



FTA AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009



April 15, 2009





FTA and the Recovery Act

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Recovery Act: Purposes

- ARRA designed to stimulate the economy, preserve and create jobs, help state and local faltering economies
 - **Recovery**
 - Maintain and create jobs
 - Infuse cash into cash strapped state and local economies
 - **Reinvest**
 - Build and repair infrastructure
- ARRA fundamentals:
 - Responsibility
 - Accountability
 - Transparency
- FTA must ensure purposes and goals are met



Recovery Act Transit Funding

Program	Amount	Purpose
Urbanized Area Formula (Inc sec 5340)	\$5.97 B	Capital only
Non-Urbanized Area Formula (Inc sec 5340)	\$760 M	Capital only
Fixed Guideway Modernization Formula	\$742 M	Capital only
New Starts / Small Starts	\$742 M	Discretionary Capital only
Energy Program (TIGGER) [new]	\$100 M	Discretionary Capital only
Tribal Transit	\$17 M	Discretionary Capital only
STP FUNDS MAY BE FLEXED		
TOTAL TRANSIT	\$8.4 B	

Note: Amounts are after takedown for Administration and Oversight



Recovery Act Transit Formula Funding

State	Amount
Alabama	46,459,047
Florida	316,196,713
Georgia	143,561,526
Kentucky	50,295,172
Mississippi	25,466,306
North Carolina	103,304,242
South Carolina	41,154,218
Tennessee	72,016,364
Virgin Islands	1,284,112
Total	799,737,700

Note: A State that contains a multi-state UZA will have the amount of formula funds for the UZA that is attributable to that State included in its apportioned funds.



Recovery Act: Formula Program Status

- Urbanized and Nonurbanized Formula
 - Federal Register NOFA Published March 5, 2009
 - Drop dead for urban applications: *July 1, 2009*
 - Capital only
- Fixed Guideway Modernization
 - Federal Register NOFA Published March 5, 2009
 - Drop dead for applications: *July 1, 2009*
 - Tier I – IV
 - Capital only



Recovery Act: Discretionary Program Status

- New Starts/Small Starts
 - Decisions pending
- Tribal Transit
 - NOFA published March 23, 2009
 - Applications due May 22, 2009
- Energy (TIGGER)
 - Interim NOFA published March 24, 2009
 - Comments due April 7, 2009
 - Webinar April 8, 2009
 - Applications due May 22, 2009



Key Provisions

- No waiver of FTA program requirements (Planning/NEPA/Buy America/Labor Protections)
- 100% Federal share, except New Starts
- Capital expenses only are eligible; Capital as defined in 49 U.S.C 5302(a)(1)
- Cannot mix Recovery Funds in same grant with any other funds
- Cannot replace funds currently obligated in an existing grant
- Can use funds to support existing projects, including a multi-phase project
- ARRA STP Funds can be flexed to transit
- Grant obligation deadlines apply



Key Provisions

- Projects intended for Recovery Act funding must meet the intent of the legislation, which is to:
 - To preserve and create jobs and promote economic recovery.
 - To assist those affected negatively by the recession.
 - To provide investments needed to increase economic efficiency by spurring technological advances.
 - To invest in transportation infrastructure that will provide long-term economic benefits.
 - To stabilize State and local government budgets, in order to minimize reductions in essential services and counterproductive State and local tax increases.



Recovery Act Grant Making

- FTA Objectives
 - Streamline grant reviews and concurrences
 - Eliminate duplicative reviews
 - Submit grant to DOL (earlier)
 - Guidance regarding level of detail



Recovery Act Grant Making

- Region IV Process
 - Develop Draft Application for eligible projects using template and draft language (See Friendly Reminders on website)
 - Complete project details, budget, realistic milestones
 - Contact Marie Lopez for ARRA Draft Grant Number and ARRA Review
 - Grant will be assigned to ARRA Reviewer who will review and enter comments in TEAM within 24 hours
 - Grantees asked to respond to comments within 24-48 hours
 - Early Submission to DOL
 - Concurrent Regional Reviews while at DOL



Recovery Act Grant Making

- TEAM IS OPEN FOR BUSINESS
- Projects must be in approved TIP/STIP; NEPA completed or completion imminent
 - May include estimated ARRA funding for fiscal constraint purposes in TIP/STIP
 - May advance project schedules within TIP/STIP “administratively” without formal amendment
 - Must meet conformity requirements in non attainment and maintenance areas
- Work to refine project description and budgets for early submission to Dept. of Labor
- Identify procurement strategy



Recovery Act Grant Making: ARRA Certifications

- **ARRA Sec. 1201:**
 - Maintenance of Effort Certification
- **ARRA Sec. 1511:**
 - Project Vetting Certification
- **ARRA Sec. 1607:**
 - Accepting Funds and Responsibility



Recovery Act Grant Making: Conditions of Award

- **Submission of Certifications and Assurances**
 - The certifications and assurances must be submitted before grant award, but can be submitted after the grant receives an official number and is sent for DOL certification.
 - A grantee that has already submitted a FY 2009 Certifications and Assurances does not need to resubmit these assurances.
- ARRA grants are subject to special grant conditions (“conditions of award”) that must be included in the grants before grant award.



Recovery Act Grant Making: Application Stage

- ARRA grants should be developed using newly created Section codes in TEAM.
 - 96 – Urbanized Area Formula – Economic Recovery
 - 66 – STP Urbanized Area Formula – Economic Recovery (FHWA Flex)
 - 86 – Nonurbanized Area Formula- Economic Recovery
 - 06 – STP Nonurbanized Area Formula – Economic Recovery (FHWA Flex)
 - 36 – New Start- Economic Recovery
 - 56 – Fixed Guideway – Economic Recovery



Recovery Act Grant Making: Application Stage

- **Part 1: Recipient Information**

- Enter all required information about the organization in the appropriate fields in TEAM
- Grantees are reminded that they must register with CCR. Currently, this information does not have to be included in TEAM, but it will be necessary for grantees to have a CCR id for reporting purposes.

- **Part 2: Project Information**

- Applicants should identify the project start/end date
- Program date (FTA approval of STIP amendment/modification.)
- Program Page: Enter STIP Page No. (ATTACH)
- Executive Order 12372 review date
- Grant project costs
- **Project /Grant Title** field
 - Field should include information that can be used to report the type of infrastructure investment such as: 25 Replacement Buses, Intermodal Terminal Construction, etc.
- Project Details/Project Description*



Recovery Act Grant Making: Application Stage

- **Project Details (Part 2: continued)**
 - Provide sufficient detail about project, including subrecipients and specific locations where the services will be provided
 - Recommend including how projects meet the intent of the legislation (e.g. # of jobs created, if known)
 - Reference other sources of funding (e.g. sister grants)
- **Part 3: Budget**
 - Provide basis for cost estimates
 - Identify procurement strategy
 - Comply with FTA Circular 4220.1F
- **Part 4. Milestones**
 - Minimum of 2 per activity
 - Realistic project schedule
- **Part 5. Environmental Findings**
- **Part 6: Fleet Status**
 - Useful life information



Recovery Act: Grant Submission

- **Application Submission.** Once FTA....
 - (1) deems the TEAM application template completed;
 - (2) determines the activities eligible;
 - (3) determines the budget complete and firm; and
 - (4) determines the environmental documentation submitted or submittal is imminent for applications requiring a FONSI or ROD, FTA will assign a grant number.

The grant is ready to be pinned and submitted in TEAM by the designated recipient/grantee.

As previously stated, ARRA grants may be submitted before the completion of all pre-application requirements such as: Civil Rights documentation, Planning, and NEPA review.



Recovery Act: Grant Submission to DOL

- **Certification of Labor Protective Arrangements**

- With the exception of the Transit Capital Assistance grants to nonurbanized areas or tribes, ARRA grants should be sent to DOL, as soon as,
 - the budget is confirmed
 - budget details are included in the grant, and
 - the application is officially submitted for processing
- Transit Capital Assistance grants for nonurbanized areas and tribes are covered by the special warranty provision and should be sent to DOL for information immediately before fund reservation and grant award.



Recovery Act: Grant Obligation /Award

- **Grant Obligation/Award**: Once FTA staff determines through a final review of the application:
 - FTA program requirements have been met;
 - Concurrences received;
 - ARRA special conditions are included;
 - Section 1511 certification is made (w/reference to transit and link to STIP where projects can be located) and posted to the DOT Recovery website;
 - FTA will reserve the funds, send grant to DOL for information (nonurbanized and tribal only), and obligate the grant.



Recovery Act: Grant Execution

- **Grant Execution:** After FTA has awarded the grant, the applicant must execute the award before funds can be drawn down from the grant.
 - Before executing ARRA grants, the grantee will be prompted to select both the rationale for the investment and the purpose of the investment from a menu of check boxes that have been established in the reservation screen.
 - TEAM will not allow the grant recipient to execute the grant without providing the information.
 - Direct recipients may require the Designated Recipient to sign/Pin the Supplemental Agreement
 - ARRA grants that include activities funded using pre-award authority will also require the submission of a Financial Status Report before grant execution.



Region IV Grant Statistics

- 2 Grants Obligated/Executed
 - KY Nonurbanized Areas
 - KY Small Urbanized areas
- 6 Grants Certified by DOL, but not yet obligated for outstanding issues
 - AL, FL, NC, KY, SC, TN
- 15 Draft Grants under review in the Region
 - GA, FL, NC, SC, TN, PR
- 12 Draft numbers assigned, but review not requested



Recovery Act Formula Program Key Dates

- **October 1, 2008:** Pre-award authority for Formula ARRA funds
- **March 5, 2009:** FTA published formula apportionments and program requirements in the Federal Register
- **May 29, 2009:** Region IV requests to have grant applications for urbanized areas*
- ***June 1, 2009: New Proposed Date from FTA***
- **July 1, 2009:** Drop dead date for applications in TEAM/submission to DOL— 5311 can be later
- **September 1:** Deadline to obligate one half of apportionment (180 Days from apportionment notice)



Recovery Act Formula Program Key Dates Cont'd

- **December 30, 2009:** Second deadline to submit applications in TEAM/submission to DOL
- **March 5, 2010:** Second deadline to obligate funds (365 days from apportionment notice)
- **September 30, 2010:** Unobligated funds revert to Treasury
- **September 30, 2015:** Last day obligated funds available for drawdown from the U.S. Treasury



Transit Investments for Greenhouse Gas & Energy Reduction

- \$100 Million in discretionary grants
- Grants to transit agencies for Capital Projects that either:
 - Reduce energy consumption, of the transit agency, or
 - Reduce greenhouse gas emissions of the transit agency, or
 - Reduce both energy consumption and emissions
- 100% Federal Share unless an applicant requests a lower share.



Sample Projects



- Replacement of existing buses with more energy efficient buses (Hybrid, Fuel Cell)
- Re-powering of existing buses





Sample Projects

- Conversion to more efficient control technology vehicles (DC to AC)
- Construction or rehabilitation of transit system facilities





Eligible Recipients/Applicants

Recipients: Public transportation agencies only

Applicants: Public transportation agencies, or consolidated proposals submitted on behalf of transit agencies by designated recipients, Metropolitan Planning Organizations, State Transit Associations, Transportation Management Associations or State Departments of Transportation.

Grants will be awarded for particular projects directly to public transportation agencies.





Proposal Amounts

- Each submitted proposal must request a minimum of \$2M.
- FTA will allow consolidated proposals from several transit agencies together to reach this \$2M threshold
- Individual projects within a consolidated proposal may receive less than \$2M.
- To ensure a variety of projects are funded, FTA has established a maximum grant amount of \$25M.





Eligible Expenses

- Capital Expenses as defined in 49 U.S.C 5302(a)(1)
- Projects that will assist in the reduction of energy use or GHG emissions
- Excludes fleet expansions and fixed guideway extensions





ARRA Multimodal Discretionary Program

- Capital investments in surface transportation infrastructure
- \$1.5 billion competitive grant program
- Projects with significant impact on Nation, metro area or region
- Grant awards: \$20 m to \$300 m
- Up to 100% Federal share



ARRA Multimodal Discretionary Program

- Eligible Projects
 - Highway or bridge projects (Title 23)
 - Public transportation projects (Title 49)
 - Public transportation projects, including investments in New Starts or Small Starts projects
 - Passenger and freight rail projects
 - Port infrastructure investments
 - Projects that connect ports to other modes of transportation



ARRA Multimodal Discretionary Program

- Considerations
 - Equitable geographic distribution of funds
 - Balance needs of urban and rural communities
 - Up to \$200 million to pay federal credit assistance subsidy costs
 - Priority Projects
 - Projects that need Federal funds to complete financing package - “gap funding”
 - Projects expected to be completed within 3 years



ARRA Multimodal Discretionary Program

- Statutory Schedule (Days after 2/17/09)

<i>No later than</i>	
90 days	Publish Criteria in Federal Register
180 days	Applications Submitted
360 days	Announce projects to be funded



Reporting and Certifications

- High interest in progress and status of ARRA from all fronts
- Transparency: 1512 and other reports posted on Recovery.Gov, available to general public
- Congressional interest in additional reporting (Oberstar/DeFazio letter)
- IG/GAO/CBO – audit and oversight



Audit and Oversight

- **GAO ARRA Visits**
 - Georgia
 - Florida
 - Mississippi
 - North Carolina
- **FTA Oversight Strategy and Reviews**



Round-Robin

- Have you conducted a statewide call for projects? Please describe your process.
- Have you amended or modified the STIP? Please describe your process.
- How is your State selecting projects?
- What types of projects is the State expecting to fund?
- Share Best Practices or Initiatives in your State



QUESTIONS?



Recovery Act

Certifications and Reporting



April 16, 2009





Overview

1. ARRA Certifications

- 1201
- 1511
- 1607

2. Status of Region IV Certifications

3. Reporting



ARRA Certifications

1. ARRA Sec. 1201:
 - Maintenance of Effort Certification
2. ARRA Sec. 1511:
 - Project Vetting Certification
3. ARRA Sec. 1607:
 - Accepting Funds and Responsibility



ARRA Certifications

- Secretary LaHood Letter to Governors – February 27, 2009
- ONE-DOT Certs – for FHWA and FTA
- Certifications Received are posted on www.dot.gov recovery site



Cert: ARRA Sec 1201- MOE

- Maintenance of effort of State funding for all modes of transportation
- Applies to funding planned from 2/17/09 through 9/30/2010
- ONE-DOT Certification required by March 19
- FY 2011 FHWA funding will be affected by failure to meet MOE for State funding



Cert: Sec. 1607 – Accepting the Funds

- S. 1607 –Governor accepts ARRA funds and will use them to create jobs and promote economic health
- Applies Government wide – all agencies and programs
- Due April 3, 2009
- Send copy to DOT
- Legislature may accept if Gov. declines ARRA funds



Cert: ARRA Sec 1511 – Project Vetting Cert

- ARRA – Projects have been vetted and are good investments of ARRA \$
- Gov't wide Requirement- must be received before award
- One State cert based on TIP/STIP Process sufficient for FTA/FHWA if it cites STIP and live link to STIP that includes/or will include transit projects
- FHWA/FTA projects must be listed in STIP with ARRA as funding source



Status of Region IV Certifications

- All 1201 and 1607 Certifications submitted
- 1511 Certifications posted: AL, GA, KY, MS, NC, PR, SC, TN, VI
 - 1511 certifications reference transit: AL, KY, MS, SC, VI
 - STIP/TIP live link to transit projects: AL, KY*, MS, SC**

*Only State with the ARRA transit projects modified and amended in the STIP

** Project lists for some transit projects found, but STIP amendments/mods not posted past 12-2008.



Reporting Requirements

- FTA Reporting Requirements
- ARRA Sec.1201(c)(2) DOT
- ARRA Sec. 1512
- ARRA Sec. 1609



FTA Reporting Requirements

- Quarterly FSR and MPR reports – Standard FTA Grants management reports
- All programs report quarterly
- Report due 10 days after end of each quarter, not usual 30, to support S. 1512 reporting requirement
- Specific ARRA data reporting



Reporting: Sec. 1201 (C)(2)

- DOT Requirement in ARRA – Periodic Reports
- Due to Congress 90 days, 180 days, 1 year, 2 years, and 3 years after enactment
- Requires financial and progress information at project level (sub-awards and contracts)
- DOT/FTA still working out logistics



Reporting: Sec. 1512

- Government-Wide requirement – starts 180 days after February 17
- OMB Announced first reports will be due October
- Quarterly Reports due starting 10 days after each quarter for grantee/30 days for DOT
- Detailed project/activity level information – including jobs data



Reporting: Sec. 1512 Reports (cont)

- OMB developing standard form and instructions (comments due 5/1)
- DOT/FTA still working out logistics
- FTA will use existing TEAM data to extent possible – but insufficient
- All Recipients, sub-recipients, and contractors under ARRA must have DUNS (www.dnb.com) and CCR (www.ccr.gov) registration



Reporting: Sec 1609 Report

- Report to Congress on status of NEPA compliance for ARRA projects
- FTA will use TEAM environmental findings to extent possible
- May require additional reporting from applicants/grantees
- First report has been submitted by FTA



FTA ARRA Websites

FTA Public Site

http://www.fta.dot.gov/index_9440.html

FTA Region IV Site

http://www.fta.dot.gov/regions/region4/regional_offices_9284.html



QUESTIONS?