



Procurement contract: Removal/Replacement of Diesel Storage Tanks Clause page 25  
Procurement contract: Engineering Services Clause page 16

Comments: \_\_\_\_\_

**L. 3 Did the DTA use only non-appropriated funds for any lobbying activities and did each file the required disclosure form?**

A. DTA is prohibited from using Federal funds to lobby for Federal funds. If the DTA uses local funds to lobby for transit purposes, the DTA must file the OMB Standard Form LLL with the FTA.

Note: Disclosure is not required for activities performed by the DTA's own regularly employed officers and employees. Activities that must be disclosed include hiring a third party (e.g. lobbyist) to influence or attempt to influence:

- (a) the award of any Federal contract or subcontract exceeding \$100,000
- (b) the award of any Federal Grant or subgrant exceeding \$100,000
- (c) awarding any Federal loan or loan guarantee exceeding \$150,000
- (d) Entering into any Federal cooperative agreement exceeding \$100,000
- (e) Extension, continuation, renewal, amendment, or modification of any Federal contract, grant or cooperative agreement exceeding \$100,000 or of a loan guarantee exceeding \$150,000

Did the DTA pay for lobbying activities during the current review period?  No  Yes

If yes, what types of funds were used to pay for lobbying activities? \_\_\_\_\_

If local funds were used, was it disclosed on OMB Form LLL?  No  Yes

B. The DTA must include a notification in its Third Party Agreements over \$100,000 at any tier requiring disclosure of Lobbying activities. Review two procurement contracts for notification inclusion under FTA Required clauses, "Lobbying Restrictions."

Procurement contract: Driver Barriers Clause page 14

Procurement contract: Removal/Replacement of Diesel Fuel Storage Tanks Clause page 24

Comments: \_\_\_\_\_

**L.4 Does the DTA include clauses in its third party agreements that require notification of any legal matter that may affect the Federal Government?**

A. The requirement to notify FTA of any current or prospective legal matters that may affect the Federal government must flow down to third party agreements.

1. Does the DTA's standard terms for nonprocurement awards over \$25,000 or requires the consent of an official of a Federal agency include a notice requirement and flow-down requirement to lower tiers?

Contract Removal/Replacement of Diesel Tanks Clause page 25

Contract Driver Barriers Clause page 14

2. Does the DTA's standard terms for procurement transactions of at least \$25,000 include a notice requirement and flow down requirement of lower tiers?

Procurement contract Driver Barriers Clause page 14

Procurement contract Removal/Replacement of Diesel Fuel Storage Tanks Clause page 23

Comments: \_\_\_\_\_

Other comments: \_\_\_\_\_

Prepared by: Harby "Frog" Prall

Title: City Attorney, City of Superior, WI

Agency: Superior, WI