

### 4.3 Conflicts of Interest

Applicants must submit signed statements by key personnel and all organization principals indicating that they, or members of their immediate families, do not have a personal, business or financial interest in any DOT-funded transportation project, nor any relationships with local or state transportation agencies that may have the appearance of a conflict of interest.

### Appendix A

#### Format for Proposals for the Department of Transportation Office of Small and Disadvantaged Business Utilization's Small Business Transportation Resource Center (SBTRC) Program

Submitted proposals for the DOT, Office of Small and Disadvantaged Business Utilization's Small Business Transportation Resource Center Program must contain the following 12 sections and be organized in the following order:

##### 1. Table of Contents

Identify all parts, sections and attachments of the application.

##### 2. Application Summary

Provide a summary overview of the following:

- The applicant's proposed SBTRC region and city and key elements of the plan of action/strategy to achieve the SBTRC objectives.
- The applicant's relevant organizational experience and capabilities.

##### 3. Understanding of the Work

Provide a narrative which contains specific project information as follows:

- The applicant will describe its understanding of the OSDBU's SBTRC program mission and the role of the applicant's proposed SBTRC in advancing the program goals.
- The applicant will describe specific outreach needs of transportation-related small businesses in the applicant's region and how the SBTRC will address the identified needs.

##### 4. Approach and Strategy

- Describe the applicant's plan of action/strategy for conducting the program in terms of the tasks to be performed.
- Describe the specific services or activities to be performed and how these services/activities will be implemented.
- Describe innovative and creative approaches to assist small businesses to become successful transportation contractors and increase their ability to access DOT contracting opportunities and financial assistance programs.
- Estimated direct costs, other than labor, to execute the proposed strategy.

##### 5. Linkages

- Describe established relationships within the geographic region and demonstrate the ability to coordinate and establish effective networks with DOT grant recipients and local/regional technical assistance agencies.

- Describe the strategy to obtain support and collaboration on SBTRC activities from DOT grantees and recipients, transportation prime contractors and subcontractors, the SBA, U.S. Department of Commerce's Minority Business Development Centers (MBDCs), Service Corps of Retired Executives (SCORE), Procurement Technical Assistance Centers (PTACs), Small Business Development Centers (SBDCs), State DOTs, and State highway supportive services contractors.

- Describe the outreach strategy related to the identified needs that can be successfully carried out within the period of this agreement and a plan for involving the Planning Committee in the execution of that strategy.

##### 6. Organizational Capability

- Describe recent and relevant past successful performance in addressing the needs of small businesses, particularly with respect to transportation-related small businesses.
- Describe internal technical, financial management, and administrative resources.
- Propose a plan for sufficient matching alternative financial resources to fund the general and administrative costs of the SBTRC.

##### 7. Staff Capability and Experience

- List proposed key personnel, their salaries and proposed fringe benefit factors.
- Describe the education, qualifications and relevant experience of key personnel. Attach detailed resumes.
- Proposed staffing plan. Describe how personnel are to be organized for the program and how they will be used to accomplish program objectives. Outline staff responsibilities, accountability and a schedule for conducting program tasks.

##### 8. Cost Proposal

- Outline the total proposed cost of establishing and administering the SBTRC in the applicant's geographical region for a 12 month period, inclusive of costs funded through alternative matching resources. Clearly identify the portion of the costs funded by OSDBU.
- Provide a brief narrative linking the cost proposal to the proposed strategy.

##### 9. Proof of Tax Exempt Status

##### 10. Assurances Signature Form

Complete the attached Standard Form 424B ASSURANCES-NON-CONSTRUCTION PROGRAMS identified as Attachment 1.

##### 11. Certification Signature Forms

Complete form DOTF2307-1 DRUG-FREE WORKPLACE ACT CERTIFICATION FOR A GRANTEE OTHER THAN AN INDIVIDUAL identified as attachment 2 and Form DOTF2308-1 CERTIFICATION REGARDING LOBBYING FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS identified as attachment 3.

##### Signed Conflict of Interest Statements

The statements must say that they, or members of their immediate families, do not have a personal, business or financial interest

in any DOT-funded transportation projects, nor any relationships with local or state transportation agencies that may have the appearance of a conflict of interest.

##### 12. Standard Form 424

Complete Standard Form 424 Application for Federal Assistance identified as Attachment 4.

**PLEASE BE SURE THAT ALL FORMS HAVE BEEN SIGNED BY AN AUTHORIZED OFFICIAL WHO CAN LEGALLY REPRESENT THE ORGANIZATION.**

Issued in Washington, DC, on April 10, 2014.

**Brandon Neal,**

*Director, Office of Small and Disadvantaged Business Utilization, Office of the Secretary, U.S. Department of Transportation.*

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**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway Project in Wisconsin

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA.

**SUMMARY:** This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, the WIS 23 Corridor Expansion Project, in Fond du Lac and Sheboygan Counties, Wisconsin. Those actions grant approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). Claims seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before September 22, 2014. If this date falls on a Saturday, Sunday, or legal holiday, parties are advised to file their claim no later than the business day preceding this date. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

#### FOR FURTHER INFORMATION CONTACT:

Bethaney Bacher-Gresock, FHWA, 525 Junction Road Suite 8000, Madison, Wisconsin 53717; telephone: (608) 662-2119; email: [Bethaney.Bacher-Gresock@dot.gov](mailto:Bethaney.Bacher-Gresock@dot.gov). The FHWA Wisconsin Division's normal office hours are 7 a.m. to 4 p.m. central time. For the Wisconsin Department of

Transportation (WisDOT): Name, Wisconsin Department of Transportation, Northeast Region, 944 Vanderperren Way, Green Bay, Wisconsin 54304; telephone: (920) 920-492-5698; email: [jill.Michaelson@dot.wi.gov](mailto:jill.Michaelson@dot.wi.gov). The WisDOT Northeast Region's normal office hours are 7:45 a.m. to 4:30 p.m. central time.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing approvals for the following highway project: WIS 23 Corridor Expansion Project in Fond du Lac and Sheboygan Counties, Wisconsin. The purpose of the project is to provide additional highway capacity to serve existing and projected traffic volumes and improve operational efficiency and safety for local and through traffic while avoiding or minimizing environmental effects. The project will widen the existing WIS 23 two-lane roadway and construct a four-lane divided highway with a median approximately 19.1 miles from US 151 to County UU. Project specific actions include acquiring right-of-way, constructing two diamond interchanges and one jug-handle interchange, constructing a roundabout, constructing new travel lanes and frontage roads, modifying local roads, improving two local trails and extending another, installing new bridges and culverts, removing and placing fill, removing vegetation, providing stormwater management measures, and implementing mitigation measures.

The actions by FHWA on this project, and the laws under which such actions were taken, are described in the combined Record of Decision (ROD) and Limited Scope Supplemental Final Environmental Impacts Statement (LS SFEIS) approved on March 17, 2014, and in other documents in the FHWA administrative record. The decisions approved in the combined ROD and LS SFEIS are consistent with the September 27, 2010 ROD. The combined ROD and LS SFEIS supersedes the 2010 ROD where it addresses issues identified as part of the Limited Scope Supplemental EIS pursuant to 23 CFR 771.130. The combined ROD and LS SFEIS was prepared pursuant to Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law 112-141, § 1319, 126 Stat. 405 (2012).

The combined ROD and LS SFEIS, and other documents in the Administrative Record are available by contacting FHWA or WisDOT at the addresses provided above. The combined ROD and LS SFEIS can be viewed and downloaded from the

project Web site at <http://www.dot.wisconsin.gov/projects/neregion/23/index.htm> or viewed at the Fond du Lac or Plymouth public libraries.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109, 23 U.S.C. 128, and U.S.C. 139].

2. *Air:* Clean Air Act [42 U.S.C. 7401-7671(q)].

3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303].

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*].

6. *Social and Economic:* Uniform Relocation Assistance and Real Property Acquisition Act of 1970 [42 U.S.C. 4601 *et seq.* as amended by the Uniform Relocation Act Amendments of 1987 [Pub. L. 100-17].

7. *Wetlands and Water Resources:* Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251-1376].

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1), as amended by Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, § 1308, 126 Stat. 405(2012).

Issued on: April 14, 2014.

**R. Kirk Fredrichs,**

*Assistant Division Administrator, FHWA Wisconsin Division, Madison, Wisconsin.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2013-0109]

#### Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to grant requests from four

individuals for exemptions from the regulatory requirement that interstate commercial motor vehicle (CMV) drivers have "no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV." The regulation and the associated advisory criteria published in the Code of Federal Regulations as the "Instructions for Performing and Recording Physical Examinations" have resulted in numerous drivers being prohibited from operating CMVs in interstate commerce based on the fact that they have had one or more seizures and are taking anti-seizure medication, rather than an individual analysis of their circumstances by a qualified medical examiner. The Agency concluded that granting exemptions for these CMV drivers will provide a level of safety that is equivalent to or greater than the level of safety maintained without the exemptions. FMCSA grants exemptions that will allow these four individuals to operate CMVs in interstate commerce for a 2-year period. The exemptions preempt State laws and regulations and may be renewed.

**DATES:** The exemptions are effective April 25, 2014. The exemptions expire on April 25, 2016.

**FOR FURTHER INFORMATION CONTACT:** Elaine M. Papp, Division Chief, Physical Qualifications, Office of Medical Programs, (202) 366-4001, [fmcamedical@dot.gov](mailto:fmcamedical@dot.gov), FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64-224, Washington, DC 20590-0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### A. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or