



# **American Recovery and Reinvestment Act of 2009**

**GDOT/MPO Transportation  
Planning Summit  
MARCH 17, 2009  
Macon, GA**



# Transit and Recovery Act Overview

- Overview of American Recovery and Reinvestment Act
- FTA Formula programs
  - Urban
  - Non-urban
- Discretionary Program
  - Energy/Greenhouse Gas Savings (FTA)
  - Multimodal Program (OST)
- ARRA Reporting requirements
- Questions



## Purposes Of Legislation

- **Recovery**
  - Maintain and create jobs
  - Infuse cash into cash strapped state and local economies
- **Reinvest**
  - Build and repair infrastructure



# Transit Funding in ARRA

Program		
Urban Formula	\$5.97 B	(incl. funds allocated through Sec 5340)
Non-Urban Formula	\$760 M	(incl. funds allocated through Sec 5340)
Fixed Guideway Modernization Formula	\$742 M	
New Starts / Small Starts	\$742 M	
Tribal Grants	\$17 M	
Discretionary Energy Program <b>[new]</b>	\$100 M	
Discretionary Multimodal Program <b>[new]</b>	[\$1.4985B]	
Administration / Oversight	\$64 M	
<b>Total (Transit Only)</b>	<b>\$8.4 Billion</b>	

Note: Amounts are after takedown for Administration and Oversight



## Key Provisions

- No waiver of FTA program requirements (planning/NEPA/Buy America/Labor Protections)
- 100% Federal share, except New Starts
- Capital expenses only are eligible
- Cannot mix Recovery Funds in same grant with any other funds
- ARRA STP Funds can be flexed to transit



## To Be Ready for a Grant

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



# ARRA Obligation Timetable

- **Formula Program**
  - **September 1:** Deadline to obligate one half of apportionment (180 Days from apportionment notice)
  - **March 5, 2010:** Second deadline to obligate funds (365 days from apportionment notice)
  - **September 30, 2010:** Unobligated funds revert to Treasury
  - **\*May 29, 2009:** FTA Region IV "Soft Deadline"
- **Recovered funds will be redistributed**



# ARRA Transit Formula Programs

- **Urbanized Area Formula (\$5.97 B)** – Allocated to Urbanized Areas using Section 5307 formula (includes section 5340, but excludes Transit Intensive Cities Tier)
- **Non Urbanized Formula (\$760 M)** – Allocated to States using regular Section 5311 formula
- **Fixed Guideway Modernization (\$742 M)** – Allocated to Urbanized Areas using regular Section 5309 FGM formula – Tiers 1, 2, 3 and part of 4



# **ARRA Transit Formula Programs**

## **Transit Capital Assistance Program**

- **100 percent federal funds**
- **Pre-Award Authority**
  - October 1, 2008
- **Availability of funds**
  - 50 percent must be obligated by September 1, 2009
  - The remaining 50 percent must be obligated by March 5, 2010



## **ARRA Transit Formula programs**

### **Urbanized Area Formula Program**

#### **– \$5.97 B**

- Allocated to the UZA
- Section 5307 and 5340 formula
- Small Transit Intensive Cities (Section 5336(i)(1) and (j) explicitly excluded from formula by ARRA

#### **– Designated Recipient and State**

- Suballocates Funds
- Submit split letter to FTA



# ARRA Transit Formula Programs

## Urbanized Area Formula Program

- **Eligible recipients:** Public transportation providers
- **Eligible Activities**
  - **Capital Expenses consistent with 5302(a)(1)**
    - Preventive Maintenance
    - Up to 10 percent ADA paratransit
    - Engineering and Design
    - Crime prevention and security
      - **Excluding operating activities**
        - » **Exceptions – costs associated with emergency response drills and security training**



# ARRA Transit Formula Programs

## Urbanized Area Formula Program

- Program Requirements
  - Section 5307 including:
    - Transit Enhancement Provision
      - UZAs over 200,000
    - Security Spending
    - DOL Certification



## ARRA Transit Formula Programs

### Nonurbanized Area Formula Program

- \$760 M
  - Allocated to States
  - Section 5311 and 5340 formulas
- State
  - Sub-awards to Subrecipients
  - Submits Program of Projects
  - Applies to FTA for funds



# ARRA Transit Formula Programs

## Nonurbanized Area Formula Program

- **Eligible Subrecipients:** State, local gov't, nonprofit organizations, Indian tribes, operators of public transportation or intercity bus services.
- **Eligible Activities**
  - **Capital Expenses consistent with 5302(a)(1)**
    - Preventive Maintenance
    - Up to 10 percent ADA paratransit
    - Engineering and Design
  - **State Administration**
    - Up to 15% of apportionment



## ARRA Transit Formula Programs

### Nonurbanized Area Formula Program

- Program Requirements
  - Section 5311 including:
    - Intercity Bus Provision
      - 15 percent required, or
      - Certification
        - » FY 2009 certifications sufficient
    - DOL Special Warranty Provision
    - Tribal subrecipients
      - May apply directly to FTA



# ARRA Transit Discretionary Programs

- **Major Capital Investments (\$742.5M)** - FTA focussing on projects "under construction or able to obligate funds within 150 days"
- **Tribal Transit (\$17M)** - Competitive solicitation and selection using existing procedures; capital projects only
- **Energy Program (\$100M)** - Competitive solicitation and selection; based on new procedures and criteria to be announced soon



# Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER)

- **\$100 Million**
- **Grants to transit agencies for Capital Projects that either:**
  - Reduce energy consumption of the transit agency, or
  - Reduce greenhouse gas emissions of the transit agency.
- **Application Procedures** - FTA will publish in the Federal Register and post on website.



## **ARRA TIGGER Selection Criteria**

- **For Energy Consumption Reduction Projects**
  - Total energy reduction of the project
  - Total energy reduction of the project as a percentage of the total energy usage of the transit agency
  - Others under development
- **For greenhouse gas emission reduction projects**
  - Under development



## **ARRA Multimodal Discretionary Program**

- Capital investments in surface transportation infrastructure
- \$1.5 billion competitive grant program
- Projects with significant impact on Nation, metro area or region
- Grant awards: \$20 m to \$500 m
- Up to 100% Federal share



# ARRA Multimodal Discretionary Program

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



## ARRA CERTIFICATIONS

- Secretary LaHood Letter to Governors – February 27, 2009
- ONE-DOT Certs – for FHWA and FTA
- Certifications Received are posted on [www.dot.gov](http://www.dot.gov) recovery site
- Certs required by 1201, 1511, and 1607



## **Cert: S. 1201- MOE**

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



## Cert: S. 1511 – Project Vetting Cert

- S. 1511 – Projects have been vetted and are good investments of ARRA \$
- Gov't wide Requirement- must be received prior to award
- One State cert based on TIP/STIP Process sufficient for FTA/FHWA if it cites STIP and live link to STIP that includes/or will include transit projects
- FHWA/FTA projects must be listed in STIP with ARRA as funding source



## **Cert: S. 1607 – ACCEPTING ARRA FUNDS**

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



## REPORTING REQUIREMENTS

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



## Reporting: S. 1201 (C) (2)

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



## Reporting: S. 1512

- Government Wide ARRA requirement – starts 180 days after February 17
- Quarterly Reports due starting 10 days after each quarter for grantee/30 days for DOT
- Detailed project/activity level information – including jobs data



## Reporting: S. 1512 Reports (cont'd)

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



## Reporting: S. 1609 Report

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



## FTA ARRA Support

- **Planning and Environment** - FTA Regional Office assistance available to States, MPO's, and transit agencies.
- **Grant Systems Updates** – TEAM updated and open.
- **Apportionment & Guidance** – Final apportionment of funds and grantee guidance published 3/5/09.
- **Process Streamlining** – Early assignment of grant numbers to facilitate simultaneous reviews by DOT and DOL.
- **FTA Recovery Webpage** - Robust Webpage devoted to ARRA Q's and A's.



# Questions?

Webpage: [www.fta.dot.gov/economicrecovery](http://www.fta.dot.gov/economicrecovery)