

**FEDERAL FISCAL YEAR 2024 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS**

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

Name of Applicant: The Arc/Mercer, Inc.

The Applicant certifies to the applicable provisions of all categories: *(check here)* \_\_\_\_\_.

*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	X
02 Public Transportation Agency Safety Plans	_____ X
03 Tax Liability and Felony Convictions	_____ X
04 Lobbying	_____ X
05 Private Sector Protections	_____ X
06 Transit Asset Management Plan	_____ X
07 Rolling Stock Buy America Reviews and Bus Testing	_____ X
08 Urbanized Area Formula Grants Program	_____ X
09 Formula Grants for Rural Areas	_____ X
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____ X
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____ _____

- 12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs
- 13 State of Good Repair Grants
- 14 Infrastructure Finance Programs
- 15 Alcohol and Controlled Substances Testing
- 16 Rail Safety Training and Oversight
- 17 Demand Responsive Service
- 18 Interest and Financing Costs
- 19 Cybersecurity Certification for Rail Rolling Stock and Operations
- 20 Tribal Transit Programs
- 21 Emergency Relief Program

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X

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X

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X

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**CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**

**AFFIRMATION OF APPLICANT**

Name of the Applicant: The Arc/Mercer, Inc.

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 the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

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

Certifications and Assurances

Fiscal Year 2024

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 [Handwritten Signature] Date: 5/16/2024

Name Steven P Cook Authorized Representative of Applicant

**AFFIRMATION OF APPLICANT'S ATTORNEY**

For (Name of Applicant): The Arc/Mercer, Inc.

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 [Handwritten Signature] Date: 5/21/2024

Name Stephen E. Trimbali, Esq. 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.*



## 2024 ANNUAL AFFIDAVIT OF COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

I, Steven P Cook (Name of Individual), executing this document on behalf of the undersigned company, partnership, corporation, or entity hereinafter referred to as "SUBRECIPIENT", presently doing business with NJ TRANSIT, hereby warrant and affirm to NJ TRANSIT as follows:

- The SUBRECIPIENT certifies that its transportation service is in compliance with the DOT ADA Regulations as per 49 CFR Parts 37, 38 and 39.
- The SUBRECIPIENT certifies that any contractors operating some or all of the SUBRECIPIENT's service complies with the DOT ADA regulations as per 49 CFR Parts 37, 38 and 39.
- The SUBRECIPIENT certifies that the transportation service offered to individuals with disabilities, including individuals who use mobility devices, is equivalent to the level and quality of service offered to individuals without disabilities.
- The SUBRECIPIENT shall not deny service to a person with a disability based on what it perceives to be "safe" or "unsafe" for that individual. Individuals with disabilities have the right to decide the level of risk they are willing to take to travel independently.
- The SUBRECIPIENT shall not impose special charges for providing required accessible services to individuals with disabilities.
- The SUBRECIPIENT shall not require that an individual with disabilities be accompanied by an attendant.
- The SUBRECIPIENT shall not refuse to serve an individual with a disability because its insurance company conditions coverage or rates on the absence of individuals with disabilities.
- The SUBRECIPIENT may refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others. However, a SUBRECIPIENT shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the SUBRECIPIENT or other persons.
- The SUBRECIPIENT shall ensure that vehicle operators and other personnel make use of accessibility-related equipment or features required by Part 38 of the ADA.
- The SUBRECIPIENT shall maintain in operative condition those features of vehicles that are required to make the vehicle readily accessible to and usable by individuals with disabilities. These features include, but are not limited to, lifts and ramps, lighting, mobility aid securement areas and systems, and seat belts and shoulder harnesses.



- The SUBRECIPIENT shall promptly repair accessibility features if they are damaged or out of order.
- The SUBRECIPIENT shall establish a system of regular and frequent maintenance checks of lifts and ramps sufficient to determine if they are operative. The SUBRECIPIENT shall ensure that vehicle operators report, by the most immediate means available, any failure of a lift or ramp to operate in service. When a lift or ramp is discovered to be inoperative, the SUBRECIPIENT shall take the vehicle out of service before beginning the vehicle's next service day and ensure that the lift/ramp is repaired before the vehicle returns to service.
- The SUBRECIPIENT should transport the occupant and their wheelchair if the lift and vehicle can accommodate them.
- The SUBRECIPIENT is not required to permit riders who use wheelchairs to ride in places other than designated securement locations on the vehicle.
- The SUBRECIPIENT shall allow riders who use wheelchairs to board and ride accessible vehicles. A wheelchair is defined as "a mobility aid belonging to any class of three- or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered." A wheelchair does not require specific elements or equipment such as front rigging (footplates or leg rests), wheel locks or brakes, push handles, or positioning belts or harnesses.
- The SUBRECIPIENT may require that an individual permit his or her wheelchair to be secured. The SUBRECIPIENT may not deny transportation to a wheelchair or its user on the ground that the device cannot be secure or restrained satisfactorily by the vehicle's securement system.
- The SUBRECIPIENT may recommend to a user of a wheelchair that the individual transfer to a vehicle seat. The entity may not require the individual to transfer.
- The SUBRECIPIENT shall permit individuals with disabilities who do not use wheelchairs, including standees, to use a vehicle's lift or ramp to enter the vehicle.
- When necessary or upon request, the SUBRECIPIENT's personnel shall assist individuals with disabilities with the use of securement systems, ramps and lifts. If it is necessary for the personnel to leave their seats to provide this assistance, they shall do so.
- The SUBRECIPIENT shall permit service animals to accompany individuals with disabilities in vehicles.
- The SUBRECIPIENT shall not prohibit an individual with a disability from traveling with a respirator or portable oxygen supply.
- The SUBRECIPIENT shall make available to individuals with disabilities adequate information concerning transportation services. This obligation includes making adequate communications



capacity available, through accessible formats and technology, to enable users to obtain information and schedule service.

- The SUBRECIPIENT shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.
- SUBRECIPIENTS that are public entities that provide general public transportation shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services. The SUBRECIPIENT shall make information about how to contact the agency to make requests for reasonable modifications readily available to the public on agency website and marketing materials, and must be accessible.
- SUBRECIPIENTS are required to have procedures for addressing ADA complaints that incorporate appropriate due process standards and provide for prompt and equitable resolution. SUBRECIPIENTS are required to sufficiently advertise the ADA complaint process through means such as websites and marketing materials. The ADA complaint process must include the contact information (name and/or title, address, telephone number, and email address) for the individual designated to coordinate compliance, process for filing an ADA-related complaint and information on how they will respond promptly to any individual filing a complaint. SUBRECIPIENTS must retain copies of ADA-related complaints for at least one year and a summary of all ADA-related complaints for at least five years. If the SUBRECIPIENT does not operate service directly or is a pass-through entity, it must ensure that those entities operating service directly have a procedure for addressing ADA complaints.





**Any and all ADA complaints shall be reported to NJ TRANSIT:**

<b>COMPLAINTS</b>	
<b>Has your agency received any complaints, investigations or lawsuits alleging discrimination in the delivery of transportation service in the last year?</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>If YES, provide a detailed description of the allegation and the current status and/or outcome.</b>	
<b>Has any federal entity conducted an ADA compliance review of your agency within the last three years?</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>If YES, provide the purpose/reason for the review, the name of the agency that performed the review, a summary of Findings/Recommendations, and the status and/or disposition.</b>	
<b>Has your agency had a finding of non-compliance by any other federal agency?</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO



## Certification of ADA Compliant Service

This is to certify that The Arc/Mercer, Inc. (Name of Agency)  
transportation services meet the requirements as listed above and those of 49 CFR part 37  
Transportation Services for Individuals with Disabilities (ADA) as applicable.

\_\_\_\_\_  
Signature

Steven P Cook  
Print Name of Authorized Official

Executive Director  
Title

5/16/2024  
Date



**2024 CHARTER SERVICE COMPLIANCE CERTIFICATION**

This certification must be submitted annually to NJ TRANSIT's Department of Local Programs by each subrecipient who operates vehicles and/or receives federal funds under any Federal Transit Administration (FTA) Program administered by NJ TRANSIT. This form confirms your Charter activity for the prior calendar year.

<https://www.transit.dot.gov/regulations-and-guidance/access/charter-bus-service/charter-bus-service-regulations-0>

N/A – My agency does not engage in any charter activities as defined in 49 CFR part 604

\*Agency Name The Arc/Mercer, Inc.

\* Must type or print Agency Name (whether or not you check N/A above)

Signature



Print Name of Authorized Official Steven P Cook

Title Executive Director

Date 5/16/2024

Subrecipients and their contractors, are prohibited from using federally-funded equipment or facilities to provide charter service, except on an incidental basis; and then, only when one or more of the six exceptions set forth in the charter service regulation in 49 CFR Section 604.9 (b) apply. Other conditions include recovering the fully allocated cost of the service and putting the revenues earned back into your transportation Program.

**The following are the limited exceptions when a subrecipient may provide charter service:**

- **Official government business;**
- **Qualified Human Service Organizations (elderly, persons with disabilities, and low income individuals**
- **When no registered charter provider responds to a notice sent by a subrecipient;**
- **Leasing (must exhaust all available vehicles first);**
- **By agreement with all registered charter providers;**
- **Petitions to the Administrator: Events of regional or national significance, or hardship.**

If charter service is provided under one of these exceptions, please complete below:

**Charter Service Certification:**

As required by FTA regulations, (name of county) hereby certifies that it is in compliance with 49 CFR part 604 which states that subrecipients of FTA assistance that provided charter services must comply with the FTA Charter Regulations. This includes posting charter service requests on the FTA's Register Charter Provider Website. This further certifies that the subrecipient has documented each and every use of the equipment awarded by NJ TRANSIT for charter service including the customer, dates, times, equipment identification, trip origin, and destination.

**Location of Charter Service Records:**

The records for charter service operated by the above-named subrecipient during the calendar year mentioned above are currently maintained at the following address:

**I hereby make the above certifications and state that I am an authorized official of the county.**

Print name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# 2024 FTA LOBBYING CERTIFICATION

**Required\*\* (An authorized representative of the applicant must sign and submit this certification.)**

The undersigned applicant certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned to a person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, 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 making of any Federal loan, the entering into of any cooperative 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 appropriate funds have been paid or will be paid to any person for making lobbying contracts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress 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 Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et. seq.)
- (3) The undersigned shall require that the language of this certification be included in the award documents or 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 was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). 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. [Note: Pursuant to 31 U.S.C. § 1352(c)(1)–(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

**(The Applicant)** The Arc/Mercer, Inc. certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801, et seq., apply to this certification and disclosure, if any.

**Signature of Applicant's Authorized Representative:**  \_\_\_\_\_

**Print Name of Applicant's Authorized Representative:** Steven P Cook

**Title of Applicant's Authorized Representative:** Executive Director

**Date** 5/16/2024


## 2024 DISCLOSURE OF LOBBYING ACTIVITIES (LLL Form)

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

X N/A – My agency does not engage in any lobbying activities

\*Agency Name The Arc/Mercer, Inc.

\* Must type or print Agency Name (whether or not you check N/A above)

<b>1. Type of Federal:</b> _____ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	<b>2. Status of Federal Action:</b> _____ a. bid/offer/application b. initial award c. post-award	<b>3. Report Type:</b> _____ a. initial filing b. material change  For Material Change Only: Year _____ Quarter _____ Date of last report _____			
<b>4. Name and Address of Reporting Entity:</b> _____ Prime      _____ Subawardee Tier _____, <i>if known:</i>  Congressional District, <i>if known:</i>	<b>5. If Reporting Entity in No 4 is a Subawardee, Enter Name and Address of Prime:</b>  Congressional District, <i>if known:</i>				
<b>6. Federal Department/Agency:</b>	<b>7. Federal Program Name/Description:</b>  CDFA Number, <i>if applicable</i> _____				
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$				
<b>10. a. Name and Address of Lobbying Registrant</b> <i>(if individual, last name, first name, MI):</i>			<b>b. Individuals performing services including address if different from no. 10a)</b> <i>(last name, first name, MI):</i>		
11. Information request through this form is authorized by title 31 U. S.C Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will available for public inspection. Any person who fails to file the required disclosure shall be subject to civil penalty of not less then 10,000 and no more then \$100,000 for each such failure.	Signature:  Print Name: <u>Steven P Cook</u> Title: <u>Executive Director</u> Telephone No: <u>(609) 406-0181</u> Date: <u>5/16/2024</u>				
<b>Federal Use Only:</b>			Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)		

## **INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1<sup>st</sup> tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract, grant, or loan award number, the application/proposal control number assigned by the Federal agency.) Include prefixes, e.g. "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. A) Enter the full name, address, city, state and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
B) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter last name, first name and middle initial (MI).
11. The certifying official shall sign and date the form; print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-10046), Washington, DC 20503.



# **EXHIBIT E**

## **IMPORTANT NOTICE TO ALL SUBRECIPIENTS AND CONSULTANTS**

### **SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE ACT ELDERLY AND PERSONS WITH DISABILITIES FORMULA PROJECTS (49 U.S.C. §5310) NONURBANIZED AREAS FORMULA PROJECT (49 U.S.C. §5311) URBANIZED AREA FORMULA PROJECT (Cumberland County) (49 U.S.C. §5307)**

NJ Transit is an instrumentality of the State of New Jersey and its employees and officers, including members of the NJ Transit Board of Directors, are public servants. NJ Transit, its employees and officers are governed by a number of civil and criminal laws, which control how NJ Transit and its personnel do business with contractors and consultants. These provisions include the Conflicts of Interest Law, N.J.S.A. 52:13D-12; and various criminal laws prohibiting bribery (N.J.S.A. 2C:27-2), and prohibiting offers of unlawful benefits to public servants for official behavior (N.J.S.A. 2C:27-10 & -11). These provisions contain unequivocal and stringent restrictions relating to gifts and gratuities.

Be advised that the law prohibits the receipt of gifts and gratuities by any NJ Transit employee or officer from any person, company or entity doing business – or wanting to do business – with NJ Transit. You are prohibited from offering, and NJ Transit Board members, officers or employees are prohibited from accepting, gifts, gratuities, benefits and other items of value.

The term "gift" is broadly and widely defined. It includes all things and objects, tangible or intangible, including services, gratuities, meals, entertainment, tickets to events, access to membership clubs, travel costs and lodging. Simply put, a "gift" is anything of value.

Do not, under any circumstance, tempt or put a NJ Transit employee in an awkward position of having to refuse a gift or return a gift, no matter how well intentioned or innocuous the gift may be in your eyes.

The bright line rule for you and your staff in doing business with NJ Transit is simple: Offer nothing and give nothing to any NJ Transit employee or officer. It is your responsibility to circulate this Notice in your company and educate accordingly all personnel who do business with NJ Transit.

**2024 ANNUAL AFFIDAVIT OF COMPLIANCE WITH  
NJ TRANSIT'S CODE OF ETHICS FOR SUBRECIPIENTS, VENDORS AND CONSULTANTS  
AND  
STATE OF NEW JERSEY ETHICS LAW**

I, Steven P Cook (*Name of Individual*), executing this document on behalf of the undersigned company, partnership, corporation, or entity hereinafter referred to as "Subrecipient", presently doing business with NJ Transit, hereby warrant and affirm to NJ Transit as follows:

1. I warrant and affirm that the Subrecipient has received a copy of NJ Transit's Code of Vendor Ethics and that I have read and studied this document and distributed this document to all of the Subrecipient's personnel doing business with NJ Transit and required said personnel to fully read this document. In addition, I further warrant and affirm that the Subrecipient has received from NJ Transit a document entitled "Important Notice to All Subrecipients and Consultants" and that I have read and studied this document, including the page setting forth various New Jersey statutory provisions, and that the Subrecipient has distributed this document to all of the Subrecipient's personnel doing business with NJ Transit and required said personnel to fully read this document.
2. The Subrecipient warrants and affirms that it has issued written instructions to all of the Subrecipient's personnel doing business with NJ Transit instructing and requiring same to strictly adhere to the Subrecipient's responsibilities as set forth in NJ Transit's Code of Vendor Ethics and in the "Important Notice to all Subrecipients and Consultants."
3. The Subrecipient warrants and affirms that during the term of the contract with NJ Transit no gratuities or other inducements have been offered or given or will be offered or given in any form including gifts, gratuities, benefits, inducements, meals (other than *de minimis* valued snacks such as coffee, tea, soda, pretzels, cookies, or similar non-meal items), entertainment, or any other thing of value or favors of any kind to any member of NJ Transit's board of Directors, officer or employee of NJ Transit, except as Subrecipient has heretofore disclosed to NJ Transit.
4. The Subrecipient warrants and affirms that during the term of the contract with NJ Transit, the Subrecipient has not and will not make any offers of employment to any NJ Transit officer or employee directly involved with this contract of solicit or interview therefore, directly or indirectly, without first seeking and obtaining written approval from NJ Transit's Ethics Liaison Officer.
5. The Subrecipient warrants and affirms that it has promptly reported in writing to NJ Transit, and, that in the future, it shall so report to NJ Transit every instance that comes except as Subrecipient has heretofore disclosed to NJ Transit, to the Subrecipient's attention and knowledge regarding any member of NJ Transit's Board of Directors, officer or employee of NJ Transit who has, during the term of the contract between NJ Transit and the Subrecipient, solicited or asked Subrecipient to provide gifts, gratuities, benefits, inducements, meals (other than *de minimis* valued snacks such as coffee, tea, soda, pretzels, cookies, or similar non-meal items), entertainment or any other thing of value or favors of any kind or has made any solicitation or request, directly or indirectly, for employment with or through the Subrecipient
6. The Subrecipient acknowledges and accepts that for breach or violation of the foregoing warranties and affirmations, NJ Transit shall have the discretion and legal right to terminate the contract between the Subrecipient and NJ Transit without any fee, cost, assessment, liability or penalty of any kind and NJ Transit has the right to take any other action permitted or required by law.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

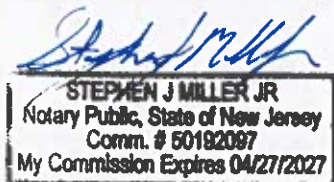
The Arc/Mercer, Inc.  
(Print Name of Subrecipient Agency)

  
(Signature of Authorized Principal or Officer)

Steven P Cook, Executive Director  
(Print Name and Title of Signatory)

Sworn to and subscribed to before me, this 16<sup>th</sup> day of May, 2024

Notary Public



# 2024 VERIFICATION OF TITLE VI ACTIVITIES BY SUBRECIPIENT

Please read enclosed document before completing this form.

**Subrecipient Name and address:**

The Arc/Mercer, Inc.  
180 Ewingville Road  
Ewing, NJ 08638

**Agency's Designated Title VI Person:**

Mike Courtney

**E-mail:** mcourtney@arcmercer.org

**Phone #:** (609)-406-0181

## NOTICE TO BENEFICIARIES

Have you made a change to the locations where your Notice is Published?

YES  NO

If YES, where is notice published?

- Website  
 Brochure/Timetable  
 On-board the Vehicles  
 Signs Posted at Facility/ Office  
 Other

If Other, please explain.

## COMPLAINTS

Has your agency received any complaints, investigations or lawsuits alleging discrimination in the delivery of transportation service in the last year?

YES  NO

If YES, provide a detailed description of the allegation and the current status and/or outcome.

Has any federal entity conducted a Title VI compliance review of your agency within the last three years?

YES  NO

If YES, provide the purpose/reason for the review, the name of the agency that performed the review, a summary of Findings/Recommendations, and the status and/or disposition.

Has your agency had a finding of non-compliance by any other federal agency?

YES  NO

  
\_\_\_\_\_  
Authorized Representative Signature

5/16/2024  
\_\_\_\_\_  
Date