

FTA Region IV General Manager's Meeting November 15, 2021

Dr. Yvette Taylor, Regional Administrator
Dudley Whyte, Deputy Regional Administrator
Robert Buckley, AICP, Director, OFPO
Keith Melton, Director, OPPD
Margarita Sandberg, Director, PMPO
Micah Miller, Legal Counsel
Michele Foster, Civil Rights Officer

This presentation may include summaries of requirements found in law. It also provides advice and best practices (i.e., 'guidance') for meeting those standards. Any compliance recommendations that go beyond the text of relevant statutes and regulations are guidance and not legally binding. Specific individual scenarios have to be analyzed independently to ensure the binding requirement is satisfied.



AGENDA

- Welcome, Logistics and Introductions
- National and Regional Updates
 - Dr. Yvette Taylor, Regional Administrator
 - Dudley Whyte, Deputy Regional Administrator
 - Q&A
 - Michele Foster, Civil Rights
 - Micah Miller, Legal Counsel
 - Keith Melton, Office of Planning & Program Development (OPPD)
 - Robert Buckley, Office of Financial Management & Program Oversight (OFPO)
 - Margarita "Maggie" Sandberg, Office of Program Management & Project Oversight (PMPO)
 - Q&A

National and Regional Updates, RA and DRA



FY 2021 Kudos and Successes

- **Thank you for a successful FY2021!**
- Awarded \$2.5B in federal funding – 531 Grants!
 - 48 Super Grants
- COVID related funding, responses to Inquiries, data requests
- Emergency response Efforts
 - Audits, Data collection
- Continued Major Project delivery
 - **Miami DTPW:** (a) awarded \$ 20.0 M BUILD Funds for Underline project; (b) began construction of South Dade BRT Transitway; and (c) Northeast Corridor and East-West Corridor entered CIG PD phase
 - **CATS:** opened Gold Line Streetcar Phase 2
 - **JTA:** opened 13-mile Orange Line BRT project; part of a 57-mile BRT system in Jacksonville
 - **PSTA:** began construction on Sun Runner BRT in St. Petersburg

NATIONAL UPDATES

- FY2022 Budget/Continuing Resolution
- Bi-Partisan Infrastructure Deal
- Administration Priorities:
 - *Safety: Keeping traveling Americans safe*
 - Mask Mandate, Vaccine Mandate, Transit Worker Safety
 - *Innovation: Engaging with emerging technologies*
 - Climate Change
 - *Infrastructure: Maintaining the nation's infrastructure*
 - RAISE Program and other Discretionary Programs
 - *Racial Equity*
 - Areas of Persistent Poverty
 - New Route Planning Restoration Program
 - Environmental Justice / “Justice40Initiative”
- Outreach to Metropolitan Planning Organizations
- Workforce Development Technical Assistance Center

NATIONAL UPDATES

FY22 Budget – Currently operating under a Continuing Resolution thru Dec. 3

Bi-Partisan Infrastructure Deal

- Up to \$108 Billion over 5 years (77% increase)
- \$91B guaranteed for transit that will:
 - expand transit systems to improve access and mobility,
 - modernize for better service and reliability, and
 - reduce emissions to face up to our growing climate challenge
- Program details:
 - Up to \$23 billion for Capital Investment Grants
 - \$5.6 billion increase in no-emission vehicles and electrification, including at least \$50 million/year over 5 years for new electric ferry program; and \$1B for ferry service for rural communities
 - New \$1.5B competitive grants program to replace old railcars with modern, clean and green vehicles
 - New \$1.75 billion for an All Station Accessibility Program to reduce the number of legacy rail transit stations that are not accessible to individuals with disabilities

NATIONAL UPDATES

- **Mask Mandate**
 - Transportation Security Administration extended face mask requirement for all transportation networks, including public transportation through January 18, 2022
- **Vaccine Mandate**
 - Executive Order (Sept. 9th) on COVID-19 vaccinations for federal employees, COVID safety protocols for federal contractors, and COVID-19 vaccinations for certain employers with 100 or more employees
 - OSHA [the Occupational Safety and Health Administration] issued an Emergency Temporary Standard regarding vaccinations
- **Transit Worker Safety**
 - Enhanced Transit Safety & Crime Prevention Initiative - training opportunities to help transit agencies address/prevent crime, protect transit workers/riders
 - Request for Information soliciting public input on potential transit worker safety mitigation/operator assault prevention by November 23
 - NTI courses offered through December 2021

NATIONAL UPDATES

- **Climate Change**

- April 2021 - two goals announced: (1) achieve 50% reduction in economy-wide net greenhouse gas emissions from 2005 levels by 2030; (2) reach net-zero emissions no later than 2050
- FTA's Low or No Emission Program specifically called for projects that will improve air quality in parts of the country with poor air

- **Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Program**

- Provides multimodal transportation funding for community-wide projects addressing sustainability and quality of life
- \$1 billion available in Fiscal Year (FY) 2021
- Formerly known as TIGER and BUILD - awarded over \$8.935 billion in grants to projects in all 50 states, District of Columbia and Puerto Rico since 2009
- Highly competitive with 680 projects funded out of over 9700 applications

NATIONAL UPDATES

- **Racial Equity:** *emphasis on new commitment to advance racial equity and support underserved communities*
 - Areas of Persistent Poverty – provides competitive grant funding for projects that help lift communities out of poverty through engineering and technical studies or financial planning
 - New Route Planning Restoration Program (\$25M) - for planning activities that increase the ridership and reduce travel times, with a focus on improving access to transit in underserved neighborhoods
 - Environmental Justice / “Justice40Initiative” - President's Executive Order calls on all federal agencies to deliver at least 40 percent of the overall benefits of our investments to disadvantaged communities
 - Disadvantaged Business Enterprise Program – FTA working on a Notice of Proposed Rulemaking on how we can improve the DBE program for transit
 - Title VI Circular, (last updated in 2012); FTA published a Request for Information in the Federal Register through December 3

NATIONAL UPDATES

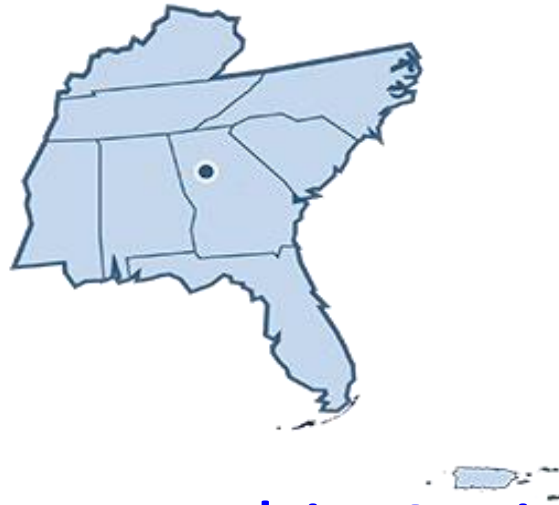
- **Outreach to Metropolitan Planning Organizations**
 - In September, FTA's Administrator participated in events with MPOs
 - Success of regional transportation systems critical to achieve economic health and sustainable future growth
 - Expanded roles of MPOs to address urgent issues (e.g., climate change)
- **Workforce Development Technical Assistance Center**
 - One-stop shop for technical assistance
 - Build long term, sustainable resource for public transportation workforce development
 - Help agencies train, reskill and recruit workforce for today and tomorrow
 - Ensure equity and diversity in public transportation workforce

Current Discretionary Program Opportunities

Published	Title	Description	Funding Available	Deadline
9/14/2021	ARP Route Planning Restoration Program	Funding can be used for transit route restoration planning that is designed to examine ridership following the COVID-19 pandemic, reduce travel times and make adjustments to increase the quality or frequency of transit service for low-income riders and those in disadvantaged neighborhoods or communities who may need increased service to get to jobs, shopping and health care.	\$25M	11/15/2021
9/20/2021	Buses and Bus Facilities Program	To replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities including technological changes or innovations to modify low or no emission vehicles or facilities.	\$409.6M	11/19/2021
10/7/2021	Innovative Coordinated Access and Mobility (ICAM) Pilot Program	This program provides competitive funding to support innovative projects for the transportation disadvantaged that will improve the coordination of transportation services and non-emergency medical transportation services (NEMT).	\$3.5M	12/6/2021

REGIONAL UPDATES

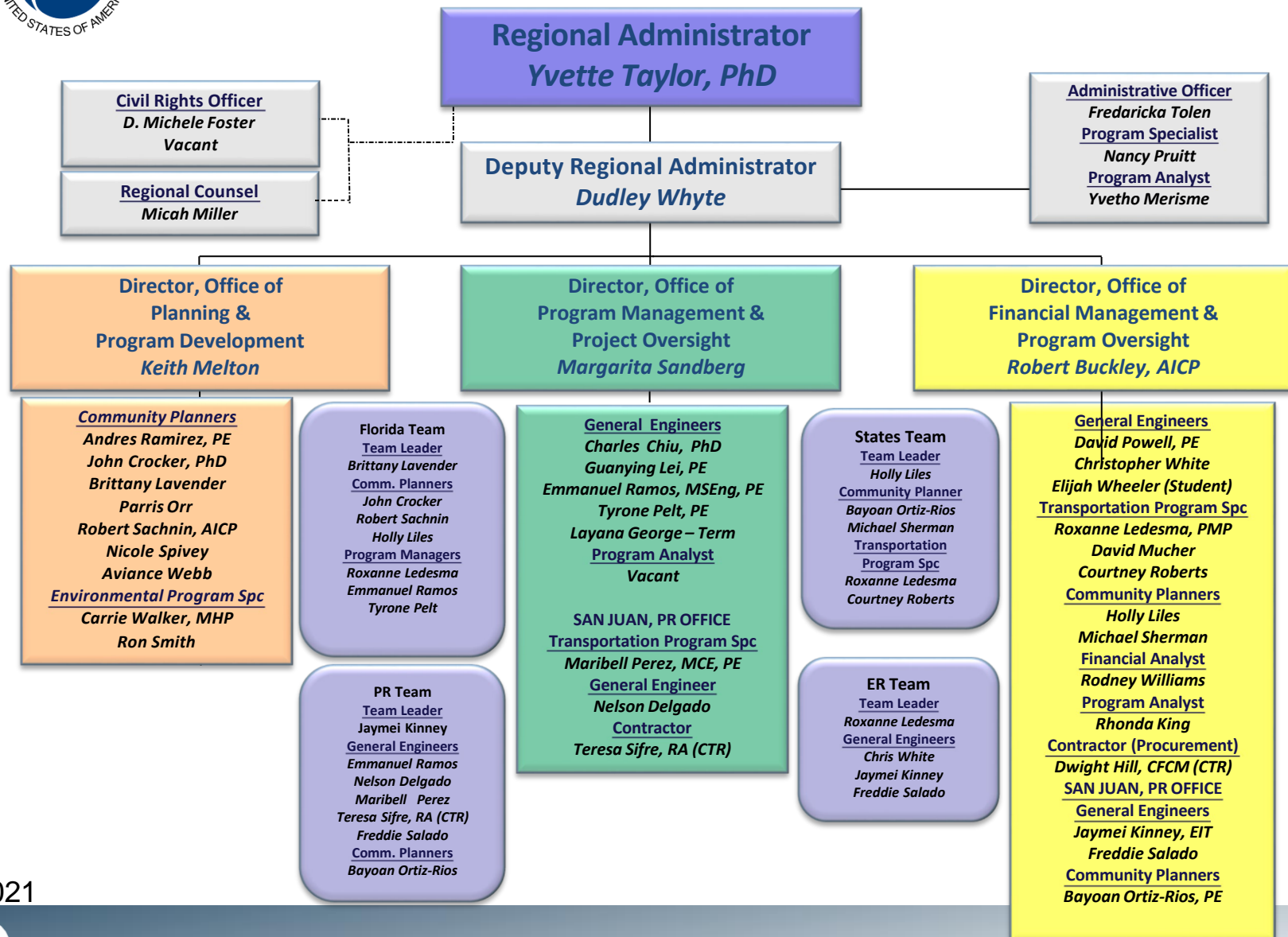
FTA Region IV covers eight states, VI and PR



Region IV Geographic Assignments



Federal Transit Administration Region IV, Organizational Chart



10/11/2021

REGIONAL UPDATES

Regional Staffing Updates- New Hires:

- Bayoan Ortiz-Rios, Community Planner
- Michael Sherman, Community Planner
- Freddie Salado, General Engineer
- Ron Smith, Environmental Protection Specialist
- Rodney Williams, Financial Specialist
- Elijah Wheeler, Student Intern
- Nelson Delgado-Rivera, General Engineer

REGIONAL UPDATES

Fiscal Year 2021 Accomplishments

- 100 % grants executed on-time (90 days or less)
- 15 Planning Certification Reviews
- 316 grants closed
- 59 Comprehensive Reviews
- 7 Financial Reviews
- 21 ECHO Spot Reviews
- Lapsing Funds Saved ~\$239M



REGIONAL UPDATES

Blast Emails sent by Region IV FY 21/FY 22

- **Look out for these important emails**

Examples:

- FTA Outreach & Listening Session: DBE Issues & Concerns
- FTA Real Estate Workshop
- Title VI Equity Analysis Early in the Planning Process
- ARP Toolkit & Associated Updates
- GM Webinar
- FTA's Sustainable Transit for a Healthy Planet Challenge

REGIONAL UPDATES

Healthy Planet Challenge

- In April 2021, the Biden-Harris Administration announced goals of:
 - 50-percent reduction in economy-wide net greenhouse gas (GHG) emissions from 2005 levels by 2030
 - Reaching net-zero emissions by no later than 2050
- FTA launched the [Sustainable Transit for a Healthy Planet Challenge](#)
 - Encourages transit agencies to 1) develop climate action strategies with measurable goals to curb GHG emissions 2) Develop a climate action, electrification or sustainability plan
 - Example: GHG reduction strategy: Converting fleets to electric buses and making facilities more energy efficient, increasing sustainability in the transit sector
- Over 166 transit agencies have signed up for the Challenge
 - Technical assistance will be offered
 - Still time to sign up for the Challenge!
- Earth Day April 22, 2022
 - Success stories will be showcased

REGIONAL UPDATES

FY 2021 Region IV Awards All Grants

State	# of Applications	Amount Awarded	Percent of Applications Awarded	Percent of Funds Awarded
AL	26	\$ 85,013,134	4.90%	3.44%
FL	125	\$ 1,127,885,274	23.54%	45.70%
GA	34	\$ 274,592,940	6.40%	11.12%
KY	44	\$ 152,988,026	8.29%	6.20%
MS	21	\$ 58,733,066	3.95%	2.38%
NC	69	\$ 246,366,177	12.99%	9.98%
PR	84	\$ 146,577,235	15.82%	5.94%
SC	50	\$ 94,648,893	9.42%	3.83%
TN	72	\$ 274,949,728	13.56%	11.14%
VA	1	\$ 274,000	0.19%	0.01%
VI	5	\$ 6,231,801	0.94%	0.25%
Grand Total	531	\$ 2,468,260,274	100%	100%

REGIONAL UPDATES (Drill Down)

FY 2021 Region IV Awards All Grants

Fiscal Year	Total Applications Awarded	Percent of Applications Awarded	Total Funds Awarded	Percent of Total Funds Awarded
Chapter 53 Grants	326	61.4%	\$ 733,097,100	29.7%
CARES ACT Grants	74	13.9%	\$ 365,887,380	14.8%
Super Grants	48	9.0%	\$ 537,021,230	21.8%
ARP Grants	34	6.4%	\$ 551,009,825	22.3%
CRRSAA Grants	28	5.3%	\$ 264,343,335	10.7%
5324 ER Grants	21	4.0%	\$ 16,901,404	0.7%
Grand Total	531	100%	\$ 2,468,260,274	100%



COVID-19 UPDATES

General Reminders

- CARES, CRRSAA & ARP funds may be used “to prevent, prepare for, & respond to COVID-19.”
 - FTA generally will consider all expenses normally eligible under the respective FTA section program incurred on/after 1/20/20 in response to economic or other conditions caused by COVID.
 - Furlough requirements for unobligated funds & use of capital expenses.
- CARES & CRRSAA funds are available until expended
- ARP Funds
 - Lapse date: 9/30/24
 - All funds must be disbursed by 9/30/29

COVID-19 UPDATES

Tracking of Funds

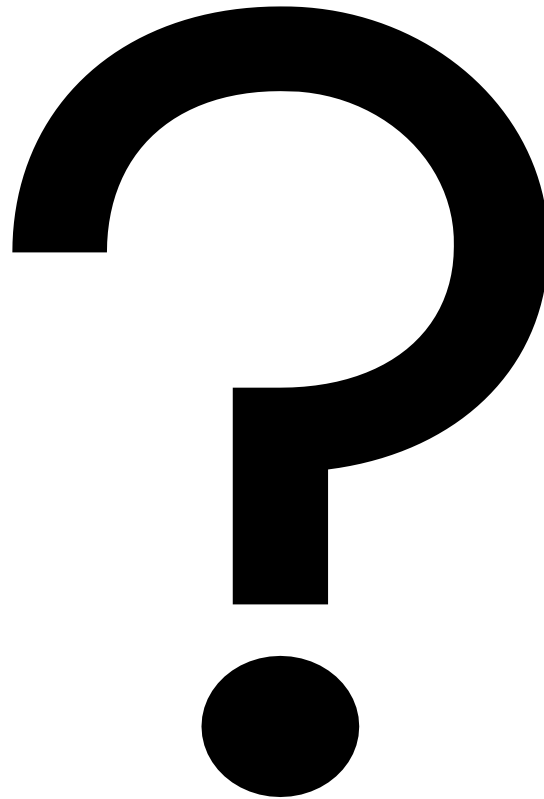
- COVID funds are tracked & monitored
 - To better understand recipient plans for obligating remaining available funds for CARES, CRRSAA and ARP
 - To ensure timely draw downs
- Transit systems are encouraged to spend funds expeditiously to respond to local needs (*FTA COVID FAQ CA19*)
- FTA may reach out to transit agencies with:
 - 1) Large unobligated balances;
 - 2) Little or no disbursement activity beyond 12 months

COVID-19 UPDATES

Available Resources

- FTA COVID [FAQs](#)
- [USDOT Mask Mandate FAQs](#)
- [FTA CARES Website](#)
- [FTA CRRSAA website](#)
- [FTA ARP Website](#) & [Fact Sheet](#)
- [Other Recipient Resources](#): includes CRRSAA & ARP toolkits, sample 5307 CRRSAA application, & many others.





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CIVIL RIGHTS UPDATES



Title VI Equity Analysis

HOT TOPIC

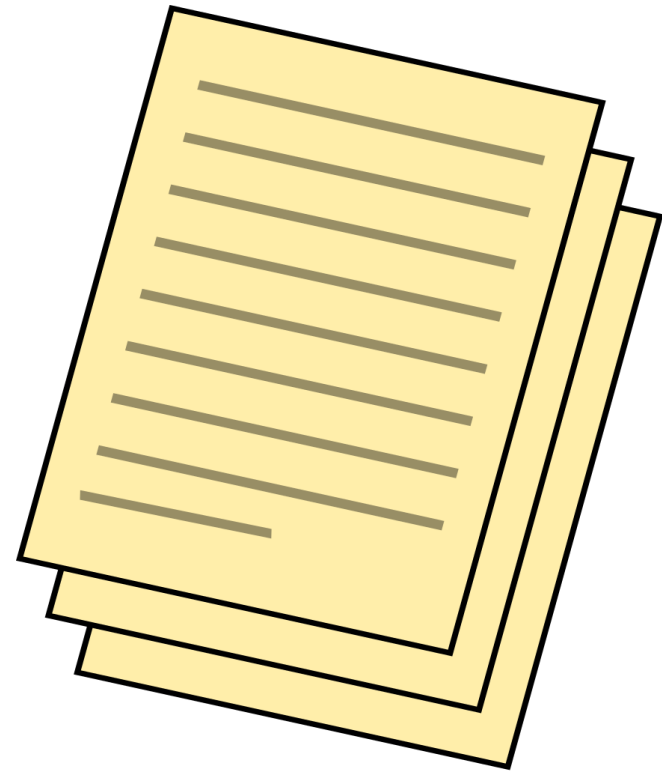


- Must be **completed early in the planning process** for bus/rail garages and maintenance facilities -- and before the site is selected
- If a disparate impact based on race, color, or national origin is identified, the recipient may only locate the project in that location if there is a substantial justification

Civil Rights – Completing Semi-Annual Reports

HOT TOPIC

- DBE semiannual reports must identify all FTA funding used for contract awards, commitments, and payment in the six-month reporting period
 - Includes supplemental funding
 - Includes funds passed through to subrecipients
- When there are no contract awards, commitments, or payments in a reporting period, include a comment in the DBE report remarks section to confirm



Local ADA Complaint Process

- Recipient must have a process to “promptly resolve” complaints (27.13)
- 2015 rule additions
 - Respond to complainant
 - Sufficiently advertise how to file
- Retain copy of complaint for 1 year and summary of complaints for 5 years



Civil Rights Resources

Civil Rights Overview/What's New

- <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/civil-rightsada>

Civil Rights COVID-19 FAQ

- <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19#COVID-19Civil>

ADA

- <https://www.transit.dot.gov/ada>

DBE

- <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/disadvantaged-business-enterprise>

Title VI

- <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/title-vi-civil-rights-act-1964>

EEO

- <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/equal-employment-opportunity>

FTA Region IV Regional Civil Rights Contact Information:

D. Michele Foster
Regional Civil Rights Officer – Region IV
Phone: 404-865-5633
Email: D.Michele.Foster@dot.gov

LEGAL UPDATES

FTA Region IV Regional Counsel
Contact Information:

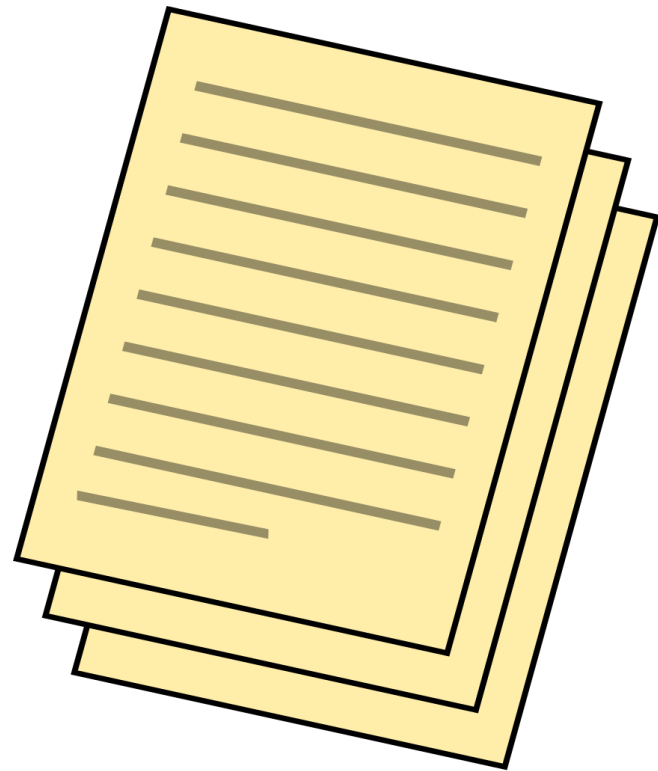
Micah M. Miller
Regional Counsel – Region IV
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Email : micah.miller@dot.gov



Legal Updates

FY21 Certifications and Assurances & Master Agreement

- Controls until new C&As are published
- C&As instructions ... select all ...



Legal Updates / Reminder

FTA Issues Guidance Letter on Buy America **Small** Purchase Waivers

- On September 16, 2016, FTA's Chief Counsel issued a [policy letter](#) to the industry clarifying the definition of “small purchases” for general public interest waivers from Buy America program requirements.
- The FAST Act set the small **purchase** waiver at \$150,000 or less; that threshold will not increase with future adjustments made to the simplified acquisition threshold under the Federal Acquisition Regulation (FAR).
- The small purchase waiver is now included in the Buy America statute at 49 USC 5323(j)(13) and applies to purchases, regardless of the size of the project.



Legal Updates / Reminder

49 U.S.C. § 5325

- Contract requirements

(a) Competition.—

—Recipients of assistance under this chapter shall conduct all procurement transactions in a manner that provides **full and open competition** as determined by the Secretary.

Lastly:

FTA Resources ... THEY'RE GRREEEAAAATTTT!



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Pre-Award Updates



Anticipated Application Activity – AAA Spreadsheet

The AAA is a listing of applications the agency plans to apply for in FFY 22

- »We ask each Agency to list planned **new applications & amendments only** (do not include budget revisions)
- »Please identify lapsing, discretionary & critical "cash flow" applications
 - Please identify planned "Super Grants" of formula funds only
 - NOTE: CARES, CRRSAA and ARP funds may **NOT** be placed in a Super Grant...
 - ...but can be included in the AAA per agency plans
- »Please provide agency points of contact and **Emergency cell phone numbers**
- »Detailed instructions for the AAA will be coming by email later
- »Please return the completed AAA by NLT March 31, 2022
 - NOTE: FTA's application deadline is May 31, 2022

Pre-Award Reminders

- Capital projects and funding amounts **must** be in the **CURRENT** Metropolitan Transportation Improvement Program (TIP) and/or State TIP (STIP) -- unless exempted by CARES, CRRSAA or ARP regulations
- Every project requires a National Environmental Policy Act (**NEPA**) finding
 - **PLEASE begin NEPA discussions early** – especially for land acquisition and construction
 - NOTE: Prior Planning for Facility Site Selection/Corridor Preservation should be available
- Transportation Development Credit (aka Toll Development Credit) (TDC) letters should be attached in TrAMS as applicable in FLA, PR and KY
- If using FLEX funds -- FHWA Form 1575 should be attached in TrAMS

Operating Expenses

"Past and Present Years" of 5307 Formula Operating Expenses

- FTA will only allow 5307 formula funds to be obligated in TrAMS for **past and present years**
 - Future years of **5307 formula** funds are **not** allowed in applications
- NOTE: For CARES and CRRSAA, future years of operating funds are **permissible** due to the nature of this funding.
 - CARES and CRRSAA funds have no lapse date.
- Please discuss use of these funds with your pre-award manager.

Grant Reminders

- Please delete any old "placeholder" applications from TrAMS you do not intend to use
- **System for Award Management (SAM)** registration is required by the Office of Management and Budget (OMB) to be updated **annually**
 - Please make sure your SAM registration is ACTIVE
- As applicable, place your Designated Recipient letter in the TrAMS Recipient Profile
- The **Sec. of Statute** selected in TrAMS (dropdown box) **must** be correct
- Grants must be **Executed within 90 days** or funds may be withdrawn

Grant Reminders

Use of “Super Grants” & Consolidated Grants – Recommended

Super Grants

Allow Multiple **formula** funding sources in the **same** application separated by project 1, 2, 3, etc.

Super Grant Opportunities – Please discuss with your Pre-Award Manager:

- 5307 & 5337 Formula Funds
- 5307 & 5337 & 5339 Formula Funds
- 5307 & 5339 Formula & LONO Discretionary Funds
- 5307 & 5339 Formula & FLEX funds (if FLEX funds are available to Region 4)
- NOTE: CARES, CRRSAA and ARP funds may not be placed in a Super Grant**

Consolidated Grants

»Please place up to 3 years of Formula Funding in same application

Pre-Award Updates -- NEW

Office of Management & Budget (OMB) Executive Summary (ES) Requirements

- OMB requires award descriptions be written in “plain language”
- FTA is reporting the Executive Summary award description in each application to **USAspending** – a Public Site
- The **5 Elements required** by OMB in Executive Summaries are:
 - Purpose
 - Activities to be performed
 - Expected outcomes
 - Intended beneficiaries
 - Subrecipient activities (if applicable)
- Applies to **ALL FTA applications & amendments in FFY 22.**

Executing a Grant Award in TrAMS - Reminders

- A user designated as the recipient '**Official**' will receive a task to accept & execute the award. Once executed, the award will move into a post award phase
- **NOTE: If Pre-Award Authority (PAA) is selected: TrAMS will generate a task for an initial Federal Financial Report (FFR) after FTA makes the award – and prior to execution by the Official**
- The Initial FFR must be completed by your recipient organization's **FFR Reporter** **before** the Official can execute.

TrAMs Updates -- REMINDER

User Managers – play a **key role** in TrAMS

- Agency User Managers assign and re-assign **agency roles**
- All TrAMs users in the agency will need to be recertified annually
 - Please create at least two TrAMS User Managers for your agency
 - User Managers cannot recertify themselves!
 - **Failure to recertify user roles in TrAMS** will delay applications; Certifications & Assurances; and quarterly/annual progress reporting
- FTA will send recipients a detailed email on TrAMs **user recertification**

National Environmental Policy Act (NEPA)

- The NEPA Class of Action (COA) is an FTA decision.
- In order to determine the COA, FTA may ask you to complete a NEPA checklist.
- The COA decision is usually based on scope of the proposed project, where the project will take place and the Locally Preferred Alternative – or LPA.
- The COA can be a listed categorical exclusion (LCE), a documented categorical exclusion (DCE), an environmental assessment (EA) or an environmental impact statement (EIS).
- Both EAs and EISs are reported on the Federal Permitting Dashboard. The Dashboard is public facing and has strict milestones <https://www.permits.performance.gov/>

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FTA Uses Recipient's Oldest funding first

- Each FTA program funding source has a Period of Availability
- As the Lapse Year approaches for your unobligated balances, Region IV will:
 - Obligate the "oldest money first"
 - Preserve Funding
 - Avoid Lapsing as much as possible
- Designated Recipients are notified of carryover and lapsing balances annually
 - Sent week of October 22
- Each Designated Recipient should keep their own set of books to cross reference
 - "True up" lapsing balances
 - Track your available dollars by program
 - Especially if multiple transit agencies are in the same UZA
 - Coordinate with Direct Recipients, as applicable

2020 Census Updates

- Summer 2022: Census Announcement of New UZAs
- Summer 2022: Grantees Add New Delineations to their 2021 NTD Report or their 2019 NTD Data
- Data Will Be Used for FY 2023 Apportionments
- Funding Formulas for FY 2023 May Be Changed by Congress
- FY 2022 and Earlier Funding Will Remain Available Based on the 2010 Census Delineations

Comprehensive Review Updates

- All previously scheduled oversight Reviews shifted 1 year.
 - FY20 reviews postponed until FY21
 - FY21 reviews postponed until FY22
 - FY22 reviews postponed until FY23
- Reviews will then return to 3-year cycle
- FY22 Reviews are currently slated to be conducted virtually
- All upcoming reviews will include verification of Agency Safety Plans and assessment of COVID and ER fund usage.
- FY20 Contractor's Manual: <https://www.transit.dot.gov/fy20-comprehensive-review-guide>
 - FY22 iteration currently in development
- Comprehensive Review Workshops will be conducted virtually, dates TBD

COVID ECHO Spot Reviews

- On April 20, 2021, FTA published a [Dear Colleague letter](#) outlining its oversight approach for the nearly \$70 billion in Federal funding FTA is providing to support the transit industry's [COVID-19 response and recovery efforts](#).
- FTA is conducting ECHO spot reviews and limited financial management reviews on all COVID-19 funding recipients
 - Round 1 = 21 reviews, on-going
 - Round 2 = starting Jan 2022, # of recipients pending
 - Will continue through 2023
- Issues discovered thus far:
 - Charging lost revenue COVID grants
 - Charging expenses from before 1/20/2020
 - Be sure to follow existing drawdown procedures

Emergency Response Reporting

- **THANK YOU** for all of the updates and reports provided over the last year!
 - Continued COVID Reporting 2020-2021
 - Hurricane Delta, Oct 2020
 - Hurricane Zeta, Oct 2020
 - TS Eta, Nov 2020
 - Winter Storm, Feb 2021
 - Colonial Pipeline attack , May 2021
 - Hurricane Ida, Aug 2021
 - TS Nicholas Sep 2021
 - Other Miscellaneous Requests for Information

Emergency Response Reporting

- Future Emergency Reporting Reminders
 - Be sure Region IV has current contact information in advance
 - Provide updates on service impacts, emergency trips, damages, etc.
 - Type and # of any emergency transportation services being provided
 - Emergency protective measures
 - Damages to vehicles, facilities, or equipment.
 - Any temporary or permanent repairs made to damaged vehicles, facilities, or equipment.
 - Very important that all expenses related to disaster response before, during, and after the event be documented, in the event of the availability of Emergency Relief funding.

ECHO User Access

- ECHO recently updated now required to use Login.gov to access
- Any ECHO User access requests should be directed to:
Region4.ECHO@dot.gov
- ECHO Form Reminders:
 - Limited to 3 total users: 2 with payment access, 1 with view only
 - Authorizing Officials cannot have payment access
 - Forms must be signed by ECHO Authorizing Official - NOT necessarily the GM
 - Authorization and Certification form MUST be on agency letterhead
 - Change/modify form MUST capture any changes, even if user already has access

Training

- Region IV Resources: <https://www.transit.dot.gov/regional-offices/region-4/recipient-resources>
 - Region IV will email when live training available
- Real Estate Workshop November 30, 2021 from 9:00 am to 4:30 pm EST
 - Email sent to all recipients
- National Transit Institute <https://www.ntionline.com/courses/>

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Post Award Updates



Incidental Use

- Limited authorized non-transit use of a federally-funded project property
- Vehicles and Equipment incidental uses require prior FTA concurrence
- Real Estate incidental uses should have prior FTA consultation
- Contact your program manager to obtain an "Incidental Use Tool" to request FTA concurrence or consultation

Spare Ratio

- [Circular 5010.1E](#) and [Triennial Contractor Manual](#) provides guidance
- Bus Fleet: 50+ fixed-route revenue fleet should not exceed 20% spares above the number of revenue vehicles needed during the peak week, day and hours maximum service is provided.
- Rail Fleet: FTA has no set spare ratio number. 5010.1E outlines process.



Contingency Fleet

- Contingency Fleet: vehicles reserved for emergencies or other unforeseen and justified activities.
- Vehicles must have met useful life, be properly stored, maintained, and documented in a contingency plan.
- Does not add to the spare ratio calculation.



Budget Revision vs. Grant Amendment

- **Budget Revision** may be made to make adjustments to ALI amounts, changes in descriptions of activities or adding or deleting ALIs. Must be consistent with STIP and not alter NEPA (approval by PM/Engineer)
- **Grant Amendment** is required when a condition does not allow for a budget revision, there is either a change in the grant purpose or an addition of Federal funds to an existing grant. Grant amendments are subject to the same application requirements as a new grant request (approval by CP, PM/Engineer, and GM).



Real Estate

- Per [FTA Circular 5010.1E](#), FTA must review and concur in real property Appraisals and Review Appraisals for acquisitions and dispositions of more than \$1M.
- In-kind contributions of any value require FTA review and concurrence.



Disposition

- Before meeting useful life, FTA's remaining interest is the greater of its share of the unamortized value based on straight line depreciation of the original purchase price or the federal share of the sales price.
- After an asset met useful life, FTA retains and interest if the fair market value is over \$5K.
- After useful life is met, if the fair market value is \$5K or less, there is no remaining FTA interest. FTA concurrence to disposition is not required. Retain records of this action.



Post Award Reporting

FFR & MPR

- New grant applications are assigned Quarterly or Annual reporting
 - Annual reporting may be assigned for:
 - » Grants with less than \$2 million in Federal funds
 - » No construction activities
 - » No 5309, BUILD, SSO, ER Funding
 - » No other risk factors that may trigger quarterly reporting
- Supergrants may trigger \$2M threshold
 - Excludes Small Urbans
- Quarterly reports due by 30th of reporting month
- Annual reports are due by October 30th

Federal Financial Reporting Tips

- **Line B - Fed Cash Receipts (ECHO drawdowns)**
- **Line C - Funds Disbursed (Paid invoices for goods & services)**
- **Line F - Incurred Expenditures**
 - Line B needs to be supported by Line F
 - Line F should be based on accrual basis
 - If Line B exceed Line F, this is an Overdraw

3-Day Rule: Federal funds held for more than 3 days without disbursement towards eligible expenses are subject to be returned to FTA with interest.

Milestone Progress Report Tips

- When a Milestone date is updated, be aware of the effect on subsequent Milestones and update them as well as needed
- Avoid getting the schedule out of sequence or chronology.
- Example: delayed RFP may shift out of sequence

Milestone	Original Date	Revised Date	Actual Date
RFP Issued	7/1/2020	10/15/2020	
Contract Award	9/1/2020		
Contract Complete	9/30/2021		

Out of sequence!

Project Management Oversight

Final Rule

- [On September 23, 2020 FTA announced a Final Rule redefining a Major Capital Project as a fixed guideway project \(new, expansion, rehab or modernization\)](#) with a total project cost of \$300M or more and FTA investment of \$100M or more.
- Only projects meeting this new criteria will be assigned a Project Management Oversight Contractor (PMOC) post-award and undergo PMO oversight reviews, deliverables and reporting requirements.
- Smaller Capital Improvement Grant (CIG) projects will continue to undergo PMOC pre-award risk and readiness reviews



Period of Performance of Awards

- Beginning in FY22, for new applications:
 - Set the Period of Performance (POP) to five years past the last milestone date (from current practice of two years)
 - » Five years was the closeout span for 90% of past grants awarded FY2000 to present
- Grants that have an expired POP cannot incur expenditures after this date
- Will minimize the number of budget revisions needed to extend POP dates
- FTA will continue to target original milestone dates to complete projects and closeout grants



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