

FTA

FEDERAL TRANSIT ADMINISTRATION

FTA Region IV General Managers Webinar August 29, 2012

Yvette Taylor, Ph.D.
Regional Administrator



U.S. Department of Transportation
Federal Transit Administration

Agenda

- Organizational Updates
- MAP-21
- Planning & Program Development Updates
- Program Management & Oversight Updates
- Legal Updates
- Civil Rights Updates
- Questions and Answers

Organizational Updates

- Regional Departures

- David Powell
- Jimmy Moore
- Frank Billue
- Darreyl Davis
- Brian Smart
- David Schilling

*Francis Alomia, Ted Schmidt

Organizational Updates

- Regional Arrivals
 - Jennifer Hibbert
 - Jennifer Boyer
 - Carlos Gonzalez
 - Cedric McKitt (MARTA)
 - Richelle Gosman
 - Lauren Pessoa
 - Dale Youngkin

Organizational Updates

- Re-Assignments
- See Geographic Assignments

http://www.fta.dot.gov/documents/Geographic_Assignments_2012-07.pdf



U.S. Department of Transportation Federal Transit Administration Region IV Organizational Chart



Regional Administrator
Yvette G. Taylor, Ph.D.

Regional Counsel
Erica Matos

Civil Rights Officer
Carlos Gonzalez

Director
Office of Oversight & Program Management
Dudley Whyte

General Engineers
Chris White
Maggie Sandberg
Jessica Granell, Ph.D.
Guanying Lei
Janice Abaray
Ted Schmidt (ARRA)

Transportation Program Specialists
Dee Johnson
David Mucher

Program Analyst
Rhonda King

Dwight Hill, Contractor
Cedric McKitt, MARTA Detailee

Student Interns
Lauren Pessoa

Deputy
Regional Administrator
Tom Thomson
Program Specialist
Dee Foster
Administrative Officer
Fredaricka Tolen
Student Intern
Jennifer Boyer

States Program Team
Andres Ramirez
(Rotational Team Leader)
Community Planner

Holly Peterson
Community Planner

Robert Buckley
Community Planner

Valencia Williams
Community Planner

Director
Office of Planning & Program Development
Jennifer Hibbert

Community Planners
Myra Immings
Elizabeth Martin
Abigail Rivera
Parris Orr
Keith Melton
Tajsha LaShore
Valencia Williams

Transportation Program Specialists
Francis Alomia (ARRA)
Marie Lopez

Environmental Program Specialists
Brian Smart (ARRA)
Dale Youngkin

Student Intern
Richelle Gosman

MAP-21

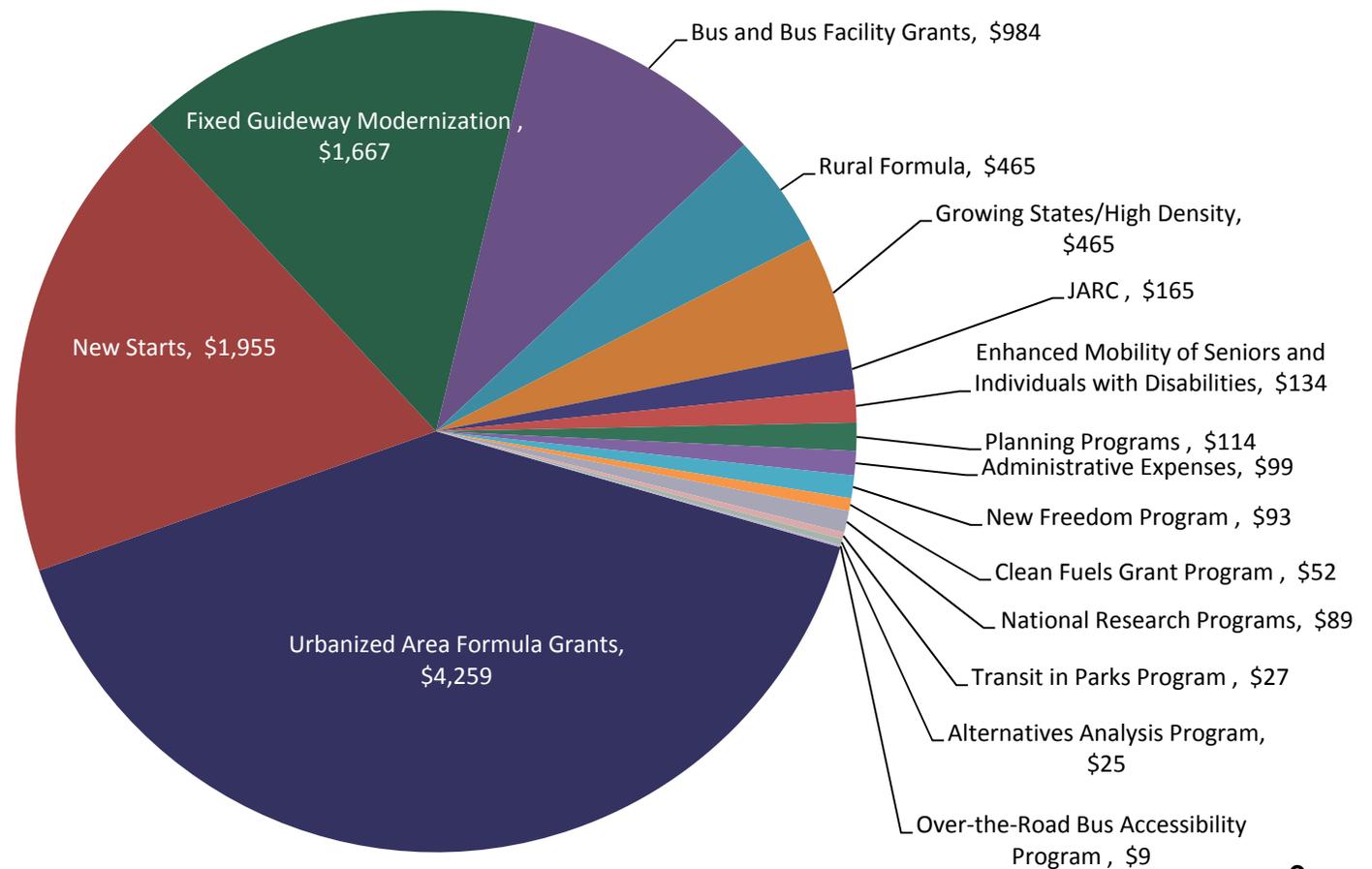
- What is MAP-21?
- What does it mean for FTA grantees?
- Highlights of new and consolidated program changes

Moving Ahead for Progress in the 21st Century Act (MAP-21)

- Signed into law by President Obama on July 6, 2012
- Extends current law (SAFETEA-LU) through September 30, 2012
- Goes into full effect October 1, 2012
- Authorizes programs for two years, through September 30, 2014

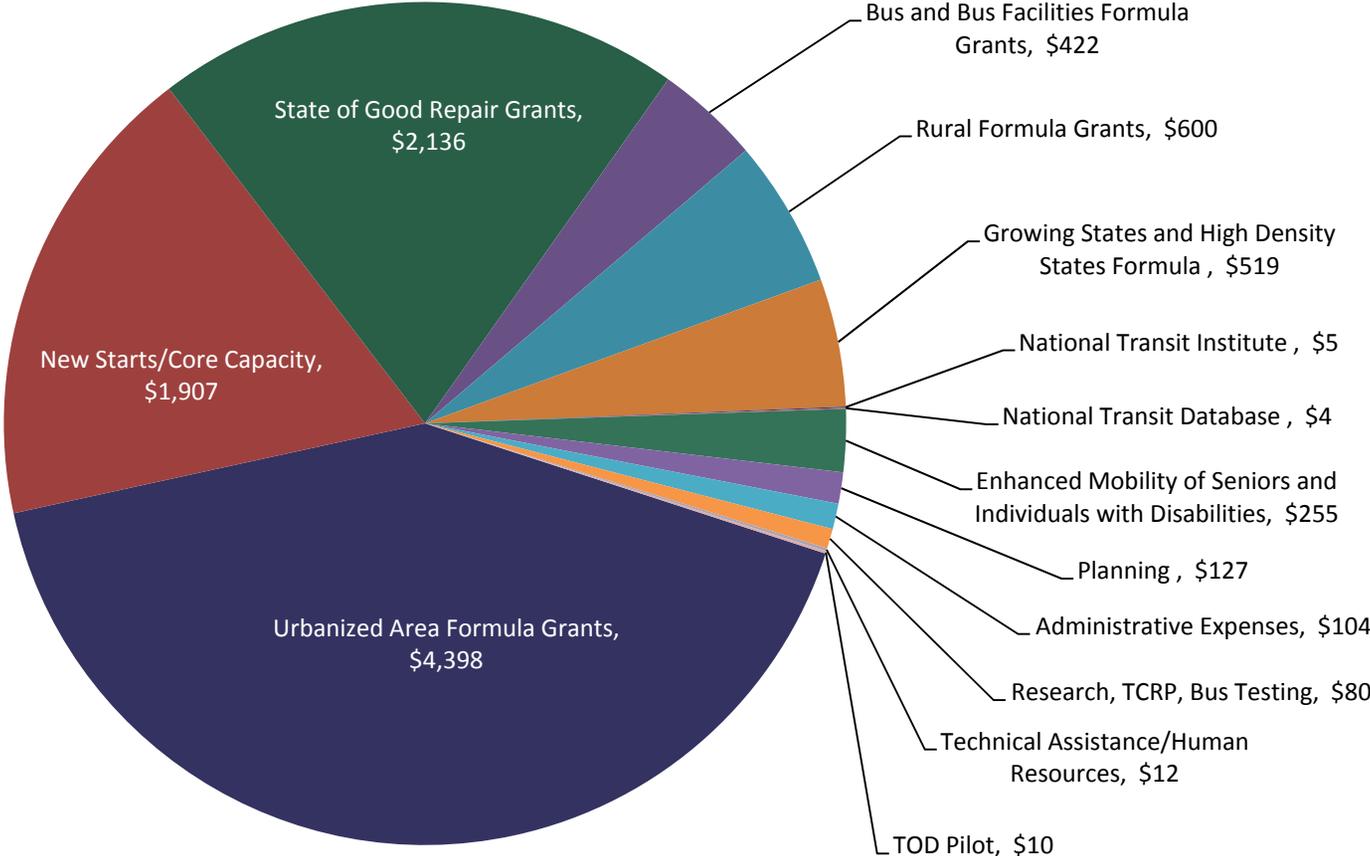
Current Authorized Funding

FY 2012 Authorized Funding = \$10.458 Billion



MAP-21 Authorized Funding

FY 2013 Authorized Funding = \$10.578 Billion



Highlights of Program Changes

New

- Safety Authority (5329)
- State of Good Repair Grants (5337)
- Asset Management (5326)
- Bus and Bus Facilities Formula Grants (5339)
- Public Transportation Emergency Relief (5324)
- TOD Planning Pilot Grants (20005(b) of MAP-21)

Repealed

- Clean Fuels Grants (5308)
- Job Access and Reverse Commute (5316) [JARC]
- New Freedom Program (5317)
- Paul S. Sarbanes Transit in the Parks (5320)
- Alternatives Analysis (5339)
- Over-the-Road Bus (Sec. 3038 – TEA-21)

Consolidated

- Urbanized Area Formula Grants (5307) [JARC]
- Enhanced Mobility of Seniors and Individuals with Disabilities (5310) [New Freedom]
- Rural Area Formula Grants (5311)[JARC]

Modified

- Fixed Guideway Capital Investment Grants (5309)
- Metropolitan and Statewide Planning (5303 & 5304)
- Research, Development, Demonstration, and Deployment (5312)
- Technical Assistance and Standards (5314)
- Human Resources and Training (5322)

What MAP-21 Means for FTA Grantees

- Steady and predictable funding
- Consolidates certain transit programs to improve their efficiency
- Targeted funding increases particularly for improving the state of good repair
- New reporting requirements
- Requires performance measures for SGR, planning, and safety

Safety Program

- FTA granted new Public Transportation Safety Authority
- Provides additional authority to set minimum safety standards, conduct investigations, audits, and examinations
- Overhauls State Safety Oversight
- New safety requirements for all recipients

State of Good Repair (SGR) Grants

- Provides formula based funding to maintain public transportation systems in a “state of good repair”
- Funding limited to fixed guideway investments (essentially replaces 5309 Fixed Guideway program)
- Defines eligible recapitalization and restoration activities
- New formula comprises: (1) former Fixed Guideway formula; (2) new service-based formula; (3) new formula for buses on HOV lanes
- Funding: \$2.1 billion (FY 2013) authorized

Transit Asset Management Provisions

- FTA must define “state of good repair” and develop performance measures based on that definition
- Establishes National Transit Asset Management system
- All transit agencies must develop their own asset management plan; covers all transit modes

Bus and Bus Facilities Formula Program

- Provides capital funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus related facilities
- Replaces discretionary bus program
- Funding: \$420 million (FY 2013) authorized

Public Transportation Emergency Relief

- Assists States & public transportation systems with emergency related expenses
- Pays for protecting, repairing, or replacing equipment and facilities that are danger of failure or have suffered serious damage as a result of an emergency
- Funding: As appropriated by Congress

TOD Planning Pilot

- Creates a discretionary pilot program for Transit Oriented Development planning grants
- Eligible projects are related to fixed guideway or core capacity projects as defined in section 5309
- Funding: \$10 million (FY 2013) authorized

Urbanized Area Formula Grants

- Funds capital, planning, plus JARC-eligible activities
- Creates new discretionary ferries grants
- New takedown for safety oversight
- Funding: \$4.8 billion (FY 2013) authorized (including funds from the 5340 formula)

Enhanced Mobility of Seniors and Individuals with Disabilities

- Consolidates current 5310 and New Freedom program eligibilities into single formula program
- Requires FTA to establish performance measures
- Funding: \$255 million (FY 2013) authorized

Rural Area Formula Grants

- Provides funding to States for the purpose of supporting public transportation in rural areas
- Incorporates JARC-eligible activities
- Establishes \$5 million discretionary and \$25 million formula Tribal grant program
- Establishes \$20 million Appalachian Development Public Transportation formula tier
- Funding: \$630 million (FY 2013) authorized (including funds from the 5340 formula)

Fixed Guideway Capital Investment Grants

- Modifies New Starts and Small Starts project approvals by consolidating phases and permitting streamlined review in certain circumstances
- Core Capacity: New eligibility for projects that expand the core capacity of major transit corridors
- Funding: \$1.9 billion (FY 2013) General Fund Authorization

Metropolitan and Statewide Planning Program

- Requires All MPOs to include transit agency officials in their governing structures
- Requires states, transit agencies, and MPOs to establish performance targets; and establishes a national performance measurement system
- Funding: \$127 million (FY 2013) authorized

Research, Development, Demonstration, and Deployment

- Separates research from technical assistance, training and workforce development
- Creates a competitive deployment program dedicated to the acquisition of low or no emission vehicles and related equipment, and related facilities
- Funding: \$89 million (FY 2013) General Fund Authorization

Technical Assistance and Standards

- Provides competitive funding for technical assistance activities
- Allows FTA to development voluntary standards and best practices
- Funding: \$7 million (FY 2013) General Fund authorization

Human Resources and Training

- Provides competitive grant program for workforce development
- Funding: \$5 million/year General Fund authorization
- Continues the National Transit Institute, but only through a competitive selection process
 - Funded with separate \$5 million/year Trust Fund authorization

Other Notable Provisions

- Buy America: Requires Annual Report to Congress on any transit waivers
- Veterans Preference: Includes preference language for transit construction projects
- Privatization: Includes several provisions for promoting private sector participation
- Bus Testing: Establishes performance standards and “Pass/Fail” requirements for new model buses
 - Including safety performance standards

FTA MAP-21 Website

www.fta.dot.gov/map21

U.S. Department of Transportation
Federal Transit Administration

Newsroom Grants Legislation & Law About FTA Civil Rights Search Advanced Search

MAP-21

Moving Ahead for Progress in the 21st Century
Transforming the Way we Build, Manage, and Maintain our Nation's Transit Systems

Visit this website often for information on FTA's implementation of MAP-21, including program information and guidance for grantees.

Sign up for email updates on this topic.

FTA

FEDERAL TRANSIT ADMINISTRATION

Discretionary Programs

- Program Announcements and Awards
 - FY 2012 Paul S. Sarbanes Transit in Parks Program
 - Discretionary Funding Awards
- Program Specific Guidance
 - Veterans Transportation and Community Living Initiative

Discretionary Programs

Discretionary Program	Available Amount (in millions)	FRN publication Date
State of Good Repair	\$651	8/14/2012
Bus and Bus Facilities Livability	\$135	8/14/2012
Alternative Analysis	\$25	Expected early fall
Clean Fuels	\$51.50	Expected Sep
Veterna's Initiative	\$25	7/25/2012
Tribal Transit	\$15	Expected early fall
Over-the-Road Bus	\$8.80	Expected early fall
TIGER FY2012	\$500	Announced
Transit in Parks (Paul. Sarbanes)	\$12	Expected late fall

Discretionary Programs

- Application deadline:
 - FY 2012 Paul S. Sarbanes Transit in Parks Program
 - Notice of Funding Availability (NOFA) 8/28/2012
 - Approximately \$12 million will be available
 - Deadline: September 28th 2012 no later than 11:59 pm
 - Completed applications must be received online by Grants.gov
- Application deadline closed and currently under review:
 - Announcement Expected early fall
 - Alternative Analysis
 - Clean Fuels
 - Tribal transit
 - Over the Road

Discretionary Programs

- Discretionary funding Nationwide vs. Region 4

		AA	Bus Livability	Clean Fuels	SGR	TIGER 2	TIGGER 2	Tribal	Urban Circulator
2010	Nationwide	\$25.7 M	\$162.6 M	\$81 M	\$776.4 M	\$600 M	\$75 M	\$15 M	\$130 M
	Region IV	\$4.7 M	\$17.8 M	\$13.1 M	\$94.4 M	\$58 M	\$8.8 M	\$ 368 K	\$24.9 M

		AA	Bus Livability	Clean Fuels	SGR	TIGER 3	TIGGER 3	Tribal	VTCLI
2011	Nationwide	\$25M	\$150 M	\$51.5M	\$750 M	\$511 M	\$49.9 M	\$15 M	\$30 M
	Region IV	\$4.9 M	\$17.6 M	\$6.9 M	\$82.7 M	\$18 M	\$12.3 M	\$881 K	\$9.3 M

		AA	Bus Livability	Clean Fuels	SGR	TIGER 4	Tribal	VTCLI
2012	Nationwide	\$25 M	\$125 M	\$51.5 M	\$650 M	\$500 M	\$15 M	\$29 M
	Region IV	Late Summer	\$15.8M	Late Summer	\$63.6 M	\$18 M	Fall	\$3.9 M

Discretionary Programs

Veterans Transportation and Community Living Initiative

- **Eligible applicants:**
 - Direct Recipients under FTA's Section 5307
 - Local governments, States, and Indian Tribes.
- **Eligible subrecipients include:**
 - Public agencies, private non-profit organizations, including VSOs and MSOs, and private providers engaged in public transportation.
- **Cost Sharing or Matching:**
 - 80/20, unless the grantee requests a lower Federal share.

Discretionary Programs

Veterans Transportation and Community Living Initiative

- **Pre-award authority:**
 - There is no blanket pre-award authority
- **Awards 5309 and 5312:**
 - 5309 and 5312 awards cannot be combined into one grant
 - Each award has a distinct Project ID Number
 - 5309: “BUSP” ID Number
 - 5312: “NATR” ID Number
- **Timeline**
 - By Aug 15 – Make contact with Regional Office
 - Oct 2012 – Verify Certs & Assurances, Civil Rights, etc. up to date
 - Dec 2012 – Submit draft TEAM application to Region for review
 - OBLIGATION GOAL: March 30, 2013

Discretionary Programs

Veterans Transportation and Community Living Initiative

- **Eligible 5309 Expenses:**

- Hardware (Computers, Servers)
- In-Vehicle Technology
- Software
- Other Capital Costs
- Facility-Related Capital (Purchase, Lease, Alteration)
- Design & Engineering
- Project Administration (Up to 10% of Costs)

- **Ineligible 5309 Expenses:**

- Vehicle Acquisition
- Preventive Maintenance
- Mobility Management
- Cost of Operating One-Call Center
- Marketing
- Non-capital training
- Finance capital costs of implementing, expanding, or increasing access to local One-Call/One-Click Transportation Resource Centers

Discretionary Programs

Veterans Transportation and Community Living Initiative

- **Eligible 5312 Expenses**

- Marketing
- Outreach
- Coordinated Planning
- Performance Measurement
- Other support activities instrumental to implementing One-Call/One-Click project

- **Ineligible 5312 Expenses**

- Cost of operating One-Call Center
- Marketing, outreach activities not related to One-Call/One-Click Capital project

Office of Planning and Program Development Updates

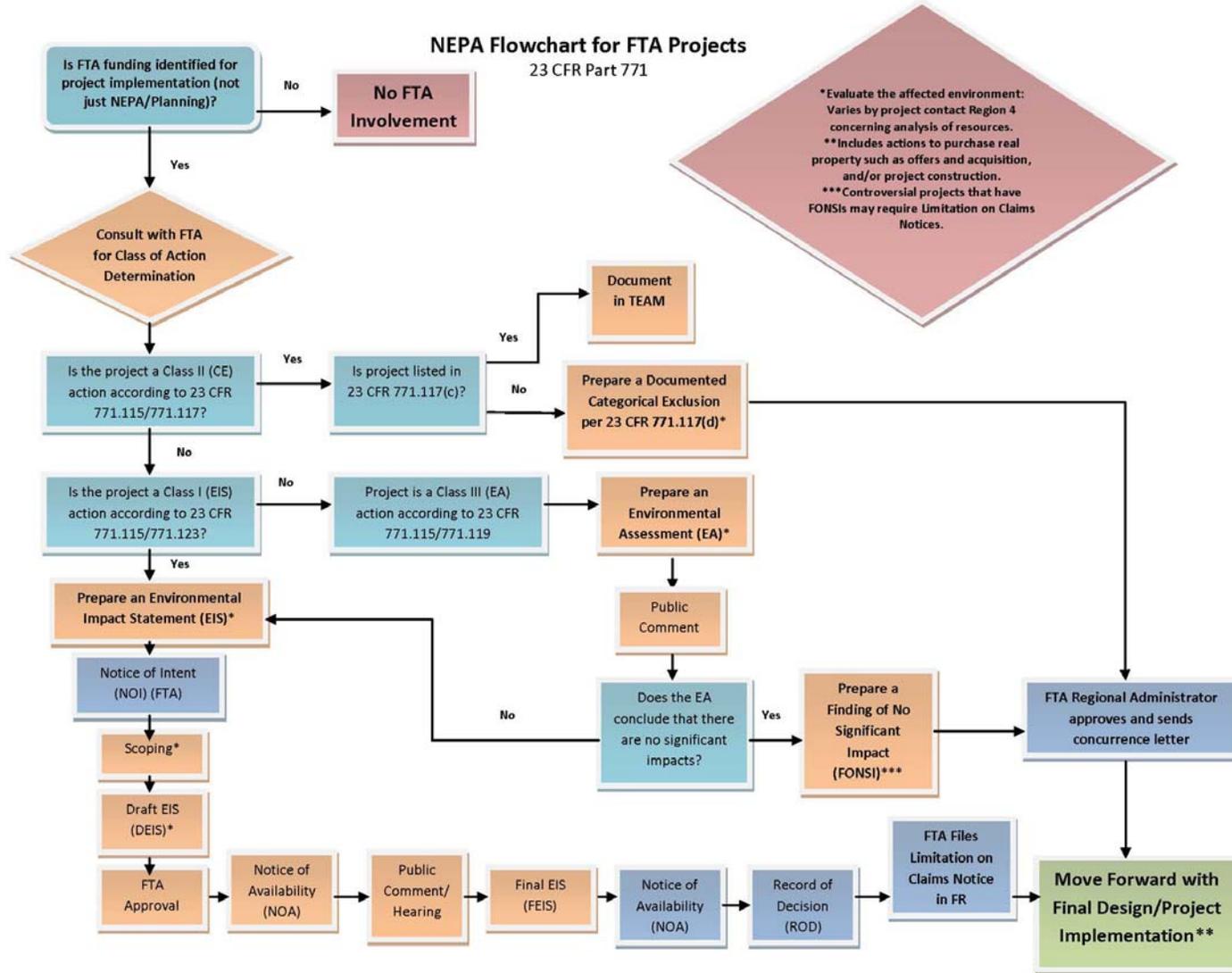
- Policy Updates
 - Environmental Updates/NEPA Flow Chart
 - Zero Dollar Amendments
 - Fuel Provision
- Grant Application
 - Remaining Grant Application Deadlines and Reminders
 - Team Training
- FY2012/13 Planning Initiatives
 - Performance-Based Planning
- 2010 Census

Office of Planning and Program Development Updates

Environmental Updates & Reminders

- NEPA Flowchart
- Section 106 Consultation
- Section 4(f)
- NEPA Class of Action Determination

NEPA Updates



NEPA Updates

Environmental Updates & Reminders

- Section 106 consultation is required for all projects regardless of the scope.
- Region IV's new Section 106 Checklist found on Region IV website.
- FTA initiates Section 106 consultation (36 CFR 800.3).
- Items to be sent to Community Planner/EPS:
 - Project Location Map
 - Project Description
 - Information about any known cultural resources within the project area

NEPA Updates

Environmental Updates & Reminders

- Section 4(f): historic properties; public parks; publicly owned recreation areas; and wildlife/waterfowl refuges.
- MUST demonstrate that there is no feasible and prudent alternative action to using Section 4(f) property.
- There is overlap with Section 106, but the SHPO has no say in Section 4(f) determination; SHPO must be notified in writing if an impact to historic properties will occur, however.

NEPA Updates

Environmental Updates & Reminders

- The NEPA class of action determination is made by FTA based on preliminary understanding of impacts (CE, DCE, EA or EIS).
- Anything involving a need for evaluating more than one build alternative cannot be a class of action that is less than an EA (No CEs or DCEs if there are 2 build alternatives).
- Current FTA/FHWA NEPA regulations at 23 CFR Part 771.
- FTA has proposed rulemaking to separate current CE list at 771.117 into an FTA only section at 771.118; list would also be expanded. No timeline yet for finalization of this rulemaking.

Office of Planning and Program Development Updates

Remaining Grant Application Deadlines

- Region IV grant deadlines have passed
- Discretionary grants
- September 21, 8PM – TEAM closes
- October 28 – Tentative TEAM re-open date

Office of Planning and Program Development Updates

FY 2012 Full Apportionment

- Full FY 2012 Apportionment published July 18
- SAFETEA-LU extended through end of FY 2012 –
at FY 2010 funding level
 - Approximately \$10.4B

http://www.fta.dot.gov/12308_14615.html

Office of Planning and Program Development Updates

- **Zero Dollar Amendments after Period of Availability**
- **Fuel Provision**
 - NOT additional funding
 - Allows fuel at 80/20
 - Funds must be obligated by September 30, 2012
 - Federal planning requirements will apply and require coordination with MPOs for programming of these funds for the correct purpose
 - Procurements with these 5307 funds must comply with Federal procurement requirements and include all applicable Federal procurement clauses.

<http://www.gpo.gov/fdsys/pkg/FR-2012-04-12/pdf/2012-8853.pdf>

Office of Planning and Program Development Updates

TEAM Annual Information Update

- Update Recipient Information Screens
 - General Tab – Ensure all information correct
 - Contact Persons
 - » Unions
 - » Civil Rights
 - » General Managers
 - » Grant Contacts, etc.
- Certifications and Assurances
 - PIN within 90 days – Can be finding in SMR or TR
- Specific Grant Recipient Contacts
 - Should make sure each grant has the appropriate POC and phone number listed.

Office of Planning and Program Development Updates

TEAM Training

- FTA Region IV is in the process of updating our TEAM Training for FY2012
 - Grant Development 201
 - Program Management 201
 - Basic TEAM Access and Navigation
- Program Management and Grant Development webinars will continue on a rotating, bi-monthly basis.

Office of Planning and Program Development Updates

Performance-Based Planning Initiative

- Per MAP-21, FTA is redefining its approach to administering the planning process.
 - More involved
 - Clearly define roles
 - More engaged partnership with FHWA, MPOs and transit agencies
 - Consistency across the regional offices

Office of Planning and Program Development Updates

Performance-Based Planning

- Goals of this Planning Initiative:
 - Improve FTA's participation in Planning Certification Review
 - Include transit operators on MPO board
 - Integrate Administration's priorities
 - New Title VI, EJ guidance
 - Asset Management, State of Good Repair
 - MPO Technical Capacity for Travel Demand Forecasting

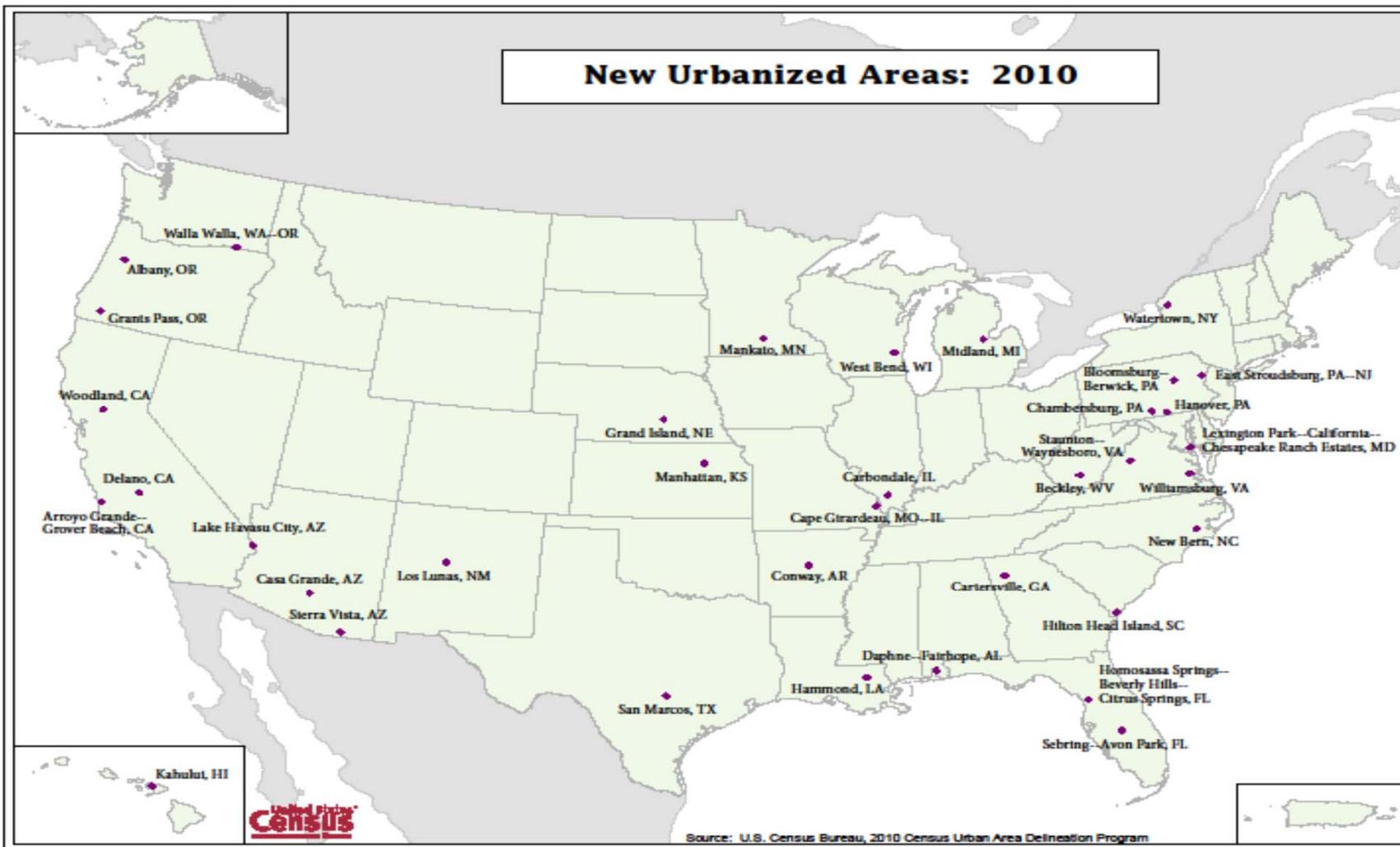
2010 Census

- On March 27, 2012, the Bureau of the Census released its list of Urbanized Areas (UZAs) based on data collected in the 2010 Census. This information is available at <http://www.census.gov/geo/www/ua/2010urbanruralclass.html>.
- The 2010 Census UZA delineations resulted in:
 - five UZAs going over the 1 million population threshold (Austin, Charlotte, Jacksonville, Memphis, and Salt Lake City);
 - one UZA going under the 1 million population threshold (New Orleans);
 - 27 UZAs going over the 200,000 population threshold;
 - 36 new UZAs, all under 200,000 in population; and
 - four areas that were UZAs based on the 2000 Census going under the 50,000 threshold that qualifies an area as a UZA in 2010 (Galveston, TX; Sandusky, OH; Danville, VA; and Saipan, MP).
- In July 2012, Region IV sent Census Outreach letters to Governors, MPOs, Transit Agencies, City and County Governments.

2010 Census

- FTA has also published a comparison of the 2000 and 2010 Census UZAs and their population at http://www.fta.dot.gov/grants/I2853_I2408.html.
- A matrix of how 2010 Census UZA changes will affect the eligible activities of and formula apportionments made to FTA grant recipients is also available at http://www.fta.dot.gov/grants/I2853_I2408.html.

New Urbanized Areas: 2010



Office of Oversight and Program Management Updates

- Oversight Updates
 - 2012 Scheduled Oversight Reviews
 - New 2013 TR Process
 - Recurring Issues
- Key Reminders
 - Oversight Reports
 - Inactive Grants
- ARRA Updates

Office of Oversight and Program Management Updates

2012 Schedule Oversight Review

- 41 Triennial Reviews in 2012
- 11 Procurement System Reviews
- 26 Financial Reviews
- 3 State Management Reviews

Office of Oversight and Program Management Updates

2013 NEW TRIENNIAL REVIEW

- More Streamlined Approach.
- Focus will be on the areas where Findings are most likely to occur (Financial, Procurement, ADA, Title VI, Technical, Maintenance).
- JTA (FL) and TARC (KY) were part of the FTA outreach.

Office of Oversight and Program Management Updates

RECURRING ISSUES

- Procurement – We still have a large number of findings that have resulted in reimbursements to the Federal Government.
- Buy America documentation not available.
- Protest Notifications.
- Notification of Change Orders and Claims.

Office of Oversight and Program Management Updates

RECURRING ISSUES

- High Number of Inactive grants
 - FTA has started to deobligate Inactive Grants

Office of Oversight and Program Management Updates

OVERSIGHT REPORTS

- All Oversight final reports are submitted the head of the Governing Board by FTA.

Office of Oversight and Program Management Updates

OVERSIGHT REMINDERS

- Continue submitting timely corrective actions on all oversight review findings.
- Advance projects or closeout inactive grants (more than 150 grants in this range).

ARRA Update

- September 2013--Waivers have been received from over 30 grantees.
- Over 125 ARRA grants remain open.
- Continue to close out grants by September 2013.
- 1512 reports are due quarterly.

Legal Update

- Lobbying Disclosure Requirements
- Buy America Waivers
- 2013 Certifications and Assurances

Legal Update

Lobbying Disclosure Responsibilities For Recipients

Two layers of reporting for recipients:

1. Annual Certifications and Assurances –

Recipients should keep in mind that each time they receive federal funds in excess of \$100,000, they certify that they no federal funds have been used for lobbying. This certification is made when the annual Certifications and Assurances are completed.

Legal Update

Lobbying Disclosure Responsibilities For Recipients

2. *Completion of Disclosure of Lobbying Activities (LLL) Form:*

Recipients that use non FTA funds for lobbying activities must submit the LLL Form to report the activities and to identify the parties performing the lobbying activities.

Legal Update

Frequently Asked Questions Regarding the LLL Form

Q: How often should recipients file the LLL Form?

A: The LLL Form should be filed as often as once per year, depending on whether their lobbying activities change materially.

Q: What is required if there is in fact a material change?

A: The recipient will need to file an additional LLL for that quarter.

Legal Update

Q: What are some examples of material changes?

A: Material changes include:

- a cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing/attempting to influence a federal action;
- a change in the persons/ persons influencing or attempting to influence a federal action;
- a change in the agency officers, employees or members of Congress, or their employees contacted to influence a covered federal action.

Legal Update

Penalty for Failure to File LLL Form

Penalty for a recipient failing to file the required lobbying report or using federal funds for lobbying are subject to:

- A civil money penalty (CMP) of not less than \$10,000 and not more than \$100,000 for each failure

Legal Update

- Buy America Waivers
- 2013 Certifications and Assurances

Civil Rights Update

- Policy Update
 - A new Title VI Circular published on 8/28/12.
 - EJ Circular Update
 - Proposed ADA Circular
- Reminders
 - Timely submission of plans

Civil Rights Update

- Title VI Circular published on 28 August 2012.
- Key Differences
 - System-wide standards and policies must be established.
 - Service change and disparate impact policies set
 - Service and fare equity analyses
 - Collect and report demographic data at least once every 5 years.
- Staggered implementation schedule.
- www.fta.dot.gov, “Legislation & Law” tab

Civil Rights Update

- Environmental Justice Circular published on 17 July 2012.
- Highlights:
 - Gives guidance on the implementation of EJ and integration into transportation
 - Recommended strategies and techniques for EJ populations
 - Guidance on incorporating EJ principles into Statewide, MPO and local transportation planning processes
 - Roadmap for incorporating EJ analysis into the NEPA process

Civil Rights Update

Contact Information

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Questions and Answers





Federal Transit
Administration
www.fta.dot.gov

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FEDERAL TRANSIT ADMINISTRATION