

# Arizona Rural Transportation Summit

Maricopa, AZ – September 14, 2022



**Ray Tellis**

**Regional Administrator**

**Federal Transit Administration, Region 9**

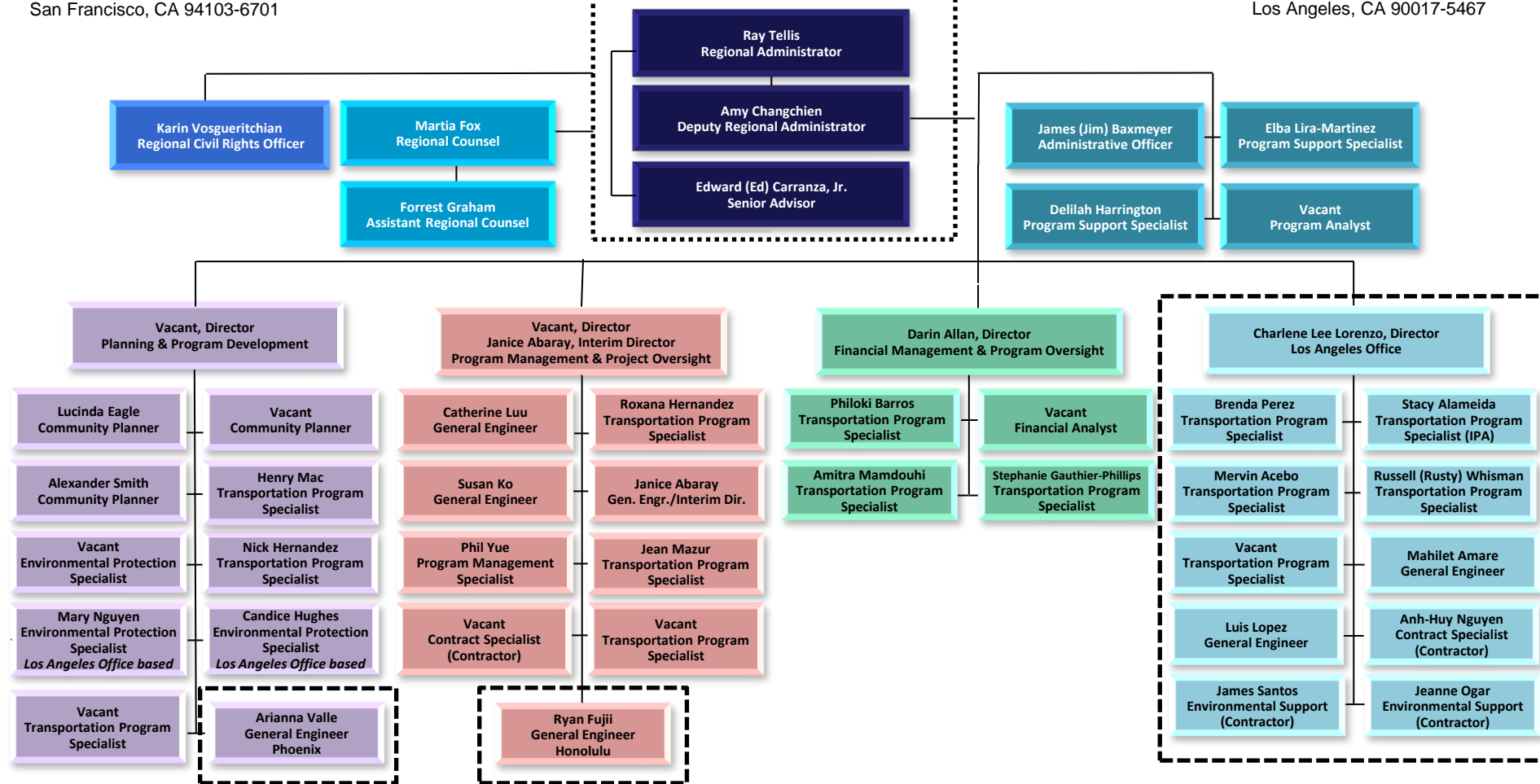


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Effective 9-12-2022

# Bipartisan Infrastructure Law

## Significant Funding Increases



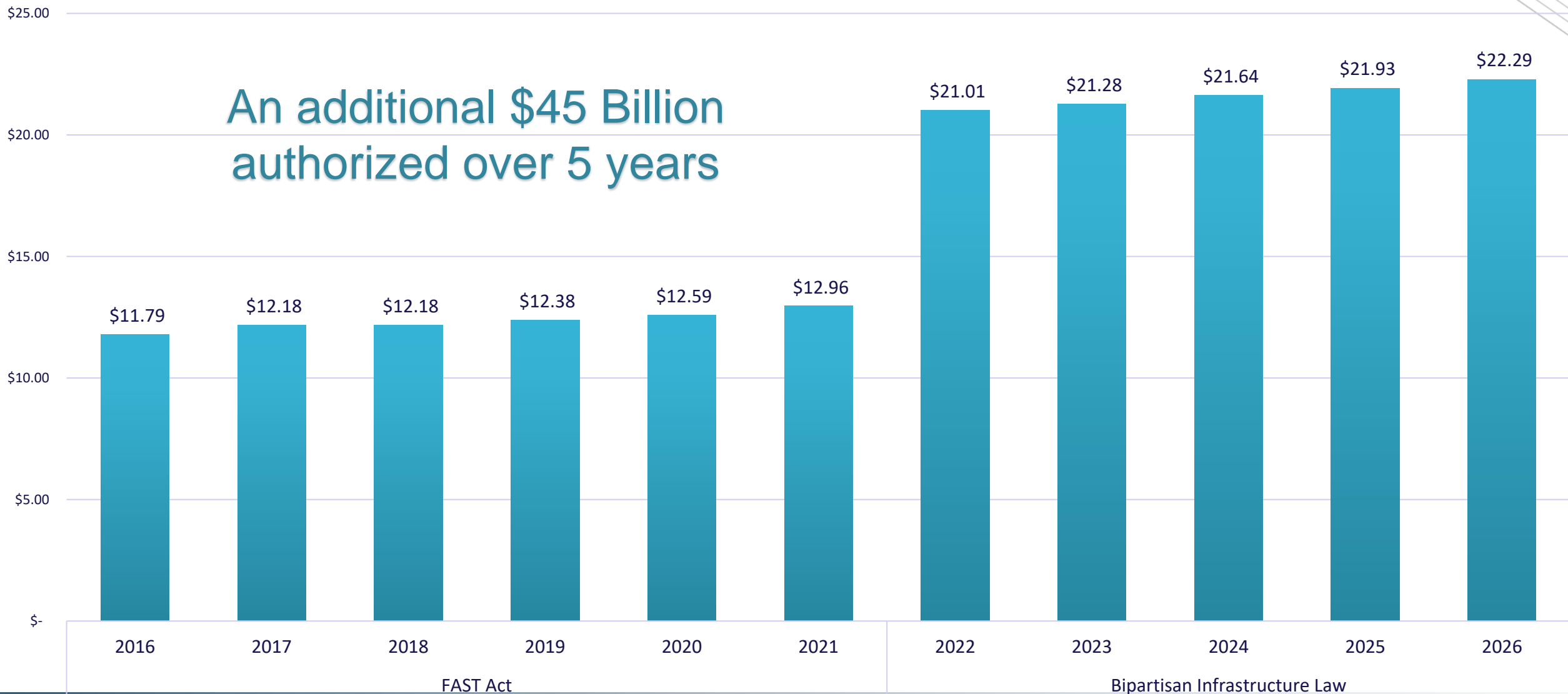
- Up to \$108 billion for public transit over five years
  - \$69.9 B from Highway Trust Fund
  - \$21.25 B in Advance Appropriations
  - \$17 B in Authorized Appropriations
- New and increased funding for State of Good Repair, Low or No Emission, and Capital Investment Grants
- Continues existing structure for FTA programs focused on urban, rural, and targeted populations

## New Grant Programs



- Rail Vehicle Replacement Program
- All Station Accessibility Program
- Electric or Low-Emitting Ferry Pilot Program
- Ferry Service for Rural Communities

# Increased Funding for Public Transportation



# FTA Priorities for Implementation

## FTA Bipartisan Infrastructure Law Priorities



**Safety** – The law will enable FTA to enhance state safety oversight programs by strengthening rail inspection practices to protect transit workers and riders from injuries and to ensure safe access to transit.



**Modernization** – Increased formula and competitive funding will begin to reduce the enormous state of good repair investment backlog in the nation's transit systems by repairing aging infrastructure and modernizing bus and rail fleets.



**Climate** – The law includes landmark investments to support the replacement of thousands of transit vehicles, including buses and ferries, with cleaner low- and zero-emission vehicles.



**Equity** – Investments in equity, including Justice40, will help eliminate transit deserts, improve connectivity to economic and social opportunities, ensure universal accessibility for people with disabilities, support minority and women-owned businesses, and reduce the disparity in quality and frequency of service in underserved communities.

# Bipartisan Infrastructure Law – Formula Programs

Key formula funding levels increased by **30%** and programmatic changes for public transportation over a five-year period (Fiscal Years 2022 to 2026) to include:

- \$33.5 billion for the Urbanized Area Formula Program to support transit operations in 500 communities across the country
- \$23.1 billion for the State of Good Repair program to maintain public transit systems
- **\$4.6 billion for Rural Area Formula Grants to support transit investments in rural areas communities; \$82 million for Arizona**
- **\$229 million for public transportation on Indian Reservations; \$22 million for Arizona**
- **\$3.9 billion for additional Urbanized and Rural Formula Program assistance through the Growing States and High-Density States formulas**
- **\$2.2 billion for the Enhanced Mobility of Seniors and Individuals with Disabilities program**



# Bipartisan Infrastructure Law – Discretionary & Other

- \$5.6 billion in Low or No Emission Vehicle Competitive Grants to support the transition of transit vehicles to low or zero emission technologies\*
- \$5.1 billion in Buses and Bus Facilities formula and competitive grants\*
- \$966.4 million to support Metropolitan and Statewide Planning programs
- \$23 billion for the Capital Investment Grants (CIG) Program, with \$8 billion guaranteed to invest in new high-capacity transit projects
- \$193 million for transit research activities
- \$62 million for technical assistance and workforce development activities

# Rural & Tribal entities are eligible for FTA Formula funds

Funding Program / Relationship with FTA	Direct Grant with FTA	Grant through State DOT
Section 5310 – Elderly and Persons with Disabilities	X	X
Section 5311 – Rural Area Transportation	X	X
Section 5311(j) – Tribal Transit Program – Formula	X	X
Section 5339(a) – Bus and Bus Facilities – Formula		X



# Rural & Tribal entities are eligible for FTA Competitive funds

Funding Program / Relationship with FTA	Direct Grant with FTA	Grant through State DOT
Section 5310 – Access and Mobility Partnership Grants	X	X
Section 5309 - Capital Investment Grant	X	X
Section 5310 – Access and Mobility Partnership Grants	X	X
Section 5311(j) – Tribal Transit Program	X	
Section 5312 – Integrated Mobility Innovation	X	X
Section 5339(b) – Bus and Bus Facilities	X	X
Section 5339(c) – Low or No Emission Vehicles	X	X

# The Rural & Tribal Transit Program today

Fiscal Year	2022 (in millions)	2023 (in millions)	2024 (in millions)	2025 (in millions)	2026 (in millions)
5311 Rural Formula	<b>\$781</b>	<b>\$797</b>	<b>\$818</b>	<b>\$835</b>	<b>\$856</b>
Public Transportation on Indian Reservations (Formula)	<b>\$35</b>	<b>\$36</b>	<b>\$37</b>	<b>\$37</b>	<b>\$38</b>
Public Transportation on Indian Reservations (Competitive)	<b>\$9</b>	<b>\$9</b>	<b>\$9</b>	<b>\$9</b>	<b>\$10</b>
Appalachian Development Public Transportation Assistance Program	<b>\$26</b>	<b>\$27</b>	<b>\$28</b>	<b>\$28</b>	<b>\$29</b>
Rural Transit Assistance Program (RTAP)	<b>\$17</b>	<b>\$18</b>	<b>\$18</b>	<b>\$19</b>	<b>\$19</b>
5340 Growing States*	<b>\$112</b>	<b>\$114</b>	<b>\$117</b>	<b>\$120</b>	<b>\$123</b>

# Section 5339(b) Buses and Bus Facilities Competitive

Purpose: Makes federal resources available to states and direct recipients to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities



- Competitive program requiring application
- Capital projects for vehicles and vehicle facilities
- 80% federal share for vehicles and facilities
  - 85% or 90% federal funding if certain requirements are met

# Section 5339(c) Low & No Emissions Competitive

Purpose: Provides funding to state and local governmental authorities for the purchase or lease of zero-emission and low-emission transit buses as well as acquisition, construction, and leasing of required supporting facilities

- Competitive program requiring application
- Capital projects for low & no emission vehicles, equipment, and facilities
- 85% federal funds for vehicles, 90% federal funds for equipment and facilities



# Working with FTA Region 9

Each rural or tribal entity works with their Region 9 Program Manager as a main point of contact for the following:

- **Grant-Making Activities**  
(including planning and environmental review leading up to grant award)
- **Technical Assistance**  
(pre-award and post-award)
- **Facilitating contact with subject matter experts**  
(Regional and HQ)



# Getting Started - Overview

- FTA awards funds to transit service providers in formula and competitive grants
- These funding sources each have specific requirements, funding cycles, and awards processes that should be carefully reviewed
- Applicants and the public are informed of appropriated funding levels through the publication of Annual Apportionments
- FTA's listing announces formula and competitive programs that FTA will administer and their appropriated program amounts
- When funds are available for a competitive program FTA releases a Notice of Funding Opportunity (NOFO) through the Federal Register
- This notice provides all the information needed to start the process to apply for a grant, including deadlines, required forms and basic requirements

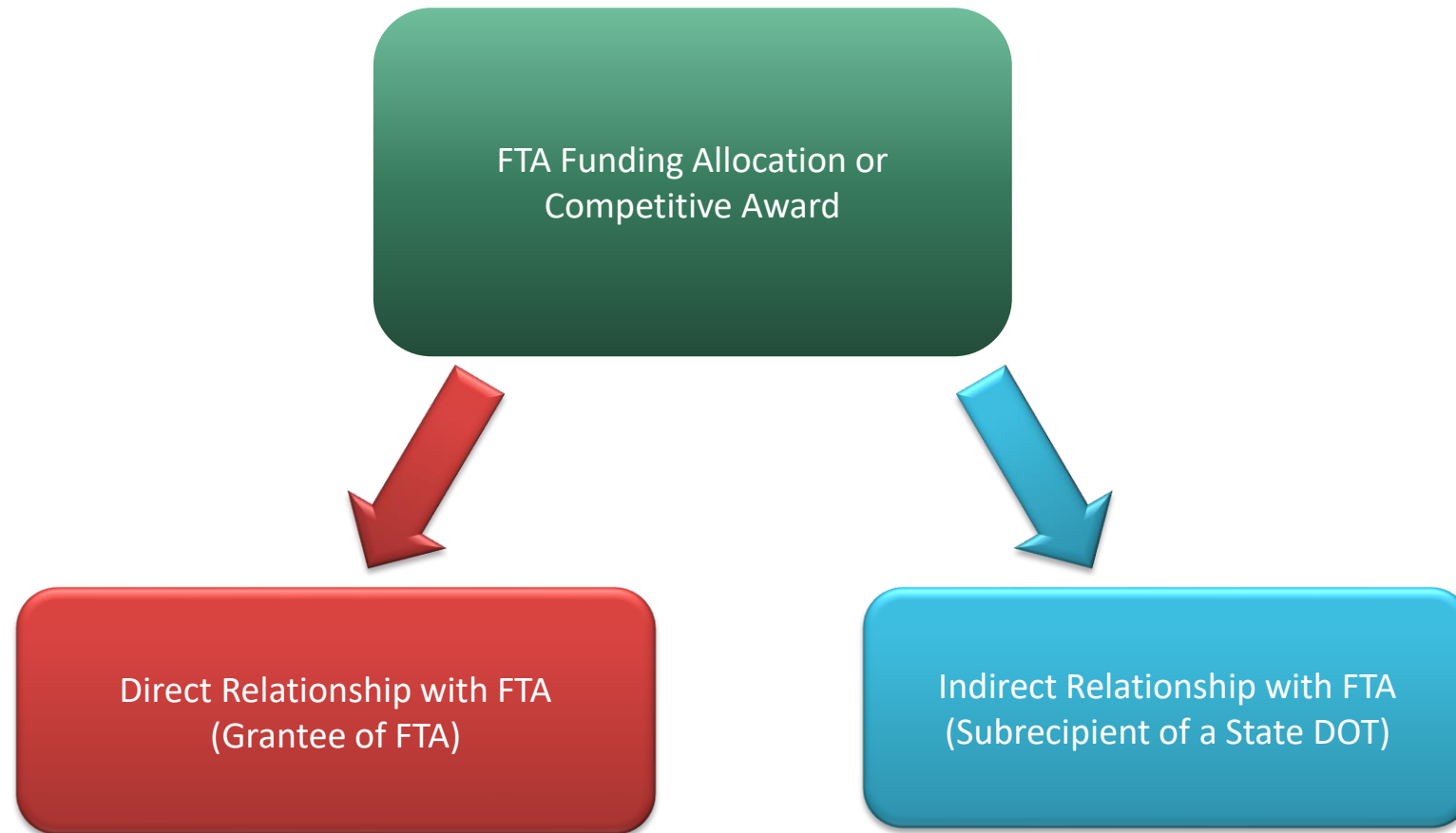


# Current or Returning FTA Grant Recipient

You must provide/submit the following on an annual or as-needed basis, including but not limited to:

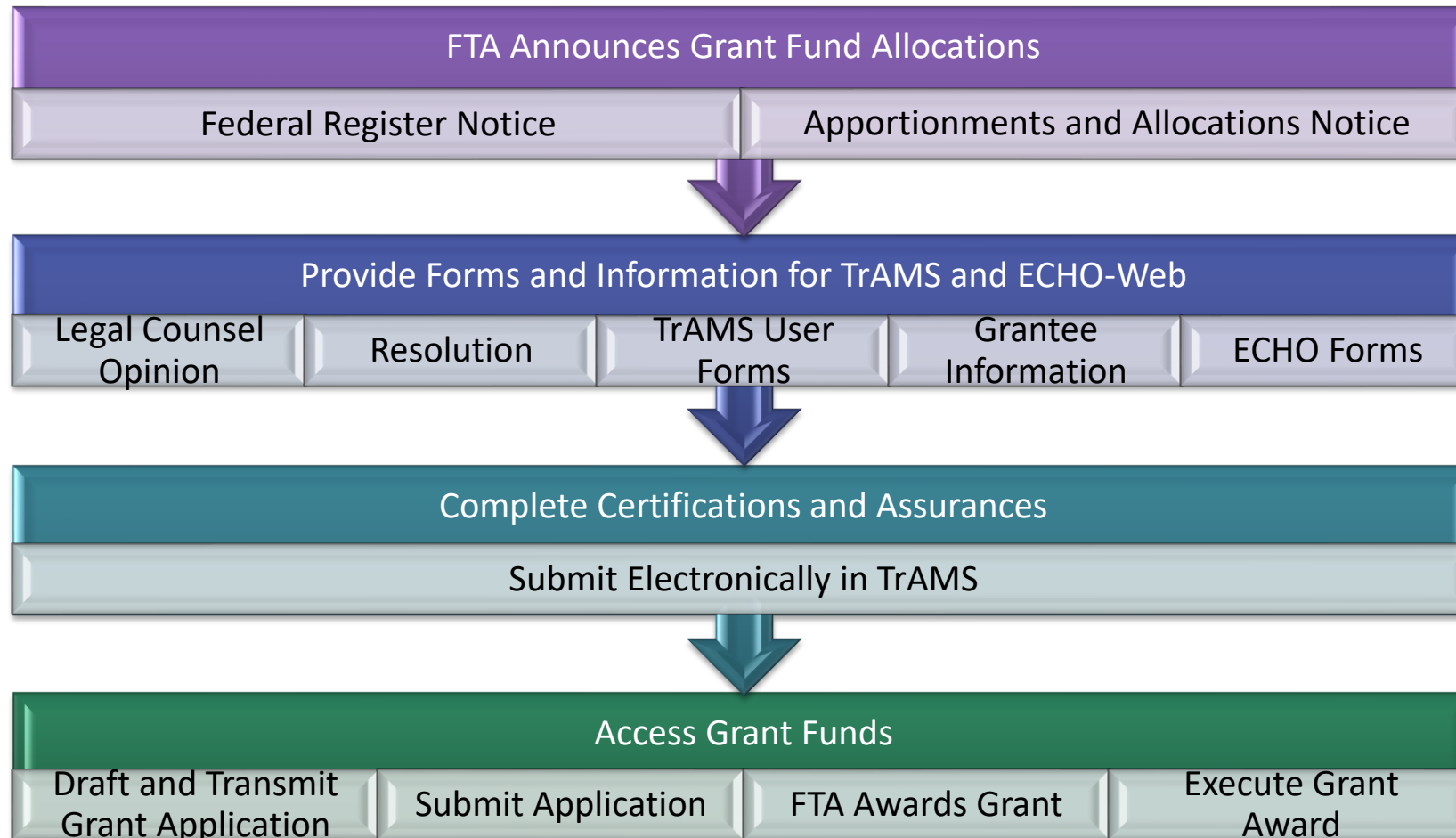
- The annual Certifications and Assurances for FTA grants and cooperative agreements
- Maintain access to TrAMS (Transit Award Management System) by submitting updates to the following forms, as needed:
  - TrAMS User Manager Form
  - Designation of Signature Authority forms for all users with signature authority for handling various functions in TrAMS
  - Once awards have been obligated by FTA, recipients must obtain access from FTA to the Electronic Clearing House Operation Web (ECHO-Web) to submit reimbursement requests to draw down FTA grant funds

# How to Access FTA Funds?





# Grantee Relationship with FTA



# Two Paths to Access FTA Funds: Getting Setup

Requirements to Access FTA Funding	Designated / Direct Recipient (including Tribes)	Subrecipient to State DOT
Basic Information including Universal Entity Identification Number (UEI)	Must Provide to FTA	State DOT is responsible for meeting all FTA requirements
Authorizing Resolution		
User Manager, Designation of Signature Authority Forms for TrAMS		
Opinion of Counsel		
ECHO-Web Forms (to set up for financial disbursement)		



# Two Paths to Access FTA Funds: Getting Setup (cont'd)

Requirements to Access FTA Funding	Designated / Direct Recipient (Including Tribes)	Subrecipient to State DOT
Required Civil Rights Programs (DBE, Title VI, ADA)	Must Provide to FTA  (If a Native Village or Tribe these programs are NOT submitted to FTA for TTP Funding)	State DOT is responsible for meeting all FTA requirements
Annual Certifications and Assurances	Must Provide to FTA	

# How to Access FTA Funds: Grant Development

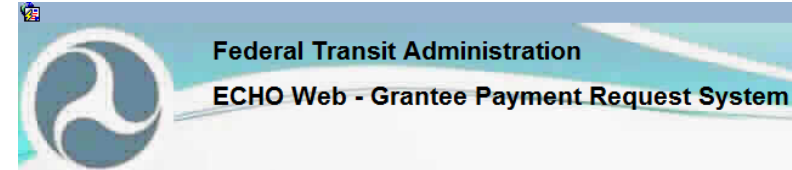
Requirements to Access FTA Funding	Designated / Direct Recipient (Including Tribes)	Subrecipient to State DOT
Draft Grant Agreement in TrAMS	Must Work Directly with FTA	State DOT is responsible for meeting all FTA requirements
Address all FTA Comments		
PIN to Submit		
Initial Federal Financial Report (FFR)		
PIN to Execute		

# How to Access FTA Funds: FTA Systems

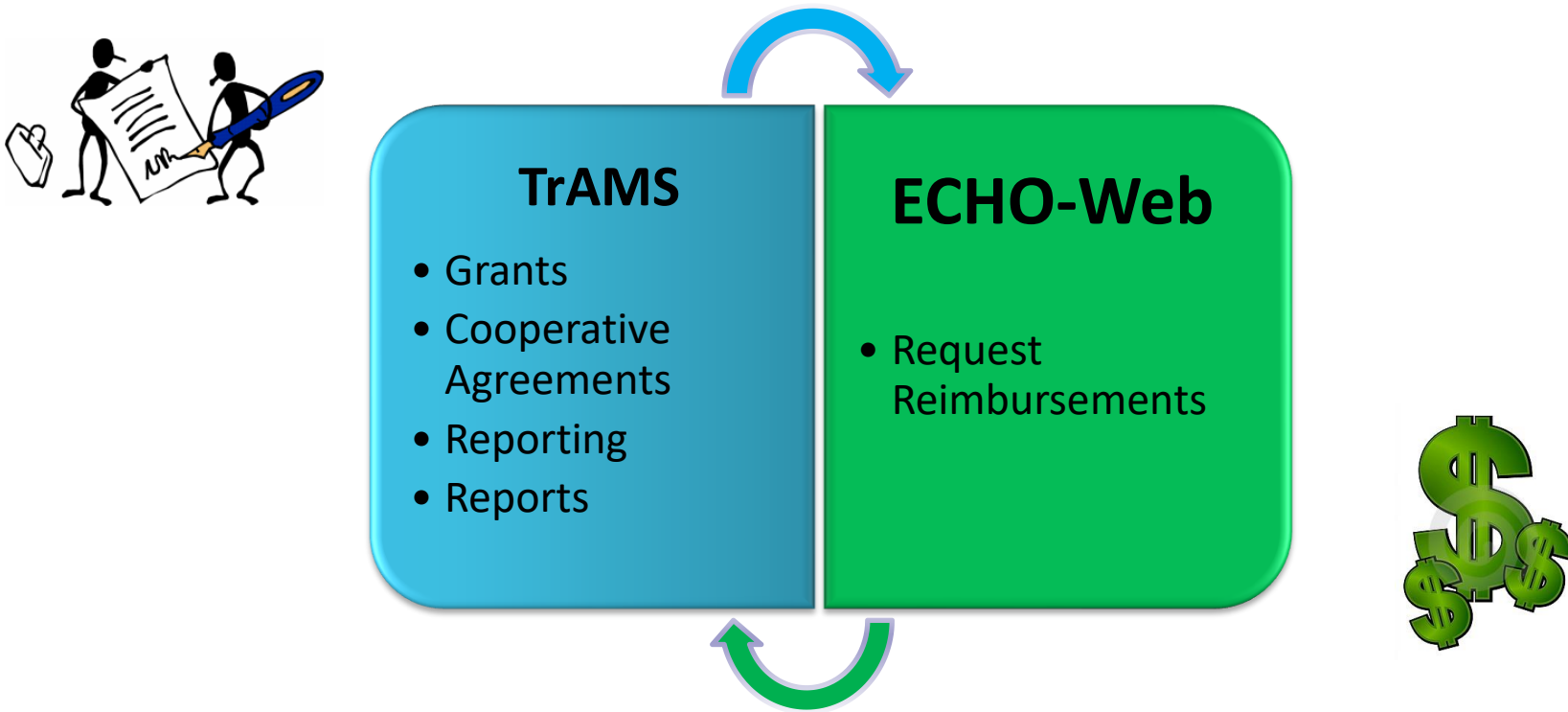
Transit Award Management System  
or TrAMS (System of Record)



Electronic Clearinghouse Operation  
or ECHO-Web (Financial System)



# How to Access FTA Funds: FTA Systems (cont'd)



# How to Access FTA Funds: Post Award

Cross-Cutting Program Compliance with FTA*	Designated / Direct Recipient (including Tribes)	Subrecipient to State DOT
Complete Federal Financial Reports (FFR) and Milestone Progress Reports (MPR)	Submit to FTA	Submit to State DOT
National Transit Database (NTD) Reporting		
Federal Funding Accountability and Transparency Act (FFATA) Subaward Reporting		
Oversight / Compliance Reviews (Triennial Reviews, State Management Review, Financial Management Oversight Review, etc.)		
Special Programmatic Reporting		

\* This is not an exhaustive list for general requirements

# How to Access FTA Funds: Reimbursement

## Once the Grant Award is Executed

- Funds can be accessed in ECHO-Web for reimbursement of eligible costs incurred
- Annual reporting and other grants management activities are completed in the TrAMS





# Common Pitfalls

I received an award letter, how do I get access to the funds?

- All formula and competitive funding must be included in an executed FTA grant agreement before funds are available for drawdown

When can I drawdown the FTA funds?

- Grantees must incur eligible project costs or meet the requirements of the three-day rule before making a drawdown

When can I start my project?

- A Federally funded project must meet the following requirements:
  - Planning (depending upon funding program) including TIP,
  - Environmental Review



# Common Pitfalls (cont'd)

I need to complete the annual Certifications and Assurances; how do I get my Chairman and Attorney into TrAMS?

- Signature authority roles in TrAMS (Submitter, Official, and Attorney) require the following documentation:
  - Authorizing Resolution identifying the positions that have signature authority
  - Delegation of Signature Authority assigning a person to the role identified in the Authorizing Resolution



# Certifications & Assurances (TrAMS)

- The Certifications must be PINNED in TrAMS by both the official for the agency and the attorney, in their respective areas
- It is no longer adequate to have someone other than the attorney PIN and just upload a C&A document that is signed by the attorney
- **If the attorney cannot PIN, they need to upload a justification why the attorney cannot PIN in TrAMS, along with the signed C&A document with the attorney signature**
- There are no pre-approved justifications or a template for the justification - It should not be a long document, just a statement as to what is the justification why the attorney cannot PIN in TrAMS.



# Civil Rights Title VI Report for Recipients

## For Title VI:

- Direct recipient of ONLY Tribal Transit Program funds – Exempt from Title VI program submission
- Direct recipient of other Public FTA funds (Section 5310, 5311, 5339, etc.) – Required to submit program to FTA only. Not required to submit to state for oversight
- Subrecipient of other Public FTA funds (Section 5310, 5311, 5339, etc.) – Required and must submit to state for oversight

# Build America Buy America Act (BABA)

- On April 18, 2022, OMB issued initial [guidance](#) on implementation of the Build America, Buy America Act (BABA), which was enacted as Title IX of the Infrastructure Investment and Jobs Act, Pub. L. 117-58
- Federal agencies, including FTA, will begin implementing BABA on May 14, 2022
- DOT issued a transitional waiver with an effective date of May 14, 2022
- The transitional waiver will expire on **November 10, 2022**, 180 days from the effective date
- The transitional waiver is intended to strengthen [Made in America processes](#) and provide for enhanced enforcement over time



# BABA – Construction Materials

- The OMB Initial Implementation Guidance contains a preliminary list of construction materials that includes:
- [A]n article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives —that is or consists primarily of:
  - non-ferrous metals;
  - plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
  - glass (including optic glass);
  - lumber; or
  - drywall
- The OMB RFI states that it “seeks input on whether to refine this list, and requests input on specific materials or products or categories of materials or products that should be added, removed, or clarified, as well as advice on how to distinguish construction materials from manufactured products.”



## Price adjustments allowed for existing Federally-funded contracts where permissible

- All recipients should take every reasonable measure to control costs and be good stewards of Federal dollars wherever possible
- The applicable Federal requirements on adjusting existing contracts are contained in the OMB Uniform Guidance (codified at 2 CFR Part 200)
- In certain circumstances, the OMB Uniform Guidance permits the parties to an existing federally-funded contract to modify the contract for several reasons, including price adjustments
- When permitted to modify a contract, FTA recipients are responsible, in accordance with good administrative practice and sound business judgment
- Whether a particular modification is permissible—and what Federal requirements apply—will depend on a variety of factors, including the terms and conditions of that contract (e.g., change clauses, Producer Price Index adjustment clauses, and Consumer Price Index adjustment clauses); applicable state, local, or tribal procurement law; the terms of a price adjustment; and the scope of the contract modification.



# Resources and Technical Assistance

- FTA Regional Offices
- FTA Office of Program Management
- National Rural Transit Assistance Program (NRTAP)
- Community Transportation Association of America (CTAA)
- Transportation Research Board (TRB)
- Transit Cooperative Research Program (TCRP)
- ***Subscribe to FTA Email Updates!***  
<https://public.govdelivery.com/accounts/USDOTFTA/subscriber/new>



# Bipartisan Infrastructure Law - Information

- <https://www.transit.dot.gov/BIL>
- FTA BIL Program Fact Sheets for existing and new programs; funding levels
- Sign up to receive email updates
- Webinars
- Town Hall meetings
- Storytelling
- Region 9 Webinar & Listening Session



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FEDERAL TRANSIT ADMINISTRATION