



U.S. Department
of Transportation

**Federal Transit
Administration**

PROPOSED CIRCULAR

FTA C 8100.1C

DATE

**Subject: PROGRAM GUIDANCE FOR METROPOLITAN PLANNING AND STATE
PLANNING AND RESEARCH PROGRAM GRANTS**

1. PURPOSE. This circular is a re-issuance of program guidance and application instructions for applying for grants under the Metropolitan Planning Program (MPP) and the State Planning and Research Program (SPRP) authorized at 49 U.S.C. 5305.
2. CANCELLATION. This circular, when final, will cancel Federal Transit Administration (FTA) Circular 8100.1B, "Program Guidance and Application Instructions for Metropolitan Planning Grants," dated October 25, 1996, and revokes Circular 8200.1, "Program Guidance and Application Instructions for State Planning and Research Program Grants," dated December 27, 2001.
3. AUTHORITY.
 - a. Federal Transit Laws, Title 49, United States Code, Chapter 53.
 - b. 49 CFR 1.51.
4. WAIVER. FTA reserves the right to waive any provision of this circular to the extent permitted by Federal law or regulation.
5. FEDERAL REGISTER NOTICE. (This will be inserted when the final circular is adopted).
6. AMENDMENTS TO THE CIRCULAR. FTA reserves the right to amend this circular to update references to requirements contained in other revised or new guidance and regulations that undergo notice and comment procedures, without further notice and comment on this circular.
7. ACCESSIBLE FORMATS. This document is available in accessible formats upon request. Paper copies of this circular, as well as information regarding these accessible formats, may be obtained by calling FTA's Administrative Services Help Desk, at 202-366-4865. The Federal Relay Service (FRS) is a Government system to support individuals with hearing impairment. An operator trained to use the TTY System is available to assist those individuals who are hearing impaired. The FRS Toll Free Access Number is 1-800-877-8339.

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Administrator

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SECTION 5305 PROGRAM CIRCULAR

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CHAPTER I

INTRODUCTION AND BACKGROUND

1. THE FEDERAL TRANSIT ADMINISTRATION (FTA). FTA is one of ten operating administrations within the U.S. Department of Transportation (DOT). Headed by an Administrator who is appointed by the President of the United States, FTA functions through a Washington, DC, headquarters office, ten regional offices, and five metropolitan offices that assist transit agencies in all 50 States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, Northern Mariana Islands, and American Samoa.

Through FTA, the Federal government provides financial assistance to develop new public transportation systems and to improve, maintain, and operate existing systems. FTA grant recipients are responsible for managing their programs in accordance with Federal requirements, and FTA is responsible for ensuring that grantees follow Federal statutory and administrative requirements.

Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either fixed-route or demand-response service.

2. AUTHORIZING LEGISLATION. The Safe, Accountable, Flexible, Efficient Transportation Equity Act, a Legacy for Users (SAFETEA-LU) (PL. 109-059) enacted on August 10, 2005, authorized \$286.4 billion in guaranteed funding for Federal Surface Transportation Programs (STPs) over six years through FY 2009, including \$52.6 billion for Federal transit programs. This represents a 46 percent increase in funding compared to the previous authorization, the Transportation Equity Act for the 21st Century (TEA-21).
3. HOW TO CONTACT FTA. With few exceptions, FTA manages its programs through its regional and metropolitan offices. These offices are responsible for the provision of financial assistance to FTA grantees and oversight of grant implementation, other than specific programs that are the responsibility of headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for your geographic area.

To find your Regional Office, please visit FTA's website at, <http://www.fta.dot.gov>, or contact FTA Headquarters at the following address and phone number:

Federal Transit Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
Office of Communications and Congressional Affairs
Phone: 202-366-4043
Fax: 202-366-3472

4. GRANTS.GOV. The Grants.gov website is one of 24 Federal cross-agency E-government initiatives designed to improve access to government services and simplify the grants

management process via the Internet. Grants.gov enables grant-making agencies and the grant community to come together to make grants management easier and more efficient for everyone. Led by the U.S. Department of Health and Human Services (DHHS), in partnership with Federal grant-makers including 26 agencies, 11 commissions, and several States. Grants.gov is the one website for information on all Federal competitive grant opportunities. More information about Grants.gov is available at <http://www.grants.gov>. FTA competitive grant opportunities are posted on Grants.gov. FTA recognizes that most grantees will utilize the Transportation Electronic Award and Management (TEAM) system to submit grant applications.

5. **DEFINITIONS.** All definitions in 49 U.S.C. 5302(a) apply to this circular, as well as the following definitions:
 - a. **Activity:** For purposes of this circular, an item of cost in a work program associated with a specific study (or portion of a study) as identified in Appendix C.
 - b. **Consolidated Planning Grant (CPG):** Means a program in which FTA and Federal Highway Administration (FHWA) metropolitan planning funds are combined in a single grant. FTA and FHWA funding to support statewide transportation planning also may be combined in a CPG.
 - c. **Congestion Mitigation and Air Quality Improvement Program (CMAQ):** Means a program that reserves funds for projects that reduce congestion and/or improve air quality. The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards (NAAQS) for ozone, carbon monoxide (CO), and particulate matter (PM).
 - d. **Designated Recipient:** Means an entity designated in accordance with the planning process under 49 U.S.C. Sections 5303, 5304, and 5306 by the chief executive officer of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under 49 U.S.C. Section 5336 that are attributable to Transportation Management Areas (TMAs) identified under 49 U.S.C. Section 5303; or a State or regional authority if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation. 49 U.S.C. 5307(a)(2).
 - e. **Disadvantaged Business Enterprise (DBE):** Means a for-profit small business concern (1) that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals and (2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it. 49 CFR 26.5.

- f. Long-range Statewide Transportation Plan: Means the State's official, statewide, multimodal, transportation plan covering a period of no less than 20 years developed through the statewide transportation planning process.
- g. Master Agreement: Means the FTA official document containing substantially all FTA and other cross-cutting Federal requirements applicable to the FTA recipient and its project. The Master Agreement is generally revised annually. The Master Agreement is incorporated by reference and made part of each FTA grant, cooperative agreement, and amendment thereto.
- h. Metropolitan Planning Area (MPA): Means the geographic area determined by agreement between by the Metropolitan Planning Organization (MPO) for the metropolitan area and the Governor, for which the metropolitan transportation planning process is carried out.
- i. Metropolitan Planning Program (MPP): Means the Federal financial assistance provided by FTA, under 49 U.S.C. 5305(d), to support work activities necessary to conduct the federally required metropolitan transportation planning process.
- j. Metropolitan Planning Organization (MPO): Means the policy board of an organization created and designated to carry out a metropolitan area's transportation planning process.
- k. Metropolitan Transportation Plan (MTP): Means the official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO for an MPA through the metropolitan transportation planning process.
- l. Planning Funds (PL): Mean the financial assistance provided by FHWA to support work activities necessary to conduct the federally required metropolitan planning process.
- m. Project: For purposes of this circular, all the transportation and transportation-related planning work within the state for the fiscal year in which FTA has awarded an MPP grant.
- n. Project Task Budget: For purposes of this circular, the document submitted with a State's MPP application to FTA. This document summarizes the aggregate costs of completing all work programs described in all UPWPs submitted by MPOs within the state.
- o. Recipient: Means an organization receiving financial assistance directly from Federal awarding agencies to carry out a project or program.

- p. State Planning and Research Program (SPRP): Federal financial assistance provided by FTA under 49 U.S.C. 5305(e), to support work activities necessary to conduct the federally required statewide transportation planning.
- q. State: For purposes of this circular, each of the 50 states, the District of Columbia, and Puerto Rico, all of which have at least one urbanized area (UZA).
- r. State Transportation Improvement Program (STIP): A statewide prioritized listing/program of federally-funded transportation projects covering a period of four years that is consistent with the Long-Range Statewide Transportation Plan, MTPs, and Transportation Improvement Program (TIP) and required for projects to be eligible for funding under Title 23 U.S.C. and 49 U.S.C. Chapter 53.
- s. Subagreement: The mechanism, such as a subgrant or another instrument, employed by the state to award or transfer MPP funds to the individual MPOs.
- t. Subrecipient: Means any entity that receives FTA financial assistance as a pass-through from another entity; for purposes of this circular, an MPO receiving MPP assistance directly from the State.
- u. Task: For purposes of this circular, and for budgeting purposes using the format of Appendix B in particular, the aggregate of all activities of a specified type of planning work undertaken by all MPOs throughout the state.
- v. Transportation Electronic Award and Management (TEAM): FTA's electronic grant making process for grant award and management. TEAM is FTA's system of record for grant program delivery.
- w. Transportation Improvement Program (TIP): Means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the MTP, and required for projects to be eligible for funding under Title 23 U.S.C and Title 49 U.S.C. Chapter 53.
- x. Transportation Management Area (TMA): An urbanized area (UZA) with a population over 200,000 (as determined by the latest decennial census) or other area when TMA designation is requested by the Governor and the MPO (or affected local officials), and officially designated by the Administrators of the FHWA and FTA. The TMA designation applies to the entire Metropolitan Planning Area(s) (MPA)(s).
- y. Unified Planning Work Program (UPWP): Means a program of work identifying the planning priorities and activities to be carried out within an MPA during the next one or two-year period. At a minimum, a UPWP includes a description of the planning work and resulting products, the organization that will be responsible for performing the work, time frames for completing the work, the cost of the work, and the source(s) of funds.

- z. Urbanized Area (UZA): Means a geographic area with a population of 50,000 or more, as designated by the Bureau of the Census.
 - aa. Work Element: Is the planning activity that is to be undertaken in the UPWP.
 - bb. Work Program: Is a periodic statement of proposed work elements and estimated costs that document the eligible activities to be undertaken with MPP assistance during the next one or two-year period by the State's subrecipients (MPOs). Same as a UPWP (see Chapter I, 5(z)).
6. PROGRAM HISTORY. Since 1966, FTA has provided financial assistance to States and local public bodies to support various types of planning. The Metropolitan Planning Program (MPP) and State Planning and Research Program (SPRP) reflect the long-standing emphasis on a multimodal approach to transportation planning, program development, and funding, as well as all planning requirements of recent authorizations.

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) (Pub. L. 102-240, 105 Stat. 1914, Dec. 18, 1991) completely restructured FTA's planning assistance programs. ISTEA established both statutory formula and discretionary planning assistance programs and separated planning programs for MPOs from planning programs for States. This landmark legislation emphasized the multimodal eligibility for FTA and FHWA planning funds to be used to support any transportation planning activities. TEA-21 (Pub. L. 105-178, June 9, 1998) and the current legislation, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59, August 10, 2005), continue the above planning assistance programs along with the separate planning programs for both the MPO's and States. However, SAFETEA-LU reorganizes the location of the MPP and SPRP in Title 49 of the United States Code. The MPP, previously codified at 49 U.S.C. 5303(g), and the SPRP, previously codified at 49 U.S.C. 5313(b), are now codified at 49 U.S.C. 5305.

Resulting from the passage of SAFETEA-LU and changes the legislation made to the requirements for metropolitan transportation planning (49 U.S.C. 5303) and statewide transportation planning (49 U.S.C. 5304), FTA and FHWA revised the joint FTA/FHWA Metropolitan Transportation Planning and Statewide Transportation Planning regulations that govern the MPP at 23 CFR Parts 450 and regulations that govern the SPRP at 23 CFR Part 420 (adopted by FTA at 49 CFR Part 613), with a Final Rule published in the Federal Register (72 FR 7224, February 14, 2007). The changes to the regulations also incorporate changes initiated by TEA-21. The revised regulations provide the procedural basis for fully implementing the planning provisions set forth in legislation that govern the development of MTPs and transportation improvement programs for urbanized areas, Long-Range Statewide Transportation Plans and statewide transportation improvement programs, the regulations for Management and Monitoring Systems, and generally will make the Metropolitan Transportation Planning and Statewide Transportation Planning regulations consistent with current statutory requirements.

Within the regulation, Subpart C addresses metropolitan transportation planning and programming, and Subpart B addresses statewide transportation planning and programming. Grantees and stakeholders are encouraged to refer to the revised regulations for a complete description of the planning provisions of the metropolitan and statewide transportation planning programs and list of Federal requirements. The online version can be found at the following location:

http://www.fta.dot.gov/planning/metro/planning_environment_2977.html

CHAPTER II

METROPOLITAN PLANNING PROGRAM

1. PROGRAM OVERVIEW. The Metropolitan Planning Program (MPP) is a major source of Federal financial assistance to help urbanized areas (UZAs) plan, develop, and improve and effectively manage their multimodal transportation systems. MPP funds are available to carry out the metropolitan transportation planning process and meet the transportation planning requirements of the joint Federal Transit Administration (FTA)/ Federal Highway Administration (FHWA) planning regulations. Generally, grants under the MPP are available to assist States, authorities to the States, Metropolitan Planning Organizations (MPOs), and local governmental authorities to: prepare transportation plans and programs; plan, engineer, design, and evaluate a public transportation project; and conduct technical studies relating to public transportation. In carrying out the metropolitan planning process, the MPO, the State(s), and the public transportation operator(s) shall cooperatively determine their mutual responsibilities. These responsibilities shall be clearly identified in written agreements among the MPO, the State(s), and the public transportation operator(s) serving the MPA (23 CFR 450.314).

Under the Safe, Accountable, Flexible, Efficient Transportation Equity Act, a Legacy for Users (SAFETEA-LU), the State is the Designated Recipient (DR) and is the only entity eligible to apply for and receive MPP and State Planning and Research Program (SPRP) assistance directly from FTA. Although FTA makes MPP grants directly to States, the State is required by law to distribute these funds to each UZA, or portion of a UZA, within the State according to a formula developed by the State in cooperation with the MPO and approved by FTA. Under the MPP program, only an MPO is eligible to receive MPP assistance directly from the State. The State recipient enters into subagreements with subrecipients, consistent with applicable requirements of law.

2. ROLE OF THE DESIGNATED RECIPIENT AND METROPOLITAN PLANNING ORGANIZATION IN ALLOCATING FUNDS.

Role of the DR: Under FTA's Section 5307 program, Congress has provided that the DR is the entity selected by the State's chief executive officer, responsible local officials, and publicly owned operators of public transportation to "receive and apportion" the amounts made available under the Section 5307 program by Congress and FTA to a particular "Transportation Management Area" (TMA) or a State or regional authority if the authority is responsible under the laws of the State for a capital project and for financing and directly providing public transportation. (See 49 U.S.C. Section 5307(a)(2)(A)(B).) Section 5307 further provides that the DR, after consideration of comments and views of the public, prepares the final program of projects (POP) for the amounts available to the DR. (See 49 U.S.C. Section 5307(c).)

Role of the MPO: Pursuant to 49 U.S.C. Section 5303(d), an MPO, designated by agreement of the Governor and local elected officials that together represent at least 75

percent of the affected population (including the largest incorporated city based on population) or in accordance with State or local law, is the forum for cooperative decision-making. Composed of local elected officials, appropriate State officials, and officials of public agencies that operate major modes of transportation in the region, the MPO is responsible for the development and adoption of the long range transportation plan and the shorter term Transportation Improvement Program (TIP). The TIP must include every capital and operating project for which assistance will be requested from FTA. The adopted TIP, which must be approved by the Governor, is included subsequently in a Statewide Transportation Improvement Program (STIP) that is approved jointly by FTA and FHWA. (See 49 U.S.C. Section 5303 (j)(1)(d), 49 U.S.C. 5304(g)(6) and 23 U.S.C. Section 135 (g)(6)).

Both the planning requirements and the statutory provisions of Section 5307 specify the roles of the MPO and the DR. While the MPO develops and adopts the TIP, the DR has the primary responsibility to develop the POP for the Section 5307 funds apportioned to its TMA for inclusion in the TIP. The MPO and the DR have to work cooperatively to develop the TIP and agree on how Section 5307 funds will be spent. Further information on the role of the DR and MPO regarding Section 5307 funds is included in the current FTA Circular 9030.1, Urbanized Area Formula Program: Program Guidance and Application Instructions.

As previously stated, for purposes of this circular, the State is the DR of the MPP funds and must work cooperatively with the MPO in the distribution of these funds.

3. RELATIONSHIP TO OTHER DOT PROGRAMS.

- a. FTA Programs. The following is a brief discussion of other FTA grant programs that also can be used to fund metropolitan transportation and planning activities.
 - (1) State Planning and Research Program (SPRP) (49 U.S.C. 5305(e)). The SPRP provides a means of drawing State and local attention to national purposes in addition to funding State and local needs. Chapter III of this circular provides detailed information specifically on this program. The SPRP provides financial assistance through States to their MPOs to aid in the preparation of plans and cost-effective TIPs which guide the use of Federal capital assistance resources. The plans and programs should reflect the goals and objectives of State and local officials and citizens.
 - (2) Urbanized Area Formula Program (49 U.S.C. 5307). Funds may be used for any planning work element or activities eligible for MPP assistance. The Federal match for planning assistance under this program is established by statute at 80 percent of the project cost. For UZAs under 200,000 in population, funds are made available to the Governor or the Governor's designee(s) for distribution. For areas over 200,000 in population, funds are available to a local DR(s). FTA Circular 9030.1 provides more information on this program.

- (3) Capital Investment Grants (49 U.S.C. 5309). Capital Investment Grants provides capital assistance for fixed guideway modernization, construction and extension of new fixed guideway systems, and bus and bus related equipment and construction projects. States and local public bodies within urbanized, or nonurbanized areas, are eligible to receive grants derived from the Capital Program and may use such funding for planning activities. FTA Circular 9300.1, Capital Program: Grant Application Instructions provides more information on applying for funds from this program.
- (4) Alternative Analysis Program (49 U.S.C. 5339). Under the Alternative Analysis Program, funding may be made available to States, authorities of the States, MPOs, and local governments. The government share of the cost of an activity funded may not exceed 80 percent of the cost of the activity. Eligible projects include planning and corridor studies and the adoption of locally preferred alternatives within the fiscally constrained Metropolitan Transportation Plan (MTP) for that area. Alternative Analysis programming must be shown in the Unified Planning Work Program (UPWP) for MPO's with responsibility for that area. The UPWP is discussed further in this chapter.
- (5) Job Access and Reverse Commute (JARC) Program (49 U.S.C. 5316). The JARC program provides assistance for public transportation projects that develop and maintain transportation services that transport welfare recipients and eligible low income individuals to and from jobs and activities that pertain to their employment. FTA apportions JARC funds directly to large UZAs and to the States for small UZAs and nonurbanized areas. A recipient may use up to 10 percent of its JARC apportionment to administer the program, plan, and provide technical assistance. Guidance for the JARC program can be found in FTA Circular 9050.1. The Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions. This program is part of the Coordinated Public Transit Human Services Transportation Plan discussed further in this section.
- (6) New Freedom Program (49 U.S.C. 5317). The New Freedom Program, a new program established by SAFETEA-LU, provides new public transportation services and public transportation alternatives above and beyond those required by the Americans with Disabilities Act (ADA) to assist individuals with disabilities with transportation, including transportation to and from jobs and employment support centers. A State may use up to 10 percent of its New Freedom apportionment to administer the program, plan, and provide technical assistance. Guidance for the New Freedom Program can be found in FTA Circular 9045.1., New Freedom Program Guidance and Application Instructions. This program is part of the Coordinated Public Transit Human Services Transportation Plan discussed further in this section.
- (7) Elderly Individuals and Individuals with Disabilities Program (49 U.S.C. 5310). The Elderly Individuals and Individuals with Disabilities (Section 5310) program

provides Federal assistance to States, which in turn distribute that funding to private, non-profit organizations (and in certain circumstances, public bodies). Subrecipients often use Section 5310 program assistance to purchase vehicles and related equipment to provide special transit services to elderly individuals and individuals with disabilities. Up to 10 percent of the State's total fiscal year apportionment may be used to fund program administration costs including administration, planning, and technical assistance. The 10 percent that is eligible to fund program administration costs including planning may be funded at 100 percent Federal share. Guidance for this program can be found in FTA Circular 9070.1F, Elderly Individuals and Individuals with Disabilities Program Guidance and Application Instructions. This program is part of the Coordinated Public Transit Human Services Transportation Plan discussed further in this section.

- (8) Nonurbanized Area Formula Program (49 U.S.C. 5311). This program provides funds to the States for public transportation projects in small urban and nonurbanized areas. Up to 15 percent of these funds may be used by the State for planning activities as well as for State administration and technical assistance. FTA Circular 9040.1F, Nonurbanized Area Formula Program Guidance and Grant Application Instructions, provides more information on this program.

With few exceptions, both the Section 5310 and Section 5311 programs are administered by the same State agency. Given that the MPP and the SPRP complement each other and have many parallels, FTA encourages State agencies to consider all planning, capital, and operating resources together and to coordinate the use of those resources across FTA programs.

- b. Relationship to the Locally Developed Coordinated Public Transit Human Services Transportation Plan (Coordinated Plan). As required by 49 U.S.C. 5310, 5316, and 5317, the Coordinated Plan is intended to broadly address the transportation needs of individuals with disabilities, elderly individuals, and people of lower income, including youth within the community. The plan is intended to be a community-based plan developed by a broad array of stakeholders that must minimally include public, private, and non-profit transportation and human service organizations and the general public.

While the Coordinated Plan may be developed within or outside the metropolitan or statewide transportation planning processes, the development of that plan must be consistent with applicable metropolitan or statewide transportation planning processes. Projects from the Coordinated Plan that will request FTA or FHWA funding must be incorporated into the TIP and STIP, with the Coordinated Plan included by reference within the applicable MTP or Long-Range Statewide Transportation Plan.

Related FHWA Administered Programs. Following is a brief discussion of FHWA administered flexible fund programs that can be used to support metropolitan and statewide transportation planning processes. Information on these programs can be found on the FHWA website at: <http://www.fhwa.dot.gov/safetealu/factsheets.htm>.

- (1) Surface Transportation Program (STP) (23 U.S.C. 133, 104(b)(3), 140). ISTEA established and Transportation Equity Act for the 21st Century (TEA-21) and SAFETEA-LU continued the STP as a source of flexible funding for both highway and transit projects. These funds may be used by FTA grantees for planning purposes in support of project development. The use of STP funds for planning purposes requires the approvals of the MPO, State Department of Transportation (DOT), and FHWA.
- (2) Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. 149(a)). The CMAQ Program may be used for either highway or transit projects, including planning activities undertaken in support of projects intended to meet air quality standards. These funds may be administered by FHWA or FTA for eligible transit projects. The use of CMAQ funds for planning purposes requires in addition to FTA and FHWA, the approvals of the MPO and State DOT.
- (3) FHWA Metropolitan Planning Program (23 U.S.C. 104 (f)). FHWA's planning funds (PL), similar to FTA's MPP funds, may be used for all transportation modal planning purposes in metropolitan areas. PL and MPP funds may be combined to finance any transportation work elements or activities in an MPO's UPWP.
- (4) FHWA State Planning and Research Program (23 U.S.C. 505). FHWA's Statewide Planning and Research program (SPR) is a close counterpart to FTA's SPRP. FHWA SPR funds may be used for statewide transportation planning and research for all modes and for administrative expenses associated with the State's planning program.

c. Pooled Funds. See Chapter III of this circular for discussion on pooled funds.

4. ELIGIBILITY.

- a. Overview. FTA makes MPP grants directly to States, the District of Columbia, and Puerto Rico, each of which has at least one UZA. FTA first apportions MPP assistance to each State. The State then allocates its MPP assistance to the MPOs in its UZAs based on a formula developed by the State, in cooperation with the MPOs, and approved by FTA. After the State executes its MPP grant agreement with FTA, the State then transfers its MPP assistance to the MPO by a subagreement to support the MPO's transportation and transportation-related activities in its UPWP.
- b. Geographical Boundaries of Metropolitan Planning Areas. The State's subagreement with each MPO must require the MPO to focus planning activities on the transportation needs covering the area within the established boundaries of the MPO's MPA. The boundaries of an MPA are determined by agreement between the MPO and the governor and at a minimum, but must include the existing UZA and the contiguous area expected to become urbanized within the next 20 years and the boundaries of a nonattainment or maintenance area designated by Environment Protection Agency

(EPA) for transportation-related pollutants must conform to the requirements of the joint FHWA/FTA planning regulations.

- c. Eligible Grant Activities. The MPO must use its MPP assistance to support work elements and activities resulting in balanced and comprehensive intermodal transportation planning for the movement of people and goods in the metropolitan area. Comprehensive transportation planning is not limited to transit planning or surface transportation planning, but also encompasses the relationships among land use and all transportation modes, without regard to the programmatic source of Federal assistance. Eligible work elements or activities for MPP funds (as well as SPRP funds) include, but are not limited to:
- (1) Studies relating to management, planning, operations, capital requirements, and economic feasibility;
 - (2) Evaluation of previously funded projects;
 - (3) Peer reviews and exchanges of technical data, information, assistance, and related activities in support of planning and environmental analysis among MPOs and other transportation planners;
 - (4) Work elements and related activities preliminary to and in preparation for constructing, acquiring, or improving the operation of facilities and equipment. This includes the planning for “livability” features such as improved pedestrian and bicycle access to the station and shops and community services in the station area, incorporating arts and artistic design in stations and surrounding areas, and other improvements that enhance the usability and community-friendliness of the transit system environment;
 - (5) Systems planning and corridor-level alternative analysis;
 - (6) Development of 20-year transportation plans, and TIPs;
 - (7) Safety, Security, and emergency transportation and evacuation planning;
 - (8) Coordinated public transit human services transportation planning;
 - (9) Air quality planning and conformity planning;
 - (10) Public participation in the transit/transportation planning process;
 - (11) Multimodal facilities planning;
 - (12) Plan, engineer, design, and evaluate a public transportation project;
 - (13) Computer hardware and software needed to support planning work; and

(14) Participation in educational programs for technical staff, as well as executive and board leadership. (The cost of certain influencing activities associated with obtaining grants, contracts, cooperative agreements, or loans is not eligible for reimbursement under the MPP and SPR programs. Lobbying with respect to certain grants, contracts, cooperative agreements, and loans is governed by the Common Rule, “New Restrictions on Lobbying” published at (55 FR 6736 , February 26, 1990), including definitions, and the Office of Management and Budget (OMB) “Government-wide Guidance for New Restrictions.” For an exhaustive list of eligible and ineligible activities, please see OMB Circular Number A–87. “Cost Principles for State, Local and Indian Tribal Governments,” which is posted at: <http://www.whitehouse.gov/omb/circulars/a087/a087-all.html>.

- d. Work Element Implementation. The MPO may use its own staff, contract with the State, or enter into third party contracts to carry out planning work elements and activities, provided that each third party contract complies with the requirements imposed on States by DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” (common grant management rule) at 49 CFR Part 18, and FTA Circular 4220.1E, “Third Party Contracting Requirements” and any revisions thereto.

The definition of “local government” in the common grant management rule expressly covers each MPO, whether or not the MPO is incorporated as a non-profit corporation under State law. Consequently, the State is authorized to direct the MPO to follow State procedures and to follow the Federal procedures at 49 CFR Part 18, amended as necessary by specific Federal statutes, Executive Orders, and any implementing regulations. As MPOs expend all MPP assistance, please refer to FTA Circular 4220.1E for further guidance of third party procurement requirements.

5. UNIFIED PLANNING WORK PROGRAM. A UPWP consists of transportation planning projects within a metropolitan area for which Federal assistance is sought. Typically, a UPWP is focused on a single metropolitan area and is developed by the MPO within that area. Please see Appendix A for an outline of a UPWP.
- a. MPP grant assistance is based on the activities described in the metropolitan UPWP. Although the MPO generally has the primary responsibility for preparing the UPWP for its metropolitan area, developing the UPWP is the joint responsibility of the MPO, State DOTs or other State departments, public transportation operator(s) and other planning or operating agencies authorized to carry out transportation and related planning and implementation within metropolitan areas. Specifically, it is essential that all planning and implementing agencies (such as State DOTs, transit authorities, and airport operators) be an integral part of the planning process and participate in the development of the UPWP. A State’s grant application to FTA for MPP assistance must reflect the planning activities described in the UPWP’s prepared by MPOs within the State.

- b. The UPWP should be an integrated, and thus unified, planning work program containing a detailed description of the next 1–2 year’s transportation planning work and delineating major work elements, activities, and products. The UPWP should contain all specific transit, highway, bike/pedestrian, aviation, freight, railway, port and harbor activities, as well as the related transportation planning support activities, (e.g. land use, socio-economic factors, population estimates, etc.)
- c. The UPWP should provide descriptions of the objectives, the methodology, products, and agency responsibilities for the various specific projects. The UPWP should also describe the degree to which the various work elements or activities are intermodal, both in narrative and funding terms. Work elements or activities may be accomplished by sharing the total item costs among the Federal, State, and local participants. The proportionate distribution of Federal assistance assigned will be determined cooperatively for each work element or activity by the appropriate Federal operating administrations. This may result in proportional funding of an entire UPWP provided that the MPO, State, and public transportation operators agree.
- d. The UPWP should also identify transportation planning activities to be financed with assistance derived from the SPRP, the Urbanized Area Formula Program, and other FTA programs listed previously in this chapter, or Federal assistance derived from FHWA PL and other FHWA programs (such as CMAQ or STP) to ensure that all planning in the metropolitan area for which Federal assistance is being requested is fully coordinated with the State, FTA, and FHWA.
- e. The UPWP should also explicitly identify any incomplete work elements or activities financed with Federal planning assistance awarded in previous fiscal years as carryover activities, irrespective of the source. Additionally, the UPWP should list the accomplishments from the previous fiscal year.
- f. A Simplified Statement of Work may be submitted in lieu of a UPWP by a MPO in an urbanized area not designated as a TMA, if approved by the State, FTA, and FHWA. If permitted to submit a simplified statement of work, the MPO, in cooperation with the State and transit operators, prepares the statement of work describing the entity that will perform the work and the work that will be accomplished using Federal financial assistance.
- g. FTA will review the draft UPWP from each TMA and approve the Metropolitan Work Program individually or as part of the State’s consolidated request for MPP assistance. In reviewing a UPWP, FTA evaluates the following:
 - (1) The UPWP’s relevance to studies needed to implement the metropolitan long range transportation plan and TIP requirements;
 - (2) Eligibility of each task for FTA financial assistance; and

- (3) Inclusion of tasks reflecting multi-modal transportation planning in the metropolitan area.
6. PLANNING EMPHASIS AREAS. At the discretion of the Secretary, a planning emphasis area (PEA) may be jointly established by FTA and FHWA to advance national goals as established by Federal law, to reflect FTA and FHWA priorities, and to respond to congressional direction established through the appropriations process. PEAs are intended to highlight subjects that should be addressed in FTA and FHWA funded planning programs. PEAs are designed to encourage the application of planning assistance to studies addressing national goals and priorities in addition to goals and priorities directly benefiting local transportation operations or otherwise serving State and local needs. Upon request, FTA regional offices and FHWA division offices will provide the most current PEAs, which remain in effect until superseded by newer PEAs.
 7. MPP ASSISTANCE: FORMULA AND NOTIFICATION.
 - a. Notification. MPP apportionments to States are published in the Federal Register annually, after the DOT Appropriations Act for the fiscal year has been signed. FTA usually publishes apportionments during the first quarter of the Federal fiscal year. Information on FTA annual apportionment notices can be found on FTA's website: http://www.fta.dot.gov/funding/grants_financing_38.html.
 - b. Authorization. Amounts authorized for MPP work are established by statutory formula. Under the formula established by SAFETEA-LU at 49 U.S.C. 5305(g), 82.72 percent of the amount set aside for various planning, programming, and research activities may be used for MPP work.
 - c. Formulas. SAFETEA-LU has divided MPP authorizations into two categories: 80 percent is designated for metropolitan planning (49 U.S.C. 5303) and private enterprise participation in metropolitan planning (49 U.S.C. 5306), with the remaining 20 percent designated for supplemental assistance to MPO's. FTA combines both the basic and supplemental MPP assistance for each State when FTA publishes its annual apportionment notice in the Federal Register.
 - d. Basic MPP Assistance.
 - (1) FTA apportions 80 percent of the available MPP assistance to the States, based on the ratio equal to the population in each State's UZAs divided by the total population in UZAs in all the States, as shown by the latest available decennial census prepared by the Bureau of the Census. If necessary, FTA is required to make adjustments to that formula to assure that each State is apportioned a minimum amount of 0.5 percent of this 80 percent basic assistance.
 - (2) Each State must then allocate its MPP assistance to its MPOs consistent with the FTA-approved formula the State has developed with its MPOs.

e. Supplemental MPP Assistance.

- (1) FTA then apportions the remaining 20 percent of the MPP assistance to the States to supplement funding for MPP activities in MPOs in larger metropolitan areas that have more complex transportation issues and needs. FTA's administrative formula for apportioning the remaining 20 percent focuses on the relative size of these larger metropolitan areas.
- (2) The State must then allocate this supplemental MPP assistance consistent with a formula reflecting the additional costs its MPOs have experienced in carrying out the requisite planning, programming, and project selection responsibilities necessary for the metropolitan area to comply with the various Federal transportation requirements under 49 U.S.C. 5303 and 49 U.S.C. 5306.

f. Availability of MPP Assistance.

- (1) Grant Awards. The funds apportioned under the MPP will remain available to be obligated by FTA to recipients for four fiscal years, which includes the year of apportionment plus three additional years. Any apportioned funds that remain unobligated at the end of this period will revert to FTA for reapportionment under the program (the same principles apply to SPRP assistance).
- (2) Draw Down of Federal Funds Conditioned Upon UPWP Approval. As a general rule, an applicant for financial assistance under any of FTA's grant programs must first demonstrate compliance with all applicable Federal requirements before FTA will award a grant to that applicant. An exception may be made, however, for an MPP grant to a State. In this instance, FTA may choose to award a grant requiring FTA and FHWA express approval before FTA and FHWA have approved each UPWP within the State. However, the State would be prohibited from drawing down MPP assistance obligated under the grant to support planning expenses of an MPO without an approved UPWP. Once FTA and FHWA approve that MPO's UPWP, the State may then begin to draw down MPP assistance under the affected grant for reimbursement of the MPO's planning expenses.
- (3) Preward Authority. If a State has not executed a grant agreement with FTA, under preaward authority, the State may be able to expend its own funds for MPP work beginning on the date specified in the Federal Register apportionment notification. The MPP work will be eligible for FTA assistance after a grant including the apportionment funding is approved by FTA. Preward authority will only be allowed if the project, study, or activity has been approved in the Transportation Plan, TIP/STIP or UPWP and an environmental finding has been made by FTA. Only if work is eligible for MPP assistance will FTA provide retroactive MPP assistance to support that work. An MPO may incur costs for MPP work before receiving its MPP allocation from the State, yet remain eligible for reimbursement when its MPP assistance is ultimately made available. The same principles also apply to SPRP assistance.

8. GRANT AGREEMENT.

a. Characteristics of the Grant Agreement. FTA has developed a streamlined grant agreement with the following characteristics:

- (1) Notification of Award. This section sets forth the specifics pertaining to the particular grant application. For MPP grants, the DR is always the State; the project description will cover all MPP work elements and activities to be carried out within the State; the total project cost will cover all MPP work elements and activities within the State to be assisted under the specific grant; and the local share will be the total local share the State is obligated to provide covering all the MPP work elements and activities within the State to be assisted under the specific grant.
- (2) Master Agreement. Each fiscal year, FTA provides a copy of the Master Agreement to each grant applicant for use with all grant programs in which the grant applicant may be interested. The Master Agreement for a specific fiscal year is incorporated by reference and made part of the grant agreement. The Master Agreement is essentially a compilation of all requirements imposed on FTA grant programs by various Federal statutes, regulations, Executive Orders, and FTA directives used for all FTA grant programs. Requirements within the Master Agreement not otherwise applicable to the MPP program will not be imposed by the Master Agreement.
- (3) Special Conditions or Requirements. Any special conditions or requirements placed on a particular grant agreement will be set forth within the grant agreement in the TEAM grant processing system. Note that failure to fulfill a special condition or requirement pertaining to a specific work element or activity may result in delay in drawing down MPP assistance to support that work element or activity.

b. Transmission of the Grant Agreement. FTA and the State may execute the grant agreement electronically through the TEAM grant processing system.

9. ADMINISTRATION OF MPP GRANTS. Each State is responsible for ensuring that each MPO within its jurisdiction complies with those Federal requirements affecting MPO operations.

a. Federal Role in MPP Administration.

- (1) FTA Headquarters Offices are responsible for:
 - (a) Providing overall MPP policy and program guidance;
 - (b) Apportioning funds annually to the States;

- (c) Developing and implementing financial management procedures;
 - (d) Initiating and managing program support activities;
 - (e) Supporting and completing fund transfers for the Consolidated Planning Grant (CPG) program and non-CPG program; and
 - (f) Conducting national program reviews and evaluations.
- (2) The FTA Regional Offices have the day-to-day responsibility for administering the MPP. Regional Office responsibilities include:
- (a) Working with States to implement the annual or two-year planning grant program or CPG program;
 - (b) Reviewing and approving the State's allocation formulas;
 - (c) Reviewing and approving the State's MPP grant or CPG applications;
 - (d) Approving the State's annual Certifications and Assurances;
 - (e) Reviewing and approving any revisions to the planning work to be undertaken within the State;
 - (f) Obligating funds;
 - (g) Providing oversight of the State's management responsibilities;
 - (h) Providing overall management; and
 - (i) Reviewing the State's management of its MPP grants as circumstances warrant.
- (3) Prior to making MPP assistance available to the State, FTA Regional Offices and FHWA Division Offices will review the draft UPWP from each TMA and, at FTA and FHWA's discretion, review draft UPWPs from non TMA MPOs. FTA and FHWA will approve the UPWPs individually or as part of the State's consolidated request for metropolitan planning assistance. The State may either submit UPWPs or simplified statements of work submitted by MPOs for areas with 200,000 or less population.

b. State Role in MPP Administration.

- (1) General Responsibilities. The State may select any entity to administer its MPP program. Normally a State DOT or another State agency manages the State's MPP grants. The State role includes:

- (a) Notifying eligible local entities of the availability of MPP assistance;
 - (b) Determining how MPP assistance should be allocated to each MPO;
 - (c) Reviewing UPWP work tasks;
 - (d) Forwarding the State's MPP application to FTA;
 - (e) Providing the necessary Certifications and Assurances;
 - (f) Ensuring compliance with Federal requirements by all subrecipients;
 - (g) Monitoring the MPOs' project activity; and
 - (h) Overseeing project audit and grant closeout.
- (2) State Subagreements with MPOs. Before providing MPP assistance to an MPO, the State and MPO must enter into a written subagreement stating the terms and conditions of the provision of MPP assistance. In general, the MPO is authorized to follow State procedures in managing its MPP work, except when express Federal statutes, Executive Orders, or regulations apply. Accordingly, the State must ensure that every subagreement with an MPO includes all applicable requirements imposed by Federal statutes, Executive Orders, and implementing regulations. These requirements are identified in the Master Agreement, which is incorporated by reference into the grant agreement between FTA and the State.

At the request of the MPO, the State may carry out planning work elements or activities directly for the MPO. Additionally, the State reimburses MPOs for work activity vouchers from the FHWA and FTA planning program funding.

- (3) General Management Requirements. DOT's Common Rule for States and Local Government (Common Rule) (49 CFR Part 18) establishes basic grant management requirements for the State. To the extent that State procedures do not conflict with other Federal statutes, Executive Orders, or implementing regulations applicable to the MPP, the Common Rule specifically permits the State to use its own procurement, financial management, and property management procedures in administering its MPP assistance.
- (a) The Common Rule also authorizes a local government subrecipient of a State to use the State's procurement, financial management, and property management procedures. For purposes of the Common Rule, an MPO is specifically designated as a "local government," even if the MPO qualifies as a non-profit corporation under State law. Consequently, because an MPO is the State's subrecipient of MPP assistance, the MPO is authorized to administer its MPP assistance in accordance with State procedures, provided

that they do not conflict with other Federal statutes, Executive Orders, or implementing regulations applicable to the MPP.

- (b) The Master Agreement sets forth the basic requirements pertaining to an MPP grant, which is incorporated by reference in the grant agreement. Additionally, FTA Circular 5010.1C, “Grant Management Guidelines,” provides project management guidelines for nearly all FTA programs. This circular provides basic guidance on financial status and milestone/narrative progress reporting that is particularly useful in managing the MPP. The provisions of FTA Circular 5010.1C offer guidance in program management.
- c. Special Management Requirements for the MPP Program. This circular does not repeat all management requirements applicable to the MPP; however, the circular does contain compliance guidance within the context of the MPP structure for certain management requirements of special significance to FTA.
 - (1) Third Party Contracts. A third party contract is a contract financed with Federal assistance between a DR, pass-through recipient, or subrecipient and a third party contractor for project work elements or activities. A third party contractor may be a general contractor, a consultant, or another entity (usually in the private sector) but is not a subrecipient that receives pass-through funding from the recipient to implement its project. A third party subcontract is a subcontract entered into by the third party contractor and another contractor for project work. FTA Circular 4220.1E, “Third Party Contracting Requirements,” is a useful guide for procedures regarding third party contracting.
 - (a) In the case of the MPP program, the State is the DR, and the MPO is the State’s subrecipient. A contractor engaged to perform project work directly for either the State or subrecipient is a third party contractor. A contractor engaged by the third party contractor is referred to as a third party subcontractor.
 - (b) In the case of the MPP, the procurement, execution, audit, and closing of third party contracts are basic MPO responsibilities, for which the State, as well as the MPO, is responsible.
 - (c) Notably, neither the State nor the MPO may impose State or local preference provisions in third party procurements. The State must also ensure that each purchase order or other third party contract includes all requirements imposed on States by specific Federal statutes, Executive Orders, and their implementing regulations.
 - (d) A subagreement in which the State (as the DR) passes MPP assistance through to the MPO (as a subrecipient) is not a third-party contract. When entering into any third party contract, however, the MPO, as the subrecipient of the State must comply with State procurement procedures and other specific

Federal statutory, Executive Order, and regulatory requirements specifically imposed on the MPP.

- (2) Disadvantaged Business Enterprises (DBE). DOT regulations on participation by DBEs in certain FTA programs require recipients and subrecipients of specific amounts of Federal transportation assistance to establish DBE goals on contracts (and third party contracts) with subcontracting opportunities. Further information on FTA's DBE requirements may be found in DOT's DBE regulations (49 CFR Part 26).
- (3) Allowable Costs. OMB Circular A-87, revised, "Cost Principle for State, Local, and Indian Tribal Governments," provides Federal guidelines for allowable costs for grantees and subrecipients that are State or local governments.

d. Financial Management.

- (1) State Financial Management Systems. The Common Rule requires a State to expend and account for grant funds in accordance with State laws and procedures for expending and accounting for its own funds. Fiscal control and accounting procedures of the State, as well as its subrecipients and cost-type contractors, must be sufficient to:
 - (a) Permit preparation of all reports required by Federal law and regulation as a result of the MPP project; and
 - (b) Permit the tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the restrictions and prohibitions applicable to the MPP program.
- (2) FTA Payment Procedure. FTA makes all payments by the Automated Clearing House (ACH) method of payment, regardless of the money amount involved. Payments are made under the Electronic Clearing House Operation (ECHO) system, by means of an ECHO Control Number (ECN) assigned to the State. The State agrees to comply with the ECHO requirements contained in the ECHO System Operations Manual, "Guidelines for Disbursements" used for FTA Projects. In general:
 - (a) The State may draw down cash only when funds are actually needed for immediate disbursement required for project purposes;
 - (b) The State must disburse the funds drawn down within three days. The State's access to the ECHO system may be revoked or suspended, or other remedies may be invoked, if the State fails to expend the Federal funds within three days of their receipt or return the funds to FTA within a reasonable period or is unwilling or unable to establish procedures that will minimize the time elapsing between cash advances and disbursement;

- (c) Cash disbursements and balances are reported on the annual Financial Status Report (FSR) in the grant;
 - (d) The State agrees to provide for control and accountability of all project funds consistent with Federal requirements and procedures for use of the ECHO system;
 - (e) The State may not draw down funds for a project in an amount that would exceed the sum obligated by FTA or the current available balance for that project; and
 - (f) The State shall limit drawdowns to eligible project costs and ensure that subrecipients also follow applicable financial requirements. If the State violates this requirement, the State must remit interest as required by U.S. Department of Treasury regulations, "Rules and Procedures for Funds Transfers," 31 CFR Part 205.
- (3) State Financial Records. FTA does not maintain detailed financial records on individual MPP projects. Financial records, supporting documentation, and all other records pertaining to an MPP grant must be retained by the State (and its subrecipient MPOs) and these records should be available for review by FTA and DOT. In addition to specific data on project expenditures, the State's financial records should adequately document the computation of the Federal share and the provision of the required local share for each type of project. These records must be kept readily available for inspection by authorized representatives of DOT or the Comptroller General of the United States for a period of three years. The retention period starts on the date the State forwards its final FSR (OMB SF-269A) to FTA and DOT. If any litigation, claim or audit is started before the expiration of the three-year period, the records must be retained beyond three years, until all litigation, claims, or audit findings involving the records have been resolved.
- (4) Audit. The State is responsible for ensuring that audits are performed pursuant to the requirements of the Single Audit Act of 1984, 31 U.S.C. 7501, the Common Grant Rule, and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
- (5) Closeout. The State should initiate project closeout with MPOs immediately after the MPO has expended all its MPP assistance. The State should similarly initiate grant closeout with FTA immediately after all activities covered by the State's (aggregate) Project Task Budget are completed. The State is required to submit a final FSR (OMB SF-269A) and a final Project Task Budget at the time of project closeout.
- (a) The State's subagreement with an MPO should specify a reasonable time period (generally one year) in which the MPO must complete its planning

work elements and activities. Although this circular provides the State a great deal of flexibility, it is not FTA's intention that grants be continually revised or amended in ways that will excessively prolong the life of the grant, and consequently result in a large number of active grants.

- (b) FTA places a high priority on closing out grants for which work or activity has ceased for more than a year. If small amounts of funds (less than 5 percent of Federal funds in the grant) remain in an inactive subagreement, the State should request FTA to deobligate the remaining funds and close out the grant.

(6) Reporting Requirements.

- (a) Planning Status Reports. Each time an MPO submits a new UPWP for which it seeks Federal assistance to the State, FTA, or FHWA, that UPWP should be accompanied by a status report on any outstanding federally-assisted planning work elements or activities outstanding. The State then prepares a summary of these planning status reports for submission with the State's (aggregate) Project Task Budget.
- (b) Annual Financial and Program Status Reports. Annually, the State must provide a FSR (SF-269A) for each active grant along with the State's September 30 program status report. This FSR is due 30 days after the end of the Federal fiscal year. FTA may request more frequent reporting when circumstances warrant.
- (c) Title VI Report. FTA Circular 4702.1A, "Title VI and Title VI-Dependent Guidelines for FTA Recipients," requires each State to provide to their FTA Regional Civil Rights Officer a Title VI compliance report (updated every three years) showing how the State and its subrecipients will comply with Title VI of the Civil Rights Act of 1964, as amended.
- (d) DBE Reports. Because the State must pass through all MPP assistance to its MPOs, the State must obtain DBE programs and annual DBE goals from each MPO receiving \$250,000 or more in MPP assistance for one year. The State must submit a semiannual progress reports on its DBE contracting activities and those of its subrecipients that meet or exceed the \$250,000 threshold. If the State includes in its goal calculations those subrecipients that receive less than \$250,000, the DBE contracting activities of these subrecipients must be reported annually. States and MPOs should consult the DOT regulations on DBE participation in projects financed with DOT assistance, located at 49 CFR Part 26.
- e. State Management of MPP Grants. With the enactment of ISTEA (and then continuing with TEA-21 and SAFETEA-LU), FTA apportions MPP assistance and awards grants to each State; the State then provides the MPP assistance to MPOs for transportation

planning in their MPAs. Information on the role of the Federal and State governments in the administration of MPP Grants can be found in Section 6(b) of this chapter.

- (1) Although the State is responsible, in cooperation with the MPOs, for developing a formula for the suballocation of MPP assistance to various UZAs, FTA must approve the formula. FTA expects the State's MPP formula to recognize relative population size and transportation needs and problems of individual areas as well as ensuring a minimum amount of MPP funding for each UZA.
- (2) Because FTA issues a single MPP grant to each State, the State assumes the role of grant applicant on behalf of its subrecipient, MPOs, in interacting with FTA, e.g., the State is responsible for submitting the MPP grant application to FTA on behalf of its MPOs. The State's (aggregate) Project Task Budget in its MPP grant application is usually compiled from information in the various final UPWPs. Specifically, the State is expected to prepare an aggregate summary of all the proposed work elements and activities in all its metropolitan areas, in accordance with the framework of Appendix C. Apart from the Project Task Budget, the State is also expected to provide information about how it will allocate MPP assistance to its MPOs and specify the organization that will be responsible for completing each work element or activity.
- (3) Although FTA may rely on the States to perform the necessary reviews of the UPWPs, the FTA Regional Office reserves the right to review and approve all individual metropolitan UPWPs (in addition to the mandatory FTA review of UPWPs covering metropolitan areas with populations of more than 200,000, or areas classified as nonattainment or maintenance areas for transportation-related pollutants).
- (4) The State must distribute all MPP assistance to its MPO subrecipients in accordance with the State's federally-approved formula. The State accomplishes this by entering into subagreements with each MPO. Although the State may not use any MPP assistance for administrative expenses, the State may use FHWA SPRP assistance to support the State's costs connected with administering and managing the MPP.
- (5) The State, as the applicant to FTA for an MPP grant, and later as the recipient, is responsible to FTA for compliance with all grant application requirements of this circular. Consequently, the State is responsible for ensuring that each MPO subrecipient of MPP assistance, such as an MPO, complies with those Federal requirements applicable to the subrecipient. Although FTA does not specify the documentation a State must obtain from the individual MPO subrecipients, the State is obligated to show support for the certifications, assurances, and other reporting requirements made to FTA as a DR.

CHAPTER III

STATE PLANNING AND RESEARCH PROGRAMS

1. **PROGRAM OVERVIEW.** The State Planning and Research Program (SPRP) is a source of Federal financial assistance to the States to meet the planning requirements of the joint Federal Transit Administration (FTA)/ Federal Highway Administration (FHWA) planning regulations for statewide transportation planning. This program provides financial assistance to States for statewide transportation planning and other technical assistance activities (including supplementing the technical assistance program provided through the Metropolitan Planning Program (MPP)), planning support for nonurbanized areas, training and educational programs, and human resource development programs. FTA makes SPRP grants directly to States and, as with the MPP, the State is the Designated Recipient (DR) for this program.

The Governor of each State must designate a State recipient for its SPRP funds. Generally, grants under the SPRP are available to assist States, authorities to the States, Metropolitan Planning Organizations (MPOs), and local governmental authorities to: develop transportation plans and programs, plan and evaluate a public transportation project, and conduct technical studies relating to public transportation.

- a. The February 14, 2007, Final Rule on Metropolitan and Statewide Transportation Planning elaborates on the following fundamental principles that apply to statewide transportation planning:
 - (1) Within each State, a Long-Range Statewide Transportation Plan must be produced.
 - (2) Within each State, State Transportation Improvement Programs (STIPs), incorporating Transportation Improvement Programs (TIPs) or including TIPs by reference, must be produced. The SPRP is a major source of Federal financial assistance to the States to meet these and other transportation planning requirements. The scope of the Statewide Transportation Planning process is fully discussed in 23 CFR. 450.206.
- b. **Relationship to Selected other DOT Programs.**
 - (1) **FTA Programs.** The following is a brief discussion of FTA programs that also can be used to fund statewide or metropolitan transportation and planning activities.
 - (a) **Metropolitan Planning Program (49 U.S.C. 5305(d)).** The MPP provides financial assistance through States to their MPOs to aid in the preparation of plans and cost-effective TIPs which guide the use of Federal capital assistance resources. The plans and programs reflect a variety of States and local objectives as well as national priorities. The MPP provides a means of drawing State and local attention to national purposes in addition to funding

State and local needs. Chapter II of this circular provides detailed information specifically on this program.

- (b) Urbanized Area Formula Program (49 U.S.C. 5307). See Chapter II for program description.
- (c) Nonurbanized Area Formula Program (49 U.S.C. 5311). See Chapter II for program description.
- (d) Human Resource Programs (49 U.S.C. 5322). This program provides funds for programs that address human resource needs as they apply to public transportation activities. Activities include an employment training program; an outreach program to increase minority and female employment in public transportation activities; research on public transportation personnel and training needs; training and assistance for minority business opportunities; and fellowships to train personnel employed in managerial, technical, and professional positions in the public transportation field.
- (e) Job Access and Reverse Commute (JARC) Program (49 U.S.C. 5316). See Chapter II for program description.
- (f) New Freedom Program (49 U.S.C. 5317). See Chapter II for program description.
- (g) Elderly Individuals and Individuals with Disabilities Program (49 U.S.C. 5310). See Chapter II for program description.

Note: With few exceptions both of the Section 5310 and Section 5311 programs are administered by the same State agency. Because these two State programs and the MPP along with the SPRP complement each other and have many parallels, FTA encourages State agencies to consider all planning, capital, and operating resources together and coordinate the use of those resources.

- (2) Relationship to the Locally Developed Coordinated Public Transit Human Services Transportation Plan (Coordinated Plan). The 5310, 5316, and 5317 programs require a locally developed Coordinated Public Transit Human Services Transportation Plan for project funding. See Chapter II for program description.
- (3) Related FHWA Administered Programs. Following is a brief discussion of flexible FHWA administered programs. Funding for these programs can be used for Statewide Planning and Research Programs (SPRs). Information on these programs can be found on the FHWA website at:
<http://www.fhwa.dot.gov/safetealu/factsheets.htm>.

- (a) Surface Transportation Program (STP) (23 U.S.C. 133, 104(b)(3),140). See Chapter II for program description.
 - (b) Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. 149). See Chapter II for program description.
 - (c) FHWA Metropolitan Planning Program (PL) (23 U.S.C. 104(f)). See Chapter II for program description.
 - (d) FHWA State Planning and Research Program (SPR) (23 U.S.C. 505). See Chapter II for program description.
- (4) Pooled Funds. In order to promote transportation systems that maximize mobility and accessibility and minimize transportation impacts on the human and natural environment, State transportation planning agencies may, in cooperation with MPOs, choose to pool funds. These pooled funds can be used to fund research that is of mutual interest and benefit and addresses the transportation needs of areas with critical needs or that support a broader, more comprehensive, statewide need. National pooled fund studies are focused on solving problems of national significance, usually administered by either FTA or FHWA headquarters offices in cooperation with States and/or MPOs, that are funded by State and/or MPO contributions of FTA planning and research funds, with or without matching funds.

2. ELIGIBILITY.

- a. Applicant Eligibility. FTA apportions SPRP assistance to each State. The State then allocates its SPRP assistance to planning agencies on a formula developed by the State in cooperation with the entities and approved by FTA. After the State executes its SPRP grant agreement with FTA, the State may decide to transfer some of its SPRP assistance to the MPO or beneficiary by subagreement to support public transportation and public transportation-related activities.
- b. Eligible Grant Activities. SPRP grants can be used to cover the cost of administering the statewide transportation planning and/or MPP. SPRP grants are available for direct labor or for contracts to undertake the balanced and comprehensive planning, engineering, design, and evaluation of public transportation projects and for transportation planning studies involving modes in addition to transit when performed as part of the metropolitan transportation planning process. Metropolitan planning activities authorized under 49 U.S.C. 5303 may be undertaken with SPRP funds.

Eligible activities include, but are not limited to:

- (1) Development of Long-Range Statewide Transportation Plans and STIPs;
- (2) Training and educational activities; and

- (3) Human resource program activities.
 - c. See Chapter II, Section 2 of this circular for additional activities eligible to receive SPRP funding.
3. SPRP ASSISTANCE: FORMULA AND NOTIFICATION.
- a. Notification. SPRP apportionments to the States are published in the Federal Register annually after the Department of Transportation (DOT) Appropriations Act for the fiscal year has been signed by the President. FTA usually publishes apportionments in the first quarter of each fiscal year.
 - b. Authorization. Amounts authorized for MPP work are established by statutory formula. Under the formula established by the Safe, Accountable, Flexible, Efficient Transportation Equity Act, a Legacy for Users (SAFETEA-LU) at 49 U.S.C. 5305(g), 17.28 percent of the amounts authorized for Section 5305 are allocated to the SPRP. A State, as it considers appropriate, may authorize part of the amount made available under the SPRP to be used to supplement the amounts made available under the MPP for that State.
 - c. Formulas. FTA apportions SPRP assistance to the States, based on the ratio equal to the population in each State's urbanized areas (UZAs) divided by the total population in UZAs in all the States, as shown by the latest available census prepared by the Bureau of the Census. However, a State must receive at least 0.5 percent of the amount annually apportioned.
 - d. Availability of SPRP Assistance.
 - (1) Grant Awards. The funds apportioned under the SPRP will remain available to be obligated by FTA to recipients for four fiscal years, which includes the year of apportionment plus three additional years. Any apportioned funds that remain unobligated at the end of this period will revert to FTA for reapportionment under the program (the same principles apply to MPP assistance).
 - (2) Preaward Authority. Even if a State has not executed a grant agreement with FTA, the State may expend its own funds for SPRP work beginning on the date specified in the current Federal Register apportionment notification, and that work will remain eligible for FTA assistance until the SPRP assistance lapses. Only if work is eligible for SPRP assistance will FTA provide retroactive SPRP assistance to support that work. Beginning with FY 2005, blanket preaward authority was provided for SPRP assistance through the life of SAFETEA-LU, September 30, 2009. During this time period, costs may be incurred for eligible SPRP work and remain eligible for reimbursement when SPRP assistance is ultimately made available. This preaward authority expires with the lapsing of FY 2009 SPRP assistance.

4. STATE PLANNING AND STATEWIDE PLANNING ACTIVITIES.

- a. Subrecipient Eligibility. For the purposes of 49 U.S.C.5305, MPOs, local governmental authorities, and operators of public transportation systems are eligible subrecipients for grants to fund statewide planning activities.
- b. FTA Review. FTA encourages the State DOT to include the State's work program in its application to FTA. In reviewing a State's Work Program, FTA evaluates the following:
 - (1) Relevance of the proposed activities to develop and maintain an appropriate technical and policy level needed to implement the State's 20-year transportation plan and STIP requirements; and
 - (2) Eligibility of each task for FTA financial assistance.
- c. Funding Ratio. The Federal share for eligible planning activities is 80 percent. The remaining 20 percent cost must be provided locally or by the State in cash or in-kind contributions.
- d. Budget Scope and Activity Line Item (ALI) Codes. The Scope Code for statewide planning is 442-00. A sample project budget scope with ALI codes can be found in Appendix B. Line item codes remain the same for both statewide and metropolitan planning.

5. TRAINING ACTIVITIES.

- a. Eligible Grant Activities. A fellowship under this subsection may not be for more than one year of training in an institution that offers a program applicable to the public transportation industry. The recipient shall select an individual on the basis of demonstrated ability and for the contribution the individual reasonably can be expected to make to an efficient public transportation operation.
- b. Subrecipient Eligibility. For the purposes of 49 U.S.C.5315, local governmental authorities, and operators of public transportation systems are eligible subrecipients for fellowships to train personnel employed in managerial, technical, and professional positions in the mass transportation field.
- c. Funding Ratio. An individual fellowship may not be more than the lesser of \$65,000 or 75 percent of:
 - (1) Tuition and other charges to the fellowship recipient;
 - (2) Additional costs incurred by the training institution and billed to the recipient; and

- (3) The regular salary of the fellowship recipient for the period of the fellowship to the extent the salary is actually paid or reimbursed by the recipient.
 - d. National Transit Institute (NTI) Training. In addition to training activities under 49 U.S.C. 5305, States and public mass transportation authorities are eligible for education and training funds under 49 U.S.C. 5315, which allows use of not more than 0.5 percent of the amounts made available to carry out formula grants (49 U.S.C. 5307) or capital investments grants (49 U.S.C. 5309) to pay not more than 80 percent of the cost of tuition and direct educational expenses related to educating and training State and local transportation employees through grants and contracts with public and private agencies, other institutions, individuals, and the NTI.
 - e. Budget Scope and Activity Line Item (ALI) Codes. The Scope Code for training is 441–30. Sample scope codes and ALI codes can be found in Appendix B.
6. HUMAN RESOURCE PROGRAM ACTIVITIES.
- a. Eligible Grant Activities. Eligible activities authorized by 49 U.S.C. 5322 include projects that address the human resource needs and conditions of the public transportation industry. Human resource projects likely to be funded are those that fulfill the agency’s transportation human resource goals.
 - (1) Eligible projects include, but are not limited to:
 - (a) Employment training programs;
 - (b) Outreach programs that increase the number of minorities and women in job categories where such people have traditionally been underutilized; and
 - (c) Programs that increase the involvement of minority educational institutions in public transportation programs and activities.
 - (2) Examples of funded projects include:
 - (a) Transit agencies’ technical assistance programs to enhance the participation of Disadvantaged Business Enterprise (DBE) in transit-related projects and other contracting opportunities;
 - (b) Career development/employment programs to increase the diversity of minorities and women in the workforce;
 - (c) Training programs for disadvantaged youths to obtain entry-level employment and training in skilled crafts; and
 - (d) Implementation of transit projects for Native American tribes and organizations.

- b. Subrecipient Eligibility. Local governments, educational institutions, and non-profit organizations are eligible subrecipients for funds for human resource activities.
- c. Funding Ratio. FTA encourages cost sharing on projects involving non-public applicants, as well as the provision of local matching funds by public bodies to the maximum extent feasible.
- d. Budget Scope. The Scope Code for human resources is 441–20. A sample project budget scope and activity line item codes can be found in Appendix B.

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CHAPTER IV

CONSOLIDATED PLANNING GRANTS

1. CONSOLIDATED PLANNING GRANT (CPG) PROGRAM. The Federal Transit

Administration (FTA) and the Federal Highway Administration (FHWA) offer States the option of participating in the CPG program. The CPG program allows the States and Metropolitan Planning Organizations (MPO) to merge FTA metropolitan or Statewide planning funds with FHWA Planning (PL) funds to provide States support for both highway and transit planning activities in single consolidated grants. States/MPOs have the option to transfer planning funds to either the FTA or the FHWA, to be awarded and administered for metropolitan or Statewide planning purposes. This consolidation grant program fosters a cooperative effort between the Federal agencies and the participating States to streamline the delivery of their planning programs providing the flexibility in the use of planning funds.

FTA and FHWA continue to distribute metropolitan planning and Statewide planning funds according to each agency's statutory formulas to be distributed by the States to MPOs by formulas that meet the legislative factors for each category of funds. The legislative factors that are included in 23 U.S.C. 104 (f)(4) and 49 U.S.C. 5305 (d)(2) are considered. Each State will continue to develop its own distribution formula, in consultation with the MPOs, which must be approved by FTA or FHWA for their respective programs.

States/MPOs will decide whether planning funds will be consolidated in FTA or FHWA. The designated "Lead Grant Agency" will have day-to-day responsibility for grant administration (e.g., work program changes, allowable cost determination, audit processing, etc.). In all cases, the lead administrative agency will coordinate and solicit input from the other agency on major issues, such as work program approval and grant closeout. FTA Metropolitan and Statewide planning funds to be used in CPG grants must be transferred from the regular metropolitan and Statewide planning program codes to the appropriate metropolitan and Statewide codes designated in the Transportation Electronic and Award and Management (TEAM) system.

Under the CPG program, States can report metropolitan planning expenditures (to comply with the Single Audit Act) for both FTA and FHWA under the Catalog of Federal Domestic Assistance number for FTA's Metropolitan Planning Program (20.505) if FHWA funds are transferred to FTA or under FHWA's Highway Planning and Construction Program (20.205) if FTA funds are transferred to FHWA. Additionally, for States with an FHWA Metropolitan Planning fund-matching ratio greater than 80 percent, the State (through FTA) can request that FTA funds used for metropolitan planning in a CPG be matched at the higher matching ratio.

2. BENEFITS OF THE CPG TO THE STATES AND MPOS.

- a. No SF 424 (standard Federal application) is required. FTA and FHWA will accept the metropolitan (and statewide) planning work programs as the grant application for both FTA planning funds. FTA will not request a separate SF 424 from the State under the CPG.
- b. Elimination of separate FTA and FHWA budget detail. Under the CPG, FTA will not require a separate FTA and FHWA budget document with activity line items (ALIs) for work program activities (e.g., long range planning, Transportation Improvement Program (TIP) development, etc.). When needed for programmatic, not budget review, purposes by FHWA or FTA, this activity information will be obtained from the work program documents. Financial data (scope level) will come from the funding summaries at the end of the Unified Planning Work Program (UPWP) thereby eliminating the potential for budget revisions. This also saves the States and MPOs from having to prepare individual budgets.
- c. Expedited Authorization of work. States/MPOs will only have to wait for one source of funds, not both, to be made available at the beginning of their program period; as long as any planning funds (FTA or FHWA) are available to the “Lead Grant Agency,” those funds can be used for any of the work. Work will be authorized based on availability of combined FHWA and FTA funds. This should lessen, if not eliminate, the need to use FTA’s Letter of No Prejudice or FHWA’s Advance Construction provisions since some funds (FHWA or FTA) should always be available at the beginning of the work program period.
- d. Elimination of multiple budget activity line items in TEAM. TEAM will only show the combined FHWA/FTA funding programmed for each State. Budgetary and activity line item (ALI) will be reported for total funding. By using data at this aggregate level, it will not be necessary for transfers among work program line items to be entered into TEAM.
- e. Simplified work activity, accounting and billing. The State/MPO will not need to identify which categories of fund(s) are budgeted for specific work program activities set forth in the UPWP. Similarly, UPWP expenditures will not need to be tracked by source of funds and work program line items. The MPO requests for reimbursement will not need to indicate the source of the Federal funds claimed. The State’s bill will only need to specify a funding source to be drawn down.
- f. One Federal oversight agency. The “Lead Grant Agency” will have responsibility for day-to-day grant program support activities. Draft and final work programs and progress and financial reports will need to be submitted to the Lead Grant Agency only, which will also handle other administrative matters such as work program changes, allowable cost determination, and audit processing. FTA and FHWA will retain its’ responsibility for program management and oversight including the review of the UPWP and UPWP amendments. The FHWA Division and FTA Region will

coordinate review of the final reports and mutually determine if the grant is ready to be closed by the FTA region. Therefore States/MPOs will only need to work with one Federal agency on administrative issues.

- g. Simplified procedures for fund carryover/grant extension options. In non-CPG States, FHWA funds in previous grants (work programs) may be released and reprogrammed, upon request of the State, in new work programs at any time. Unexpended balances from FTA grants that exceed the four-year period of availability will lapse to the State if deobligated. FTA will work with States that elect to participate in the CPG on a case by case basis to close out previous FTA planning grants without the lapsing of funds. In CPG States, FHWA funds transferred to FTA will be administered by FTA and will remain in an open grant in the TEAM system until either the funds are disbursed or if any funds remaining will not be spent then they will be deobligated. The goal of the CPG program is to have only one combined FTA/FHWA grant to which all incurred cost will be charged during the State's or MPO's program period. This will reduce the number of open grants and associated accounting and paperwork burden. States participants in the CPG have the option to treat the CPG grants as one-year grants with a new project and grant created for each year's work program or amend the original grant to include several successive years' work programs. For example, the original grant could, through successive amendments, extend over the life of the reauthorization legislation. (Note that SAFETEA-LU restructured FTA accounts. Beginning in FY2006, CPG program funds are trust funded and new grants had to be established for CPG program funds. Grants can be amended in subsequent years.)
- h. Consolidated reporting. The State will submit periodic (annual is the required minimum but could be more frequent as agreed to by the field offices) progress and financial reports to only the Lead Grant Agency instead of to both FHWA and FTA. Reporting annually is the required minimum, but could be more frequent as agreed to by the field offices. Under the CPG program, progress and financial reports submitted by the State and MPO just need to specify the amount of total Federal funds that have been expended on specific activities and will not have to specify how much FHWA and FTA funds have been spent on activities. MPO reports will be submitted through States in accordance with State procedures. Similarly, products produced with the consolidated funds would only need to be submitted to the lead administrative Federal agency.
- i. Continuing/combined subgrant agreements. States can enter into continuing agreements with MPOs that cover both FTA and FHWA funded planning and then issue annual letters requesting transfer of each each year's funding. This eliminates the need for annual negotiations and legal review of subgrant agreements.
- j. Single Federal match ratio. States with differing FTA and FHWA match ratios have the option to use the higher matching ratio.
- k. Consolidated Single Audit Reporting. Expenditures of FHWA funds transferred to FTA can be reported under FTA's Catalog of Federal Domestic Assistance (CFDA)

number(s) and expenditures of FTA funds transferred to FHWA can be reported under FHWA's CFDA number.

3. PROJECT BUDGET INFORMATION. When the CPG program is administered by FTA the format of the budget should include: scope code, description, and project budget. The scope code 443-00-Consolidated Planning Grant and the ALI 44.31.99-FHWA/FTA Metro/State Planning should be used in preparing the budget. Included in the budget should be the combined FHWA and FTA metropolitan and Statewide planning funds. (see item d. above)
4. CONTACT INFORMATION. States interested in participating in the CPG program between FTA and FHWA should contact the FTA Regional Office or FHWA Division Office for more detailed procedures. For further information, contact the FTA Office of Budget and Policy at 202-366-4050, or the FHWA Office of Planning, Environment, and Realty at 202-366-0106.

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CHAPTER V

APPLICATION INSTRUCTIONS

1. GENERAL. Upon enactment of the annual Department of Transportation (DOT) Appropriations Act, Federal Transit Administration (FTA) apportions Metropolitan Planning Program (MPP) and State Planning and Research Program (SPRP) assistance to each State, which the State in turn distributes to its recipients. Until FTA awards an MPP or SPRP grant to the State, the State is not able to obtain that MPP or SPRP assistance. Because the State obtains MPP and SPRP assistance directly from FTA, the State submits its application and all supporting documentation directly to FTA. Metropolitan Planning Organizations (MPOs), authorities to the States, and local governmental authorities seeking MPP or SPRP assistance are responsible for providing sufficient documentation to the State in order for the State to prepare and submit an adequate planning program application to FTA.

FTA has not imposed requirements on the State in selecting the entity to apply for the State's MPP or SPRP grant; most often, the State DOT administers the State's MPP and SPRP grant. FTA also does not mandate uniform procedures by which States must process requests for assistance. A State may establish its own application procedures for MPOs seeking MPP assistance and procedures for authorities to the States, and local governmental authorities seeking SPRP assistance, provided that those procedures permit the State to provide program assistance promptly to its recipients. To expedite MPP and SPRP grant awards, however, FTA recommends that all application procedures conform to the guidance in this chapter pertaining to grant applications and reviews. FTA's Transportation Electronic Award Management (TEAM) System is used for processing grant applications and approvals.

2. MPO APPLICATION TO THE STATE. The MPOs and other entities seeking planning assistance should submit applications for MPP or SPRP assistance to the State along with sufficient documentation for the State to make the Certifications and Assurances required for an MPP and SPRP grant award to the State. An MPO seeking MPP assistance for planning work elements or activities involving an urbanized area (UZA) of more than 200,000 population or a nonattainment or maintenance area for transportation pollutants must also submit a copy of its draft and final Unified Planning Work Program (UPWP) to the appropriate FTA Regional Office and Federal Highway Administration (FHWA) Division Office for review and approval, as well as to the State. Each State has its own process for reviewing MPO applications for MPP assistance.

3. STATE APPLICATION TO FTA.

a. The State agency designated as the MPP and/or SPRP recipient must submit its application, with an original signature of the individual authorized to apply for grants on behalf of the State agency, to the appropriate FTA Regional Office.

- b. Transportation Electronic Award Management (TEAM). FTA provides a streamlined electronic interface between grantees and FTA that allows complete electronic grant application submission, review, approval, and management of all grants. Designated Recipients (DRs) may inquire about the status of grants, file their required quarterly financial status and narrative progress reports, and make annual Certifications and Assurances through the TEAM system. The Department of Labor (DOL), also participating in the program, receives requests electronically for Transit Employee Protective Certification of projects. DOL will electronically issue the Transit Employee Protective Certifications.
- c. Certifications and Assurances. FTA is required to obtain specific Certifications and Assurances pertaining to the Urbanized Area Formula Program (as well as to other FTA programs). As noted in above paragraph b, grant recipients are able to provide, electronically in TEAM, each certification and assurance that will apply to the applicant's grants for the particular year. The Certifications and Assurances appear in TEAM where a grant applicant's authorized representative may "pin" and submit the certifications appropriate to the applicant.

FTA Certifications and Assurances are published in the Federal Register, in conjunction with FTA's annual apportionments. They are also available to read, review, certify, and copy on FTA's TEAM system.

The State applicant is responsible to FTA for both its own and its subrecipients' compliance with the requirements of the Certifications and Assurances applicable to the specific project, even though some of the requirements must be fulfilled by the subrecipient or another entity. Only when a State is serving as a DR and merely transferring Urbanized Area Formula Program assistance to the ultimate FTA grantee will the State be permitted to enter into a three-party agreement with FTA, the ultimate grantee, and itself, in which FTA will place sole responsibility on the ultimate grantee to comply with all program requirements, thus relieving the State from compliance responsibilities. This exception, however, does not extend to other FTA programs.

4. ACKNOWLEDGMENT OF APPLICATION. Upon receiving the application, the FTA Regional Office will acknowledge receipt, assign a grant number, and indicate if the application is in order or note any deficiencies. A State applicant using the TEAM system to submit its application will receive its acknowledgment electronically.
5. GRANT APPROVAL. When a grant application has been approved, FTA notifies the applicant in writing or electronically through the TEAM system. The grant agreement is discussed more fully in Chapters II and III.

APPENDIX A

OUTLINE OF THE UPWP

This outline is not intended to be all-inclusive or prescriptive. Rather it provides one possible general framework for the description of work elements and activities to be accomplished in the implementation of the local planning process in the UPWP.

- a. The following outline suggests a general structure for a UPWP:
 - (1) Introduction. The introduction should include a discussion of items such as the purpose of the UPWP, the agencies participating in the UPWP, the time frame(s) used in the UPWP, the purpose of the UPWP, and generally how the UPWP was developed and unified for the entire metropolitan area. The UPWP should include a discussion in broad terms of the status of all planning in the metropolitan area, both comprehensive and transportation, and major overall issues and objectives to which the UPWP is addressed. Finally, it should list the specific products of the UPWP.
 - (2) Overview of the UPWP Work Elements Objectives. The UPWP should address the various planning work elements to be accomplished in the metropolitan area and based upon the metropolitan plan. This discussion should include the following:
 - (a) A discussion of the area's important transportation issues;
 - (b) A description of all proposed transportation and transportation-related planning work elements or activities, including related State Department of Transportation (DOT) or transit authority corridor planning work elements or activities, regardless of funding sources; and
 - (c) A description of transportation-related air quality planning work elements or activities, regardless of funding sources and which entity conducts such work elements or activities.
 - (3) The UPWP should address both immediate planning issues and long-term planning decisions for each work element or activity and should, where appropriate, give consideration to the interaction of short- and longer-range issues. Particular attention should be given to the impact of current decisions on long-term costs and benefits. Within the overall framework of the work program the elements of the program must meet the requirements of the individual Federal operating administrations to be eligible for funding.

The UPWP should include any work elements or activities carried forward from prior years as well as any work elements or activities to be financed from the Urbanized Area Formula Program (49 U.S.C. 5307) or other FTA or FHWA programs.

- (4) The specific work elements and activities to be performed in the coming one or two years to carry out each specific planning work element or activity should be described. For each work element or activity, the following items should be discussed:
 - (a) Objectives of the work element or activity;
 - (b) Previous Work;
 - (c) Methodology;
 - (d) Tangible products expected within timeframe of UPWP;
 - (e) Entity responsible for work element or activity;
 - (f) Cost and funding source (financial responsibility);
- (5) Proposed Budget using the format of the Project Task Budget in Appendix B.
 - (a) The Project Task Budget should show all amounts of Federal assistance funds, including carryover funds, and local share funds from State and local sources, that are allocated to each work element or activity included in the UPWP. It should also include amounts the MPO intends to provide to other entities, e.g., transit operators, local county governments, etc., each of which would have a corresponding work activity(s). A sample format and an explanation of the technical activities are provided in Appendix B.

APPENDIX B

SAMPLE BUDGETS

MPP Sample Project Task Budget

<u>SCOPE CODE</u>		<u>PROJECT BUDGET</u> ¹
<u>ALI</u>	<u>ACTIVITY</u>	
442-00	Metropolitan Transportation Planning	
44.21.00	Program Support and Administration	\$174,600
44.22.00	General Development and Comprehensive Planning	127,400
44.23.00	Long Range Transportation Planning	100,000
44.24.00	Short Range Transportation Planning	165,000
44.25.00	Transportation Improvement Program (TIP)	20,000
44.27.00	Other Activities	0
	TOTAL	\$587,000

SPRP Sample Project Task Budget

<u>SCOPE CODE</u>		<u>PROJECT BUDGET</u> ¹
<u>ALI</u>	<u>DESCRIPTION</u>	
441-00	Statewide Planning	
44.21.00	Program Support and Administration	\$174,600
44.22.00	General Development and Comprehensive Planning	127,400
44.23.00	Long Range Transportation Planning (To include EIS)	0
44.24.00	Short Range Transportation Planning	165,000
44.25.00	Transportation Improvement Program (TIP)	20,000
	TOTAL	\$487,000

¹ FTA funds plus State and local match.
FTA's Transportation Electronic Award and Management (TEAM) system is available on FTA's website.

Activity Line Items

The following Activity Line Item (ALI) codes are used for both metropolitan and State planning.

1. Program Support and Administration (44.21.00). Include basic overhead, program support, and general administrative costs directly chargeable to the FTA project, i.e., direct program support, administration, interagency coordination, citizen participation, public information, local assistance, Unified Planning Work Program (UPWP) development, etc. (If direct program administrative and support costs are included in each work or activity, do not enter them a second time in this category.)
2. General Development and Comprehensive Planning (44.22.00). Include only the costs of activities specifically emphasizing regional policy and system planning for non-transportation functional areas, including the development and maintenance of related data collection and analysis systems, demographic analysis and non-transportation modeling, and forecasting activity, e.g., land use, housing, human services, environmental and natural resources, recreation and open space, public facilities and utilities, etc.
3. Long Range Transportation Planning (LRTP)—Metropolitan & Statewide (44.23.00).
 - a. Long Range Transportation Planning (LRTP)—System Level. Include only the costs of activities specifically emphasizing long range transportation system planning and analysis, e.g., long range travel forecasting and modeling including appropriate data base development and maintenance for transportation in the entire metropolitan area or State, system analysis, sketch planning, system plan development, reappraisal or revision, and all long-range, Transportation System Management (TSM) activities.
 - b. Long Range Transportation Planning (LRTP)—Project Level. Include only the costs of activities specifically emphasizing long range project level planning and analysis, e.g., corridor and subarea studies, cost effectiveness studies, feasibility and location studies, and the preparation of related draft environmental impact studies.
4. Short Range Transportation Planning (SRTP) (44.24.00). Include only the cost of activities specifically emphasizing short range transportation system or project planning and analysis proposed in the next three to five years, i.e., management analyses of internal operations such as, management/administration, maintenance, personnel, and labor relations; service planning including appropriate data base development and maintenance; TDP preparation; financial management planning, including alternative farebox policies; all short range Transportation System Management (TSM) activities including vanpool/ridesharing, high occupancy vehicles, parking management, etc.
5. Transportation Improvement Program (TIP) (44.25.00). Include only the costs of activities specifically emphasizing TIP development and monitoring.

6. Other Activities (44.27.00). Include only the cost of those activities whose primary emphasis is unrelated to the specific types of activities described above.

HUMAN RESOURCE PROGRAM

<u>SCOPE CODE</u>	<u>DESCRIPTION</u>	<u>PROJECT BUDGET</u>
<u>ALI</u>		
441-20	Human Resource Program	
2X.10.00	Personnel—Direct Labor	\$50,000
2X.13.00	Stipends—Student	15,000
2X.14.00	Stipends—Administrative Staff & Teachers	15,000
2X.20.00	Travel	10,000
2X.50.0	Contractual Services	12,000
2X.40.00	Equipment	15,000
2X.49.00	Supplies (Expendable Items)	5,000
2X.70.00	Other Direct Project Related Costs	6,500
2X.71.00	General Administrative Costs:	3,000
2X.74.00	Conferences: Workshops/Seminars; Speakers' Honorariums; Meetings; Open House Other Direct Expenses	3,500
2X.74.00	Indirect Costs—Overhead (*Denotes excluded activity line items (ALIs))	<u>1,500</u>
	TOTAL	\$136,500

FTA's Transportation Electronic Award and Management System (TEAM) system is available on FTA's website.

TRAINING PROGRAM

<u>SCOPE CODE</u>	<u>DESCRIPTION</u>	<u>PROJECT BUDGET</u>
<u>ALI</u>		
441-30	Training Program	
50.10.00	Travel	\$5,000
50.20.00	Tuition/fees	15,000
50.30.00	Housing/Meals	<u>4,000</u>
	TOTAL	\$24,000

FTA's Transportation Electronic Award and Management (TEAM) system is available on FTA's website.

RESEARCH PROGRAM

<u>SCOPE CODE</u>	<u>DESCRIPTION</u>	<u>PROJECT BUDGET</u>
<u>ALI</u>		
441-60	Research & Development Program	
55.10.00	Personnel—Direct Labor	\$136,000
55.14.00	Managerial, Technical & Professional	50,000
55.40.00	Equipment	30,000
55.42.00	Material & Equipment Purchase Lease	50,000
55.43.00	Equipment Design or Manufacture	15,000
55.49.00	Supplies	30,000
55.20.00	Travel	10,000
55.50.00	Contractual	56,000

55.82.00	General & Administrative	50,000
55.74.00	Other Project Costs	<u>75,000</u>
	TOTAL	\$502,000

FTA's Transportation Electronic Award and Management (TEAM) system is available on FTA's website.

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APPENDIX C

REFERENCES

- a. Federal Transit Laws, Title 49, United States Code, Chapter 53.
- b. Federal-aid Highway and Surface Transportation Laws, Title 23, United States Code.
- c. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, (SAFETEA-LU) (Pub. L. 109-59, 119 Stat. 1144, August 10, 2005).
- d. Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105-178, 112 Stat. 107, June 9, 1998).
- e. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) (Pub. L. 102-240, 105 Stat. 1914, Dec. 18, 1991).
- f. Federal Public Transportation Act of 1978 (Pub L. 95-599, Nov. 6, 1978).
- g. Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 et seq.
- h. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d.
- i. Clean Air Act, as amended, 42 U.S.C. 7401 et seq.; specifically, limitations on Federal assistance added by the Clean Air Act Amendments of 1990, 42 U.S.C. 7506(a).
- j. National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 et seq.
- k. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794.
- l. Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f.
- m. Single Audit Act of 1984, 31 U.S.C. 7501.
- n. Lobbying disclosure provisions of 31 U.S.C. 1352.
- o. Federal Highway Administration (FHWA) regulations, "Program Management and Coordination," 23 CFR Part 420.
- p. Joint FHWA/FTA regulations, "Planning Assistance and Standards," 23 CFR Part 450 and 500, 49 CFR Part 613 (specifically, Subpart B "Statewide Transportation Planning," and Subpart C "Metropolitan Transportation Planning and Programming.")
- q. Joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," 23 CFR Part 771.
- r. Executive Order 12898 on "Environmental Justice" dated February 11, 1994.

- s. Department of Labor Guidelines, “DOL Guidelines, Section 5333(b), Federal Transit law,” 29 CFR Part 215.
- t. Department of Housing and Urban Development regulations, “Community Development Block Grants,” 24 CFR Part 570.
- u. Department of Treasury regulations, “Rules and Procedures for Funds Transfers,” 31 CFR Part 205.
- v. Environmental Protection Agency regulations, “Requirements for Preparation, Adoption, and Submittal of Implementation Plans,” 40 CFR Part 51 (specifically, Subpart T, “Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved under Title 23 U.S.C. or the Federal Transit Act.”)
- w. Environmental Protection Agency regulations, “Determining Conformity of Federal Actions to State or Federal Implementation Plans,” 40 CFR Part 93.
- x. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments” (“common grant management rule”), 49 CFR Part 18.
- y. DOT regulations, “New Restrictions on Lobbying,” 49 CFR Part 20.
- z. DOT regulations, “Participation by disadvantaged business enterprises in Department of Transportation financial assistance programs,” (DBE regulations), 49 CFR Part 26.
- aa. DOT regulations, “Nondiscrimination on the basis of disability in programs or activities receiving Federal financial assistance,” 49 CFR Part 27.
- bb. DOT regulations, “Governmentwide Debarment and Suspension (Nonprocurement),” 49 CFR Part 29.
- cc. DOT regulations, “Procedures for transportation workplace drug testing programs,” 49 CFR Part 40.
- dd. DOT regulations, “Seismic Safety,” 49 CFR Part 41.
- ee. FTA regulations, “Capital Leases,” 49 CFR Part 639.
- ff. FTA regulations, “Buy America Requirements,” 49 CFR Part 661.
- gg. Office of Management and Budget (OMB) Circular A–133, “Audits of States, Local Governments, and Non-Profit Organizations,” June 23, 2003.
- hh. OMB Circular A–87, “Cost Principles for State, Local, and Indian Tribal Governments,” codified at 2 CFR Part 225, Aug. 31, 2005.

- ii. FTA Circular 4220.1E, “Third Party Contracting Requirements,” June 19, 2003.
- jj. FTA Circular 4702.1A “Title VI and Title VI—Dependent Guidelines for FTA Recipients,” May 13, 2007.
- kk. FTA Circular 4704.1, “Equal Employment Opportunity Program Guidelines for Grant Recipients,” dated July 26, 1988.
- ll. FTA Circular 5010.1C, “Grant Management Guidelines,” Oct. 1, 1998.
- mm. FTA Circular 9030.1C, “Urbanized Formula Program Guidance and Application Instructions,” Oct. 1, 1998.
- nn. FTA Circular 9040.1F, “Nonurbanized Area Formula Program Guidance and Grant Application Instructions,” Apr. 1, 2007.
- oo. FTA Circular 9045.1, “New Freedom Program Guidance and Application Instructions,” May 1, 2007.
- pp. FTA Circular 9050.1, “The Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions,” May 1, 2007.
- qq. FTA Circular 9070.1F, “Elderly Individuals and Individuals with Disabilities Program Guidance and Application Instructions,” May 1, 2007.
- rr. FTA Circular 9400.1A, “Design and Art in Transit Projects,” dated 6–9–95.
- ss. FTA Circular 9500.1, “Intergovernmental Review of FTA Planning, Capital and Operating Programs and Activities,” dated 3–30–84.
- tt. FTA Notice “Policy Statements on Local Share Issues,” 57 FR 30880 (1992).
- uu. General Services Administration (GSA), “Excluded Parties List System,” www.epls.gov.
- vv. FTA Master Agreement FTA MA(13), Oct. 1, 2006.
- ww. FTA ECHO-Web System Operations Manual, <http://www.fta.dot.gov/documents/ECHOWebGranteeUserManual.pdf>.

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APPENDIX D

FTA REGIONAL AND METROPOLITAN CONTACT INFORMATION

<u>Office</u>	<u>Area Served</u>	<u>Contact Information</u>
Region I	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont	Transportation Systems Center Kendall Square 55 Broadway, Suite 920 Cambridge, MA 02142-1093 Phone: 617-494-2055 Fax: 617-494-2865
Region II	New York and New Jersey	One Bowling Green Room 429 New York, NY 10004-1415 Phone: 212-668-2170 Fax: 212-668-2136
Region III	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia	1760 Market St Suite 500 Philadelphia, PA 19103-4124 Phone: 215-656-7100 Fax: 215-656-7260
Region IV	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and U.S. Virgin Islands	230 Peachtree Street NW Suite 800 Atlanta, GA 30303 Phone: 404-865-5600 Fax: 404-865-5605
Region V	Illinois, Indiana, Minnesota, Michigan, Ohio, and Wisconsin	200 W Adams St Suite 320 Chicago, IL 60606 Phone: 312-353-2789 Fax: 312-886-0351
Region VI	Arkansas, Louisiana, New Mexico, Oklahoma, and Texas	819 Taylor St Room 8A36 Forth Worth, TX 76102 Phone: 817-978-0550 Fax: 817-978-0575
Region VII	Iowa, Kansas, Missouri, and Nebraska	901 Locust, Suite 404 Kansas City, MO 64106 Phone: 816-329-3920 Fax: 816-329-3921

Office	Area Served	Contact Information
Region VIII	Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming	12300 W Dakota Ave. Suite 310 Lakewood, CO 80228-2583 Phone: 720-963-3300 Fax: 720-963-3333
Region IX	Arizona, California, Hawaii, Nevada, Guam, American Samoa, and Northern Mariana Islands	201 Mission St Room 1650 San Francisco, CA 94105-1839 Phone: 415-744-3133 Fax: 415-744-2726
Region X	Alaska, Washington, Oregon, and Idaho	Jackson Federal Building 915 Second Ave, Suite 3142 Seattle, WA 98174-1002 Phone: 206-220-7954 Fax: 206-220-7959
Lower Manhattan Recovery Office	Lower Manhattan	One Bowling Green, Room 436 New York, NY 10004 Phone: 212-668-1770 Fax: 212-668-2505
New York Metropolitan Office	New York Metropolitan Area	One Bowling Green, Room 428 New York, NY 10004-1415 Telephone: 212-668-2201 Fax: 212-668-2136
Philadelphia Metropolitan Office	Philadelphia Metropolitan Area	1760 Market Street, Suite 510 Philadelphia, PA 19103-4124 Telephone: 215-656-7070 Fax: 215-656-7269
Chicago Metropolitan Office	Chicago Metropolitan Office	200 West Adams Street Suite 2410 (24th floor) Chicago, IL 60606 Telephone: 312-886-1616 Fax: 312-886-0351
Los Angeles Metropolitan Office	Los Angeles Metropolitan Area	888 S. Figueroa, Suite 1850 Los Angeles, CA 90012 Telephone: 213-202-3950 Fax: 213-202-3961
Washington, DC Metropolitan Office	Washington, DC Metropolitan Area	1990 K Street NW Suite 510 Washington, DC 20006 Telephone: 202-219-3562/3565 Fax: 202-219-3545

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