

RESOLUTION NO. 216

AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A FEDERAL TRANSIT ACT FUNDS APPLICATION

WHEREAS, the Chief Engineer of the Missouri Department of Transportation is authorized to make capital assistance grants for general public transportation projects; and,

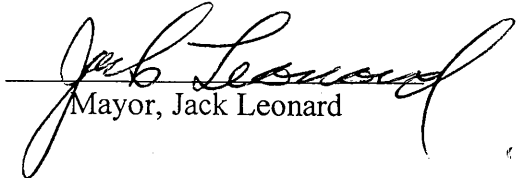
WHEREAS, the contract for legal assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs; and,

WHEREAS, it is the goal of the applicant to provide the best transit system that can be provided with the money available.

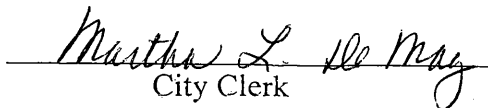
NOW THEREFORE, it be resolved by the City Council of Chesterfield, Missouri as follows:

1. That the City Administrator is authorized to execute and file a capital and/or operating application for capital assistance on behalf of the City of Chesterfield, Missouri, a municipal corporation, with the Missouri Department of Transportation to aid in the financing of a public transportation program.
2. That the City Administrator is authorized to furnish such additional information as the Missouri Department of Transportation may require in connection with the application or the project.

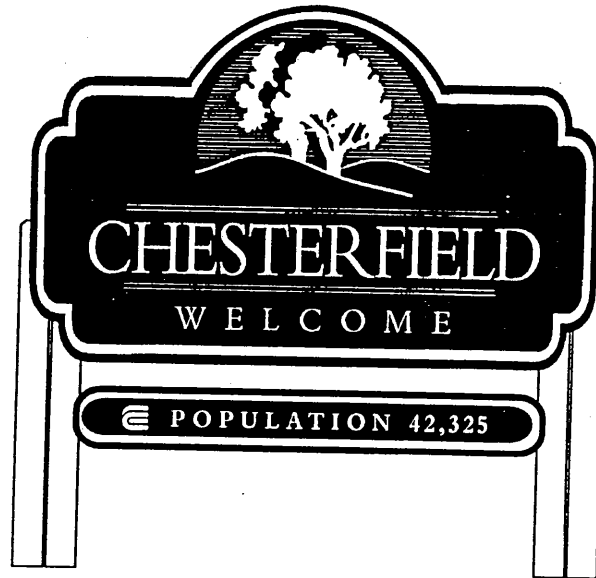
Adopted this 3rd day of FEBRUARY, 1997.


Mayor, Jack Leonard

ATTEST:

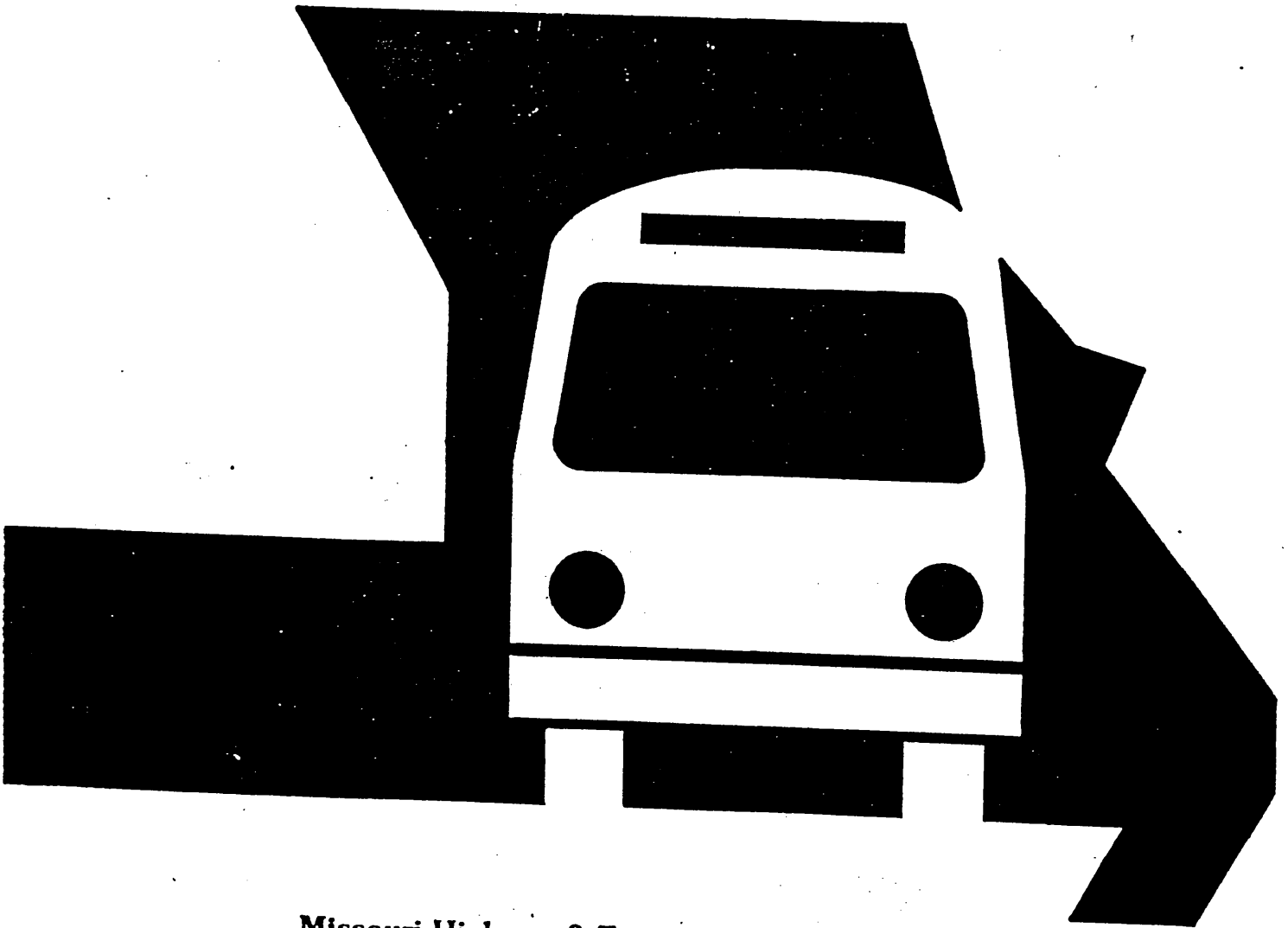

City Clerk

FEDERAL TRANSIT ACT
FUNDS APPLICATION
CITY OF CHESTERFIELD, MISSOURI



Submitted to:
Assistant Administrator of Transit
Transportation Division
Missouri Highway and Transportation Department
July 2, 1996

***Application for
Section 5309 Assistance***



**Missouri Highway & Transportation Department
P.O. Box 270
Jefferson City, MO 65102
Tele: 573-751-9082
FAX: 573-526-4709**

TABLE OF CONTENTS

Application for Section 5309 Assistance.....	1
Capital Project Budget.....	2
Authorizing Resolution for Public Entities.....	3
Legal Opinion.....	4 - 5
Local Civil Rights and Title VI Assurances.....	6 - 12
Lobbying.....	13
Assurance of Charter and School Bus.....	14
ADA Assurances for Public Entities	15
Public Hearing	16 - 17
Relocation	18
Labor	19 - 21
Alcohol and Drug Compliance	22

APPLICATION FOR SECTION 5309 CAPITAL ASSISTANCE

Applicant's Name: City of Chesterfield
Address: 922 Roosevelt Parkway, Suite 100
Chesterfield, MO 63017
Contact Person: Ron Coleman, Superintendent of Parks, Recreation and Arts

Description of Project:

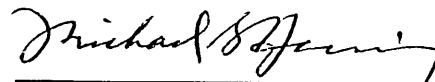
The City of Chesterfield, Missouri, hereby proposes to seek Federal funding under Section 3 of the Federal Transit Act, as amended to acquire two (2) new twenty-five (25) passenger mini-buses to enhance the local transportation network with the City of Chesterfield.

These new mini-buses will be operated by the City of Chesterfield on a designated schedule and service specific routes with the City of Chesterfield. A fee may be charged to recover the operating cost of the program. The fee is yet to be determined.

The local share of the program will be allocated from the general fund of the City of Chesterfield, Missouri. It is anticipated that this new transportation source will service all populations and be equipped with two (2) wheelchair positions per bus.

Proposed Funding:

Federal	\$ 72,800.00 (80%)
Local	\$ 12,800.00 (20%)
Total	\$ 91,000.00 (100%)



Michael G. Herring, City Administrator
City of Chesterfield

CAPITAL PROJECT BUDGET

CAPITAL PURCHASES

(Expansion purposes)

Item:	Cost:
- Purchase of two (2) new twenty-five (25) passenger buses equipped with wheelchair lifts (two with chair positions per bus)	\$ 80,000.00
- Purchase of base station radio and three (3) units	\$ 5,000.00
- Purchase of one (1) computer with software	\$ 6,000.00
TOTAL	\$ 91,000.00
Federal Share	\$ 72,800.00 (80%)
Local Share	\$ 18,200.00 (20%)
TOTAL	\$ 91,000.00

INSERT AUTHORIZING RESOLUTION

BEACH, BURCKE, HELFERS AND MITTLEMAN, L.L.C.

ATTORNEYS AT LAW

222 SOUTH CENTRAL AVENUE, SUITE 900
ST. LOUIS, MISSOURI 63105-3509
(314) 863-8484
TELECOPIER: (314) 863-5312

DOUGLAS R. BEACH
JOSEPH R. BURCKE
MARK A. HELFERS*
MARK D. MITTLEMAN
ROBERT A. HUTTON, JR.
DEBORAH C.M. HENRY
RICHARD GROSSMAN*
ROBERT M. HEGGIE*

OF COUNSEL
JOSEPH R. NIEMANN

*ALSO ADMITTED IN ILLINOIS

July 1, 1996

Mayor Jack Leonard
City of Chesterfield
922 Roosevelt Parkway
Chesterfield, Missouri 63017

Re: Requisite Opinion: Missouri Highway and Transportation
Department

Dear Mayor Leonard:

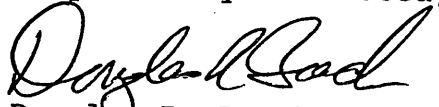
This communication will serve as the requisite opinion of counsel to be filed with the Missouri Highway and Transportation Department in connection with the application of the City of Chesterfield, Missouri, for financial assistance pursuant to the provisions of Section 5309. I understand that the City of Chesterfield, Missouri has been duly designated a recipient in accordance with the provisions of Section 5309 and that the Missouri Highway and Transportation Department has concurred in the designation. The legal authority for the City of Chesterfield's ability to carry out the project directly, by lease, contract, or otherwise is set forth below:

1. The City of Chesterfield, Missouri is authorized under Chapter 77, RSMo. 1969, as amended, to provide and assist public transportation by acquisition, construction and operation of existing or additional transit facilities. This assistance may be provided directly by the City of Chesterfield, Missouri and/or purchase of service or lease arrangements with other parties.
2. I have reviewed the pertinent federal, state, and local laws, and I am of the opinion that there is no legal impediment to your making this application. Furthermore, as a result of my examination, I find that there is no

Mayor Jack Leonard
Page Two

pending or threatened litigation which might
in any way adversely affect the proposed
project, or the ability of the City of
Chesterfield, Missouri, to carry it out.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Douglas R. Beach".

Douglas R. Beach
City Attorney

DRB:pp

cc: Michael G. Herring/City Administrator

LOCAL CIVIL RIGHTS ASSURANCES

The City of Chesterfield, Missouri, hereby certifies as a condition to receiving Federal assistance under Section 5309:

1. No person shall on the grounds of race, color, creed, national origin, sex, age, or handicap be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project program, or activity for which this recipient receives Federal financial assistance from the FEDERAL TRANSPORTATION ADMINISTRATION.
2. The City of Chesterfield, Missouri, shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, and shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin.
3. The City of Chesterfield, Missouri, will conduct any program or operate any facility that receives or benefits from Federal financial assistance administered by the Department of Transportation in compliance with all requirements imposed by or pursuant to 49CFR, Part 27, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs and Activities Receiving or Benefiting from Federal Financial Assistance.
4. Special efforts are being made to provide transportation that handicapped persons, including wheelchair users and semiambulatory persons, can use. This transportation shall be reasonable in comparison to the transportation provided to the general public and shall meet a significant fraction of the actual transportation needs of such persons within a reasonable time.
5. A Standard Department of Transportation Title VI Assurance, signed and dated _____, has been filed with the State.

The person whose signature appears below is authorized to sign this assurance on behalf of the recipient.

July 2, 1996

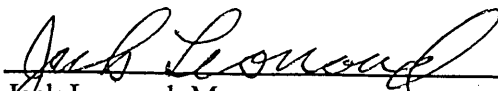
Date



Michael G. Herring, City Administrator

July 2, 1996

Date



Jack Leonard, Mayor

**STANDARD ASSURANCE OF COMPLIANCE WITH
TITLE VI OF THE CIVIL RIGHTS ACT OF 1965
(Department of Transportation)**

The City of Chesterfield, Missouri, (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation (hereinafter referred to as the DOT) it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000-d4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, DOT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the DOT - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the DOT, including the Federal Transportation Administration (hereinafter referred to as the FTA), and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the project:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with a project under the Federal Transportation Act of 1964, as amended (the FTA act) and, in adopted form in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-r and Title 49, Code of Federal Regulations, DOT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Program of the DOT issued pursuant to such Act, hereby notifies all bidders and proposes that it will affirmatively ensure that in regard to any contract or procurement entered into pursuant to this advertisement, minority business enterprises [Disadvantaged Business Enterprise/Women's Business Enterprise (DBE/WBE)] will be afforded full opportunity to submit bids and proposals in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
7. That where the Recipient receives Federal financial assistance to carry out a program of managerial training under Section 10(a) of the Federal Transportation Act of 1964, as amended, the assurance shall obligate the recipient to make selection of the trainee or fellow without regard to race, color, or national origin.
8. That where the Recipient receives Federal financial assistance to carry out a program under the Federal Transportation Act of 1964, as amended, the assurance shall obligate the recipient to assign transit operators and to furnish transit operators for charter purposes without regard to race, color, or national origin.
9. That where the Recipient receives Federal financial assistance to carry out a program under the Federal Transportation Act of 1964, as amended, routing, scheduling, quality of service, frequency of service, age and quality of vehicles assigned to routes, quality of station serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.
10. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquire or improved under N/A ; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under ;
11. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the project, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

12. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors, in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
13. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, and Regulations, and this assurance.


THIS ASSURANCE, is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the DOT under Federal Transportation Programs and is binding on it, other recipients, subgrantees, contracts, subcontractors, transferees, successors in interest and other participants in the Federal Transportation Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

July 2, 1996

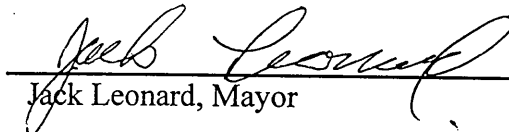
Date

July 2, 1996

Date



Michael G. Herring, City Administrator



Jack Leonard, Mayor

(Appendix A to Title VI Assurance)

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the DOT Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter, referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- (4) Information and reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient of the FTA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information is required or a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Recipient, or the FTA, as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the FTA may direct, as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interest of the Recipient to enter into such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(Appendix B to Title VI Assurance)

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the DOT, as authorized by law, and upon the condition that the Recipient will accept title to the lands and maintain the project constructed thereon, in accordance with the Federal Transportation Act of 1964, as amended, the Regulations for the Administration or Federal Transportation Programs and the policies and procedures prescribed by the FTA of the DOT and, also in accordance with and in compliance with all requirements imposed by, with, and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federally-Assisted programs of the DOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 45 U.S.C. 2000d to 2000d-r), does hereby remise, release, quitclaim and convey unto the City of Chesterfield, Missouri, all the right, title, and interest of the DOT in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

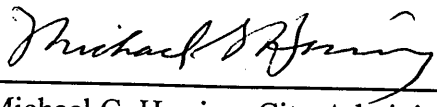
(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of Chesterfield, Missouri, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be bending on the City of Chesterfield, Missouri, its successors and assigns.

The City of Chesterfield, Missouri, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such land hereby conveyed(,) (and) * (2) that the City of Chesterfield, Missouri, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed or pursuant to Title 49, Code of Federal Regulations, DOT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended(,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the DOT and its assigns as such interest existed prior to this instruction.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

**CERTIFICATION
OF
RESTRICTIONS ON LOBBYING**

I, , hereby certify on behalf of the City of Chesterfield,
Michael G. Herring, City Administrator

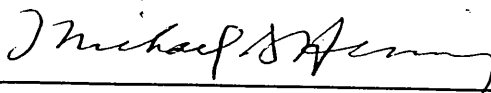
Missouri, of that:

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any persons for influencing or attempting to influence 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 agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) 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 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.
- (3) The undersigned shall require that 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 is placed when this transaction was made or entered into. Submission of this certifications 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.

Executed this 2nd day of July, 1996.

By

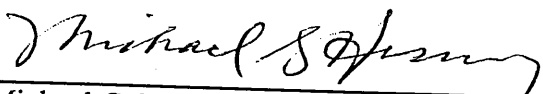


Michael G. Herring, City Administrator

**SECTION 5309
CERTIFICATION OF COMPLIANCE
CHARTER SERVICE AND SCHOOL BUS REGULATIONS**

CERTIFICATION

The City of Chesterfield, Missouri, will not engage in school bus operations exclusively for the transportation of students and school personnel in competition with private school bus operators with project equipment.



Michael G. Herring, City Administrator

July 2, 1996

Date

The City of Chesterfield, Missouri, will not engage in charter bus operations.

ADA CERTIFICATION FOR PUBLIC ENTITIES

Certification of Equivalent Service

The City of Chesterfield, Missouri, certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

1. Response time
2. Fares
3. Geographic service areas
4. Hours and days of service
5. Restrictions on trip purpose
6. Availability of information and reservation capability and
7. Constraints on capacity or service availability.

In accordance with 49 CFR 37.77, public entities operating demand responsive systems for the general public which receive financial assistance under Chapter 53 of Title 49, United States Code must file this Certification with the appropriate state program office before procuring any inaccessible vehicle. Such public entities not receiving any Federal Transit Administration (FTA) funds shall also file the certification with the appropriate state program office. Such public entities receiving FTA funds under Chapter 53 of Title 49, United States Code must file the certification with the appropriate FTA regional office. **This certification is valid for no longer than one year from its date of filing.**



Michael G. Herring, City Administrator

July 2, 1996

Date

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City of Chesterfield, Missouri, on *(at a future date)* to consider a project partially funded by the Missouri Highway and Transportation Department, pursuant to Section 5309, for the following purpose.

1. Purchase of two buses and radio communication system. The vehicles will be wheelchair lift equipped and will have two-way radio's.
2. The location of the project will be 922 Roosevelt Parkway, Chesterfield, Missouri.
3. The total estimated cost of the project is \$ 91,000.00

Federal Funds	\$ 72,800.00
Local Funds	\$ 12,800.00
4. The source of the local match will be from city general funds.
5. Persons with disabilities requiring special accommodations should notify Mr. Michael Herring, City Administrator of the City of Chesterfield, at (314) 537-4000, so the city can provide proper accommodations.
6. At the hearing, the city will afford an opportunity for interested persons or agencies to be heard regarding social, economic and environmental aspects of the project. Interested persons may submit oral or written evidence and recommendations with respect to said project. If no person(s) request to give either oral or written statements three days prior to the public hearing, the applicant is not required to hold the public hearing.
7. Private for profit transportation providers interested in participating in the proposed service may request information concerning the project from the applicant.
8. Any person requesting information may contact Mr. Michael Herring, City Administrator, at 922 Roosevelt Parkway, Suite 100, Chesterfield, Missouri 63017. Or call (314) 537-4000.

LABOR

The City of Chesterfield, Missouri, anticipates no impact on the conditions of its employees or those of other transportation providers, as a result of this program.

COMMITMENT OF THE LOCAL SHARE

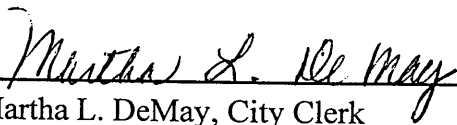
The local contribution will be made in cash by the City of Chesterfield, Missouri, from sources other than Federal funds or transit revenues. Funds are currently available in the account for matching capital transit assistance.

It is further understood that no refund or reduction of the local contribution shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant.



Jack Leonard, Mayor
City of Chesterfield

Attest:



Martha L. DeMay, City Clerk
City of Chesterfield


ACCEPTANCE OF SPECIAL SECTION 13(c) WARRANTY

The City of Chesterfield, Missouri (hereafter referred to as the "Recipient".)

The Recipient, for and in consideration of a transportation grant to be made available to the recipient, pursuant to Section 533 (b) of Title 49, United States Code, as amended, hereby agrees to accept the terms and conditions of the Special Section 13(c) Warranty, incorporated herein and made a part hereof by reference, absent a waiver by the U.S. Department of Labor.

The Recipient hereby agrees that it is the exclusive designated legally responsible party under the terms of the Special Section 13(c) Warranty and that the State of Missouri, acting through its Missouri Highway and Transportation Department, assumes no obligation under the terms of the Special Warranty which are not otherwise part of its normal obligation as a grant administering agency.

The Recipient hereby authorizes the presentation of this acceptance by the State of Missouri to the U.S. Department of Labor as evidence of the Recipient's commitment above described.



Michael G. Herring, City Administrator
City of Chesterfield

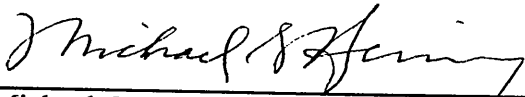
July 2, 1996

Date

**CERTIFICATION OF COMPLIANCE WITH
DRUG AND ALCOHOL MISUSE
RULE FOR
FTA RECIPIENTS**

(49 CFR part 653 and part 654)

I, Michael G. Herring, City Administrator, certify that the City of Chesterfield, Missouri, and its contractors, as required, for the City of Chesterfield, Missouri, has established and implemented an anti-drug and alcohol misuse prevention program(s) in accordance with the terms of 49 CFR part 653 and part 654. I further certify that the employee training conducted under this part meets the requirement of 49 CFR part 653 and part 654.



Michael G. Herring, City Administrator
City of Chesterfield