repair Grants	_____
13 Infrastructure Finance Programs	_____
14 Alcohol and Controlled Substances Testing	_____
15 Rail Safety Training and Oversight	_____
16 Demand Responsive Service	_____
17 Interest and Financing Costs	_____
18 Construction Hiring Preferences	_____

**FEDERAL FISCAL YEAR 2019 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE**

**PAGE**

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2019)

**AFFIRMATION OF APPLICANT**

Name of the Applicant: SouthEastern Arizona Governments Organization

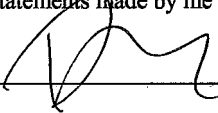
BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2019, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2019.

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:

3/3/2020

Name

Randy Heiss

Authorized Representative of Applicant

**AFFIRMATION OF APPLICANT'S ATTORNEY**

For (Name of Applicant): SouthEastern Arizona Governments Organization

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:

3-2-2020

Name

Anne Carl

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.*

# **LAW OFFICE OF ANNE CARL PLC**

**P.O. Box 561 ■ Bisbee, AZ 85603 ■ (520) 227-7367 ■ [anne@carlplc.com](mailto:anne@carlplc.com)**

## OPINION OF COUNSEL

March 2, 2020

SouthEastern Arizona Governments Organization  
1403 W. Hwy 92  
Bisbee, AZ 85603

Dear Randy Heiss:

I am an attorney at law admitted to practice in State of Arizona and legal counsel to SouthEastern Arizona Governments Organization (the "Applicant"). This communication serves as the requisite opinion of counsel to be filed with the Federal Transit Administration (FTA), United States Department of Transportation, in connection with your application for Federal transportation assistance authorized by Chapter 53 of title 49, United States Code and other Federal statutes authorizing activities administered by the Federal Transit Administration.

1. The Applicant is authorized by 49 U.S. Code § 5312 and Section 3006(b) of the Fixing America's Surface Transportation (FAST) Act to develop an Innovative Coordinated Access and Mobility pilot project for transporting disadvantaged populations that improves the coordination of transportation services and non-emergency medical transportation services.
2. The authority of the Applicant to provide funds for the non-Federal share of Federal assistance for eligible transportation-related activities is set forth in SouthEastern Arizona Governments Organization Resolution 2020-01 approved by the SEAGO Executive Board on February 21, 2020.
3. I have reviewed the pertinent Federal, State, and local laws, and I have concluded that there is no legal impediment to your filing an application for Federal financial assistance for eligible transportation activities. Furthermore, as a result of that examination and to the best of my knowledge, I find that there is currently no pending or threatened litigation or other action which might in any way adversely affect the capability of the Applicant to carry out transportation-related activities. As you know, my engagement with the Applicant is limited to matters for which my firm's advice is expressly requested, so please be advised that my office has made no independent review of the Applicant's affairs.
4. The Applicant is hereby advised to seek and file with FTA a new Opinion of Counsel if there is a material change in circumstances affecting the matters contained herein and upon which this Opinion of Counsel is based.

Sincerely,



Anne Carl



# SouthEastern Arizona Governments Organization

*Serving our member governments and their constituents since 1972*

## RESOLUTION NO. 2020 - 01

### A RESOLUTION OF THE SOUTHEASTERN ARIZONA GOVERNMENTS ORGANIZATION EXECUTIVE BOARD AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY CHAPTER 53 OF TITLE 49 OF THE UNITED STATES CODE AND ANY OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

**WHEREAS**, the SouthEastern Arizona Governments Organization (SEAGO) is a Council of Governments established pursuant to Executive Order No. 70-2 that serves the four-county region of Cochise, Graham, Greenlee, and Santa Cruz Counties; and

**WHEREAS**, the Federal Transit Administration has been authorized to provide funding to support public transportation under 49 U.S.C. Chapter 53;

**WHEREAS**, grants or cooperative agreements for Federal financial assistance will impose certain obligations upon SEAGO and may require SEAGO to provide the non-Federal share of transportation-related expenses supported with Federal financial assistance;

**WHEREAS**, SEAGO is legally authorized under Federal, state, or local law to apply for and receive Federal assistance;

**WHEREAS**, SEAGO is required to provide certain certifications and assurances to the Federal Transit Administration at least annually;

**NOW, THEREFORE, BE IT RESOLVED** by the Executive Board of SEAGO as follows:

1. That the Transportation Program Administrator or designee is authorized to execute and file an application for Federal assistance on behalf of SEAGO with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53 or any other Federal statutes authorizing activities administered by the Federal Transit Administration;
2. That the Transportation Program Administrator or designee is authorized to execute and file with the Federal Transit Administration the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement;

### SEAGO Member Entities

#### *Cochise County*

*Benson  
Bisbee  
Douglas  
Huachuca City  
Sierra Vista  
Tombstone  
Willcox*

#### *Graham County*

*Pima  
Safford  
San Carlos  
Apache Tribe  
Thatcher*

#### *Greenlee County*

*Clifton  
Duncan*

#### *Santa Cruz County*

*Nogales  
Patagonia*

### SEAGO Main Office

*1403 W. Hwy 92  
Bisbee, AZ 85603  
520-432-5301  
520-432-5858 Fax*

### Area Agency on Aging Office

*300 Collins Road  
Bisbee, AZ 85603  
520-432-2528  
520-432-9168 Fax*

[www.seago.org](http://www.seago.org)

3. That the Transportation Program Administrator is authorized to execute the grant and cooperative agreements with the Federal Transit Administration on behalf of SEAGO; and


4. That the Transportation Program Administrator or designee is authorized to draw payments against available grant funding using the ECHO web system or other Federal Transit Administration automated application used to request payments from grant awards.

### CERTIFICATION

The undersigned duly qualified Executive Director, acting on behalf of SEAGO, certifies that the foregoing is a true and correct copy of Resolution No. 2020 – 01 adopted at a legally convened meeting of the Executive Board held on February 21, 2020.



\_\_\_\_\_  
David Gomez, Chair  
SEAGO Executive Board



\_\_\_\_\_  
Randy Heiss, Executive Director



# SouthEastern Arizona Governments Organization

Serving our member governments and their constituents since 1972

## DESIGNATION OF SIGNATURE AUTHORITY for the TRANSIT AWARD MANAGEMENT SYSTEM (TrAMS)

### SEAGO Member Entities

- Cochise County
  - Benson
  - Bisbee
  - Douglas
  - Huachuca City
  - Sierra Vista
  - Tombstone
  - Willcox
- Graham County
  - Pima
  - Safford
  - San Carlos
    - Apache Tribe
    - Thatcher
- Greenlee County
  - Clifton
  - Duncan
- Santa Cruz County
  - Nogales
  - Patagonia

### SEAGO Main Office

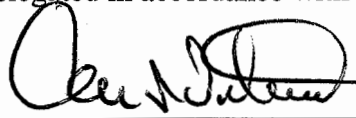
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Bisbee, AZ 85603  
520-432-5301  
520-432-5858 Fax

### Area Agency on Aging Office

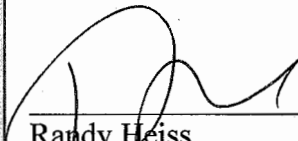
300 Collins Road  
Bisbee, AZ 85603  
520-432-2528  
520-432-9168 Fax

[www.seago.org](http://www.seago.org)

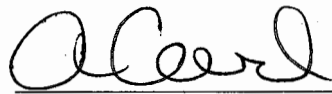
The officials identified below hereby authorize John Merideth, GIS/Technical Services Coordinator to be assigned, and to use, a Personal Identification Number (PIN) in TrAMS solely in connection with the execution of the annual Certifications and Assurances issued by the Federal Transit Administration (FTA), submission of FTA grant applications, and the execution of FTA grant awards, in each case on their behalf and on behalf of the SouthEastern Arizona Governments Organization. This Designation of Signature Authority serves only to authorize the above-referenced persons to take actions in TrAMS; original Certifications and Assurances and original FTA grant agreements must be executed by the Recipient's Designated Official, identified in its Authorizing Resolution, and its legal counsel, unless otherwise delegated in accordance with the Recipient's internal procedures.

 3/3/2020

Chris Vertrees  
Transportation Program Administrator

 3/3/2020

Randy Heiss  
Executive Director

 3-2-2020

Anne Carl  
Legal Counsel - law office of Anne Carl PLLC