

FTA Post Award Activities

Charlene Lee Lorenzo - Senior Director, Southern CA Office

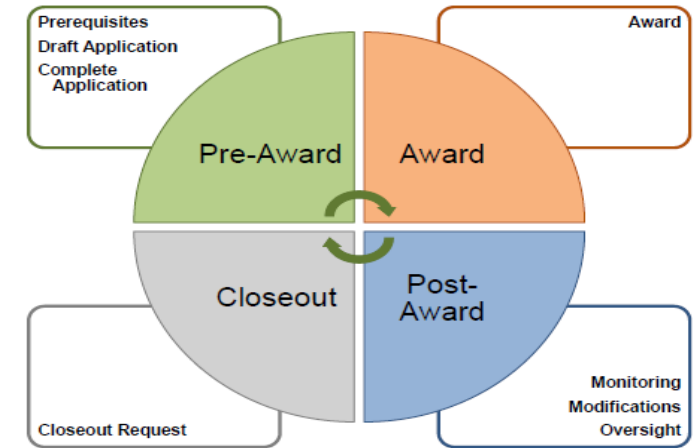
04/09/2024



U.S. Department of Transportation
Federal Transit Administration

Grant Award Life Cycle

- Pre-Award
 - Applicant drafts an application and submits in TrAMS for review
- Award
 - FTA approvals. The award phase ends with FTA obligates (Awards) funds and the recipient executes the award.
- Post-Award
 - Recipients implement the projects included in their award's scope of work, and FTA monitors progress through guidance and oversight to ensure that all activities included in the award's scope of work are conducted in compliance with Federal regulations and legislative requirements.
- Closeout
 - After the projects are complete, the recipient completes and submits in TrAMS the documents required for closeout and FTA has approved a closeout amendment.



Post-Award Activities

- Once the Award is executed, the applicant becomes the recipient and the post-award phase begins.
- The Post-Award Phase of a grant is usually the longest in terms of the life of an award.
- During this phase, recipients implement the projects included in their award's scope of work, and FTA monitors progress to ensure that all activities included in the award's scope of work are conducted in compliance with Federal regulations and legislative requirements.

Grants Management

Grant Administration Responsibilities

- Post-Award Reporting
 - FFR/MPR
 - NTD reporting
 - Civil Rights
 - Drug and Alcohol
 - Single Audits per 2 CFR Part 200 “Uniform Guidance”
- Budget Revisions
- Grant Amendment
- Grant Closeouts
- Other Considerations

Reporting

- When the Award is active, the recipient must comply with post-award reporting requirements
- FTA monitors projects and related activities under the Award to ensure proper recipient stewardship of federal assistance and compliance with applicable laws, regulations, and requirements.
- Progress Reports are comprised of 2 elements
 - Federal Financial Report (FFR)
 - Milestone Progress Report (MPR)
- Reporting requirements are contained in FTA Circular 5010.1E
- Recipients must file their FFRs and MPRs electronically in TrAMS

Report Frequency

- FTA's reporting requirements vary depending on the size of the recipient or the type or amount of federal assistance the recipient receives
- Frequency of Award Reporting
 - Quarterly – Awards that are \$2 million and above in Federal funds
 - Annually – Awards that are less than \$2 million in Federal funds
- Report frequency is established during grant review/award process

Report Submittal and Review Schedule

Quarter	Report Period	Recipient Due Date	FTA Review Deadline
Quarter 1	October 1 – December 31	January 30 th	March 30 th
Quarter 2	January 1 – March 30	April 30 th	June 30 th
Quarter 3	April 1 – June 30	July 30 th	September 30 th
Quarter 4	July 1 – September 30	October 30 th	December 30 th
Annual	October 1 – September 30	October 30 th	December 30 th

Milestone Progress Reports (MPRs)

- MPRs must be submitted for each active Award.
- Information in the MPR should be as complete as possible, highlighting progress toward project objectives and any potential problem areas.
- Reports of Significant Events. Unforeseen events that impact the schedule, cost, capacity, usefulness, or purpose of the Award, including the terms and conditions applicable to the Award must be reported to FTA immediately and then reflected in the next Milestone Progress Report.

MPR Reporting Requirements

- Each MPR must include the following information as appropriate:
 - (1) The current status of each milestone that has passed during the prior reporting period. MPRs should identify:
 - a) The actual completion dates for any milestones completed during the reporting period, and
 - b) Any revised dates when any original (or last revised) completion dates were not met.
 - c) If the milestone date exceeds the Award end date, the recipient should consult the FTA Regional Office to determine if the change to the Award end date will be made through a budget revision or an amendment.
 - (2) A narrative of the activity status, any problems encountered in implementation, specification preparation, bid solicitation, resolution of protests, and third-party contract Awards.
 - (3) A detailed discussion of all Award Budget or schedule changes.

MPR Reporting Requirements – continued

- (4) An explanation of why scheduled milestones or completion dates were not met (if applicable).
- (5) Identification of problem areas and a narrative on how the problems will be solved.
- (6) A discussion of the expected impacts and the efforts to recover from the delays.
- (7) An analysis of each significant project cost variance: Completion and acceptance of equipment and construction or other work should be discussed, together with a breakout of the costs incurred and those costs required to complete the project.
- (8) A list of all outstanding claims exceeding \$100,000, and all claims settled during the reporting period.

MPR Reporting Requirements – continued

(9) A list of all potential and executed change orders and amounts exceeding \$100,000, pending or settled, during the reporting period.

(10) A list of claims or litigation involving third-party contracts and potential third-party contracts that:

- a) Have a value exceeding \$100,000;
- b) Involve a controversial matter, irrespective of amount; or
- c) Involve a highly publicized matter, irrespective of amount.

(11) A list of all real property acquisition actions during the reporting period.

(12) All rolling stock ALIs must include a milestone for Contract Award.

Common MPR Comments

- MPR was submitted late or not submitted. MPRs are due 30 days following the end of the reporting period by 11:59pm Greenwich mean time.
- A status update was not provided for each active project (ALI).
- MPR does not include a detailed discussion of all Award Budget or schedule changes.
- MPR does not include an explanation of why scheduled milestones or completion dates were not met.
- MPR does not provide enough detail of events. For example, stating “Progress is on-going” for a bus procurement does not provide any meaningful information.

Federal Financial Report

- The FFR accompanies the MPR and is used to monitor the federal assistance awarded.
- The purpose of the FFR is to provide a current, complete, and accurate financial picture of the Award.
- If the application includes the use of an indirect rate for reimbursement, it must be reported in the FFR each quarter.
 - There must be an approved rate on file with the FTA prior to charging indirect costs.

FFR Reporting Requirements

- The FFR must contain the following elements:
 - (1) All financial facts (e.g., expenditures and obligations) relating to the Award (scope of work and supporting activities)
 - (2) Reported financial data should be accurate to the last Award and the reporting period.
 - (3) Financial reports must be based on the required supporting documentation.
 - (4) Financial data reported should be derived from accounts that are maintained on a consistent, periodic basis

FFR Reporting Requirements - continued

- (5) Reporting terminology used should be consistent with receipt and expense classifications included in the latest Award.
- (6) The recipient is responsible for indicating whether or not it is charging indirect costs to the Award at the time of application.
- (7) The recipient must provide financial information related to the FFR categories: Federal Cash, Recipient Share, Unliquidated Obligations, and Program Income.
- (8) The recipient must provide remarks to help explain the report, in particular any reconciliation (e.g., refunds) identified in the report.

Common FFR Comments

- FFR was submitted late or not submitted. FFRs are due 30 days following the reporting period by 11:59am Greenwich mean time.
- No disbursements in the past 12 months indicates the grant is inactive and at risk of closeout by FTA.
- Existing contracts (confirm in MPR) indicate unliquidated obligations should be reported on-line I of the FFR yet nothing is reported.
- *Potential overdraw. Disbursements should not exceed federal share of expenditures*
- FFR indicates cash on hand (Line D). Cash held for more than 3 days by the agency may be subject to interest returned to FTA.
- *FFR does not include Indirect Cost Information*
- *FFR indicates Indirect Costs but the original Grant Award did not request Indirect Costs*

Reporting – Civil Rights

- **Title VI**
 - Triennial Basis, report on compliance
 - Circular 4702.1
- **EEO**
 - Applicability - 50 or more employees; \$1 million more of FTA assistance
 - Requirement: Triennial Basis, report on compliance
- **DBE**
 - Applicability - Receive \$250,000 or more in FTA funds each year, excluding vehicle procurement
 - Requirement - Establish Goals on a Triennial Basis
 - **Due Date - Required by August 1st of third year**

Reporting – National Transit Database (NTD)

- NTD is the primary source of info and statistics on US Transit systems
- 5307 and 5311 recipients or beneficiaries are required to submit data to NTD
- Must provide a complete report of all transit operations regardless if funded in whole or part by FTA
- Voluntary reporting (if not a required reporter) may be beneficial in obtaining additional funding if providing a transit service to another urbanized area
- NTD Reporting Manual: [Manuals | FTA \(dot.gov\)](#)

Reporting – NTD Deadlines

Fiscal Year End Date	Waiver, Special Request, etc. Deadline	Annual Report Due Date	Last Date to Submit Report Revisions	Report Closeout Date
June 30	August 31	October 31	March 1	March 15
September 30	November 30	January 31	May 1	May 15
December 31	February 28	April 30	July 2	July 15

Reporting – Significant Events

Unforeseen events that impact schedule, cost, capacity, usefulness, or purpose of project should be reported to FTA immediately, for example

- Problems, delays, or adverse conditions will affect the grantee's ability to achieve project objectives within the scheduled time period or within budget
- Favorable developments will enable the grantee to achieve project goals/complete project activities ahead of schedule or at lower cost
- Local events that effect transit in general. Events such as bond issues, major new employer, loss of employer, public policy or transit district in news

Reporting - Annual Single Audit

- **Applicability:** Non-Federal entities that expend **\$750,000 or more** in Federal awards
- **Requirement:** - Conduct an annual organization-wide audit in accordance with “Uniform Guidance” (2 CFR Part 200).
- **Due Date:** - Audit completed within 9 months of the end of grantee’s fiscal year.

Modifications to the Award

- FTA recognizes that sometimes it is necessary to modify an award in response to changing circumstances related to the project.
- The extent to which an award can be modified depends on the age and nature of the funds and the nature of the changes requested.
- After the initial award, there are 2 mechanisms to formally modify an award:
 - Budget Revisions
 - Grant Amendments

Budget Revisions

- Budget revisions are changes to the award budget and do not change the scope of work.
- Budget revisions may be made if there is no change in the award purpose and scope of work, type, or amount of Federal Funding
- Budget revisions may also be used to modify the award's period of performance
 - Existing milestones cannot be modified using budget revision process, and they must be updated in the Milestone Progress Report (MPR)
 - A change to dates mentioned in an accepted MPR does not constitute formal approval to change the period of performance end date.
- If a budget revision is not permitted, FTA may advise the recipient to seek funding through a new award, an amendment or may advise that no change is possible.

Grant Amendments

- Amendments are required when there is significant change in the scope of work or additional funds are obligated.
- Only zero-dollar amendments are allowed after the initial period of availability of funds has passed.
- The recipient must describe the reason for the amendment and the changes to the award, include a detailed description of each change and a revised Award Budget, and update the period of performance, if applicable.
- To delineate the budget revision or amendment, the recipient should included a header (e.g. Amendment #1 (or Budget Revision #1 – October 2023) in each narrative section of the application

Grant Closeouts

- Closeout signifies the process by which FTA determines that all activities in an award are complete and the Federal Funds necessary to complete have been expended.
- The recipient is responsible to initiate closeout of the Award within 180 after the end of the period of performance, or after all approved activities are completed and/or the applicable federal assistance has been expended for all eligible costs.
- Closeout does not preclude FTA's ability to seek repayment or other remedies for a recipient's breach of award terms and conditions.

Grant Closeouts - continued

- The closeout information submitted in TrAMS must include:
 - Confirmation that activities are complete and if the closeout amendment will deobligate any unexpended funds
 - A list of property acquired or improved
 - A final reconciled Award Budget reflecting actual Project costs by scope code and activity, reflecting adjustments to the federal and non-federal amounts
 - A final FFR, consistent with the reconciled Award Budget
 - A final narrative MPR indicating the actual completion date of each Activity Line Item (ALI) and a discussion of each ALI contained in the final award budget.
 - Any other documentation or reports required as part of the terms and conditions of the Grant or Cooperative Agreement.

Other Considerations During Post-Award

Other Considerations During Post-Award:

- Environmental
- Real Property
- Incidental Use
- Useful Life
- Dispositions

Project Modification and NEPA

After NEPA approval and throughout construction, grantee must notify FTA of potential project changes. Common changes include:

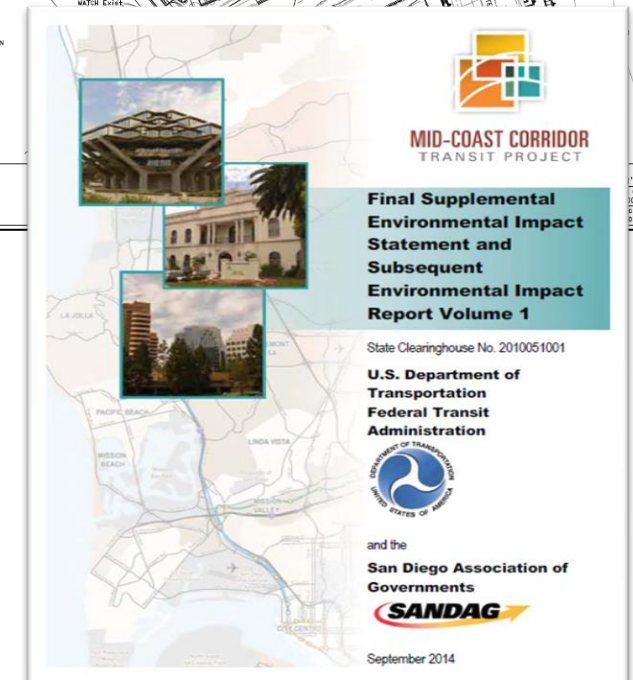
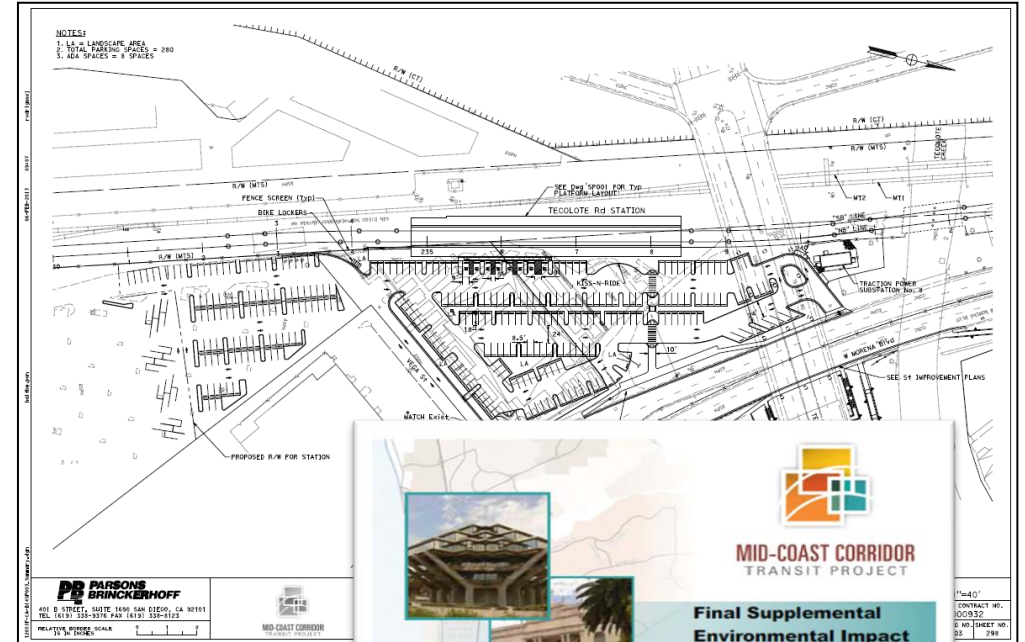
- Project design or scope
- Affected environment (e.g. new development)
- Applicability of other environmental laws
- Modified mitigation measures
- Permit requirements



Project Modification and NEPA

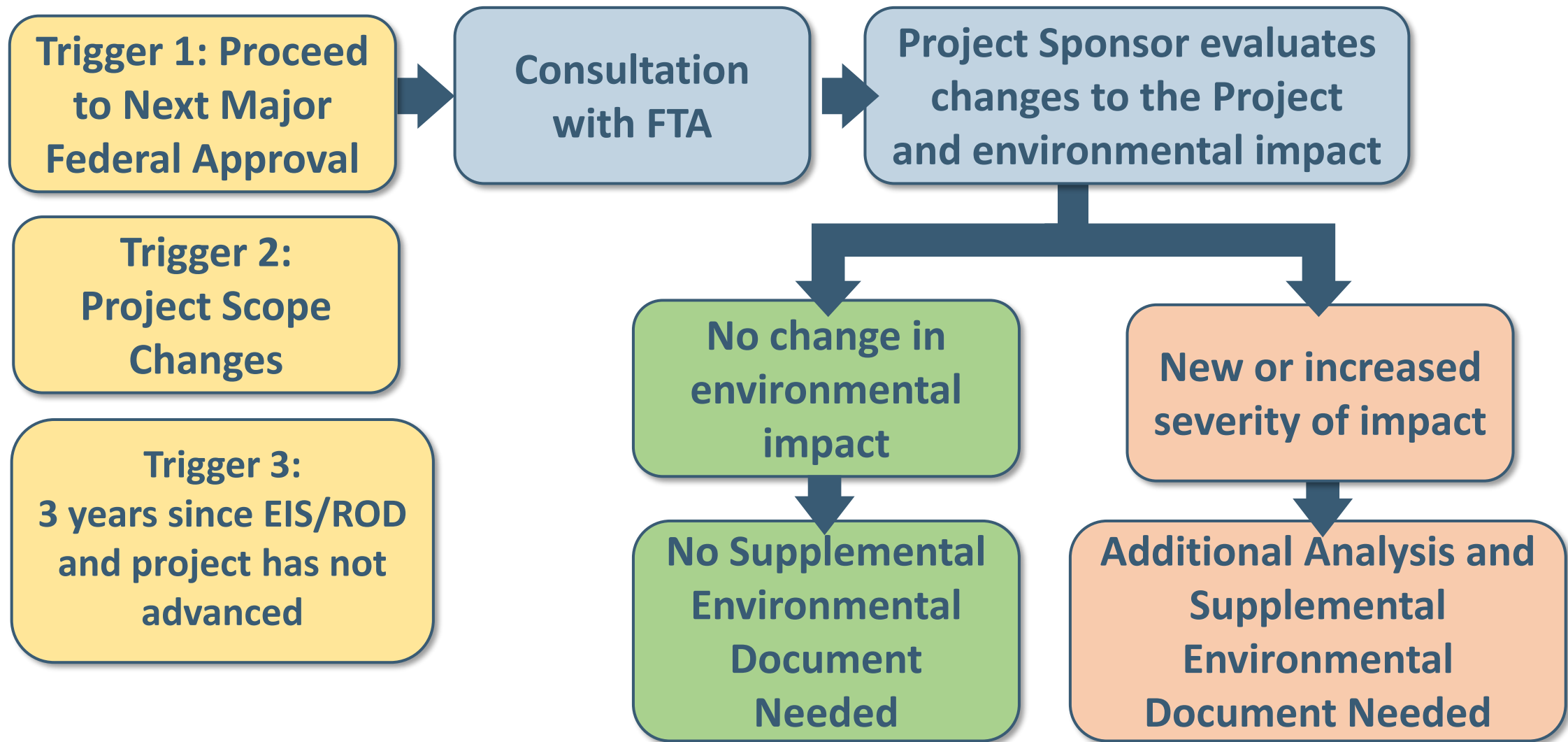
NEPA Re-evaluation is used to determine:

- ❑ If the original environmental decision document (e.g., ROD, FONSI, CE) is still valid
- ❑ Whether supplemental or new environmental analysis (e.g., supplemental EIS or EA) is needed.



23 CFR 771.129

Project Modification and NEPA Re-evaluation



NEPA Re-evaluation

Grantee provides:

- Notification to FTA of project changes
- Examination of current information on the affected environment
- Evaluation of changes and potential changes to environmental impact
- Request letter for determination

FTA provides:

- Guidance on level of information and studies needed
- Determination of environmental document validity

Real Property

The Uniform Act 49 CFR part 24 Regulations

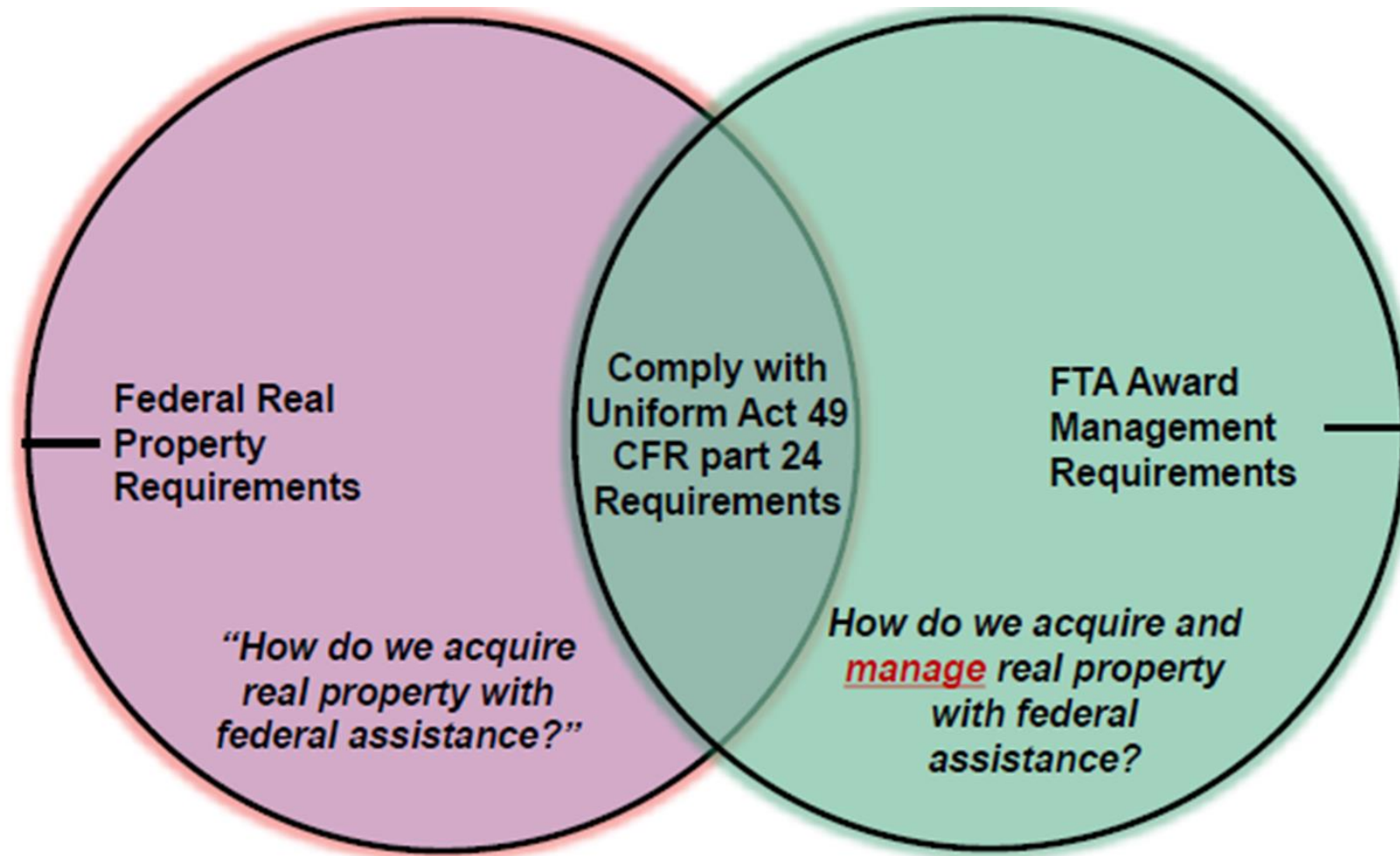
- Based on Law
- Applies to ALL projects and programs using federal assistance
- Enumerates ALL requirements related to federally assisted real property acquisition and relocation assistance

Vs.

FTA Circular 5010.1E Award Management Requirements

- Grant Management Guidance that references applicable law
- Applies to FTA Awards Only
- References and provides additional guidance on Uniform Act requirements but does not impose additional requirements; nor does it reduce any Uniform Act requirements

Real Property and Award Management

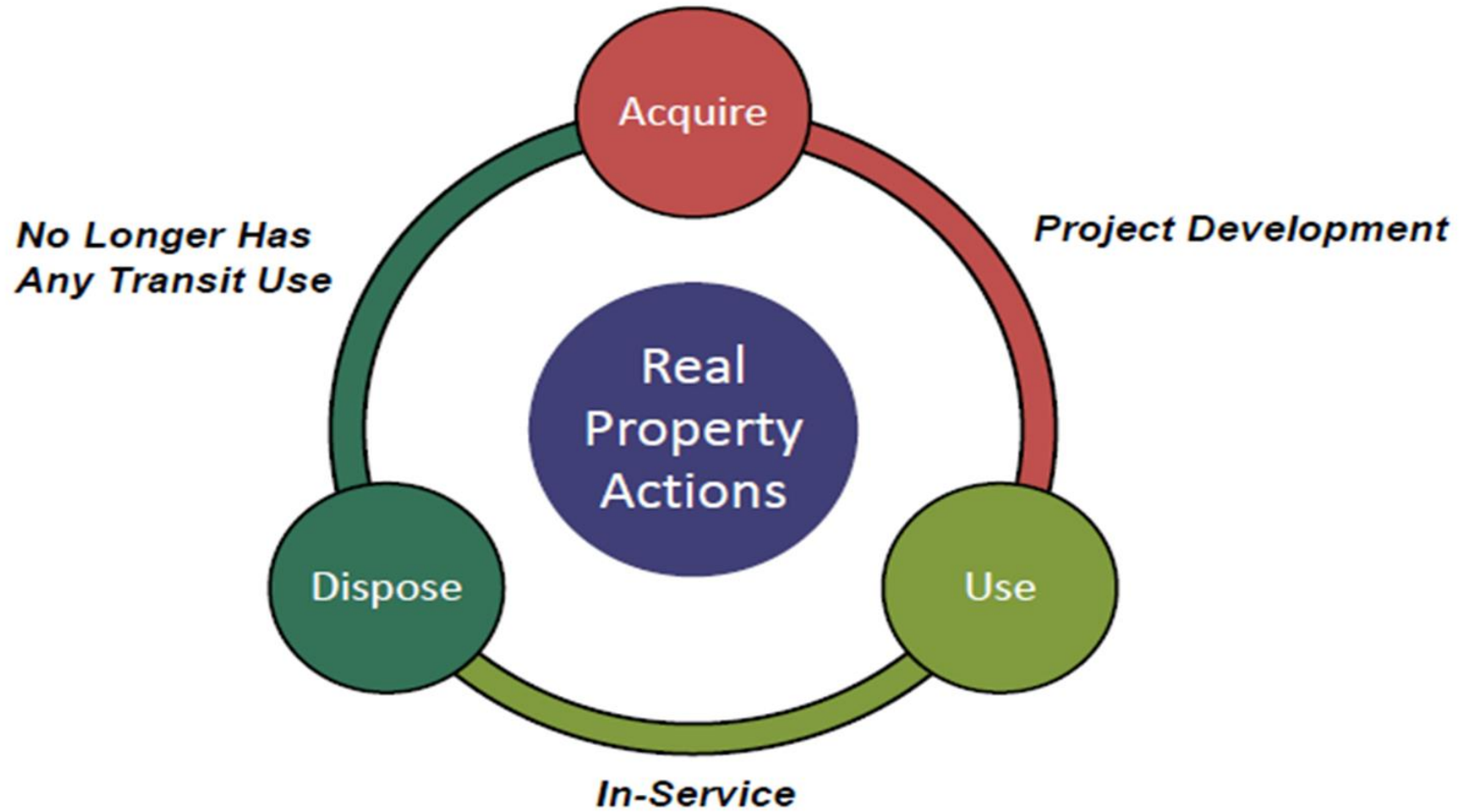


Real Property: 5010.1E

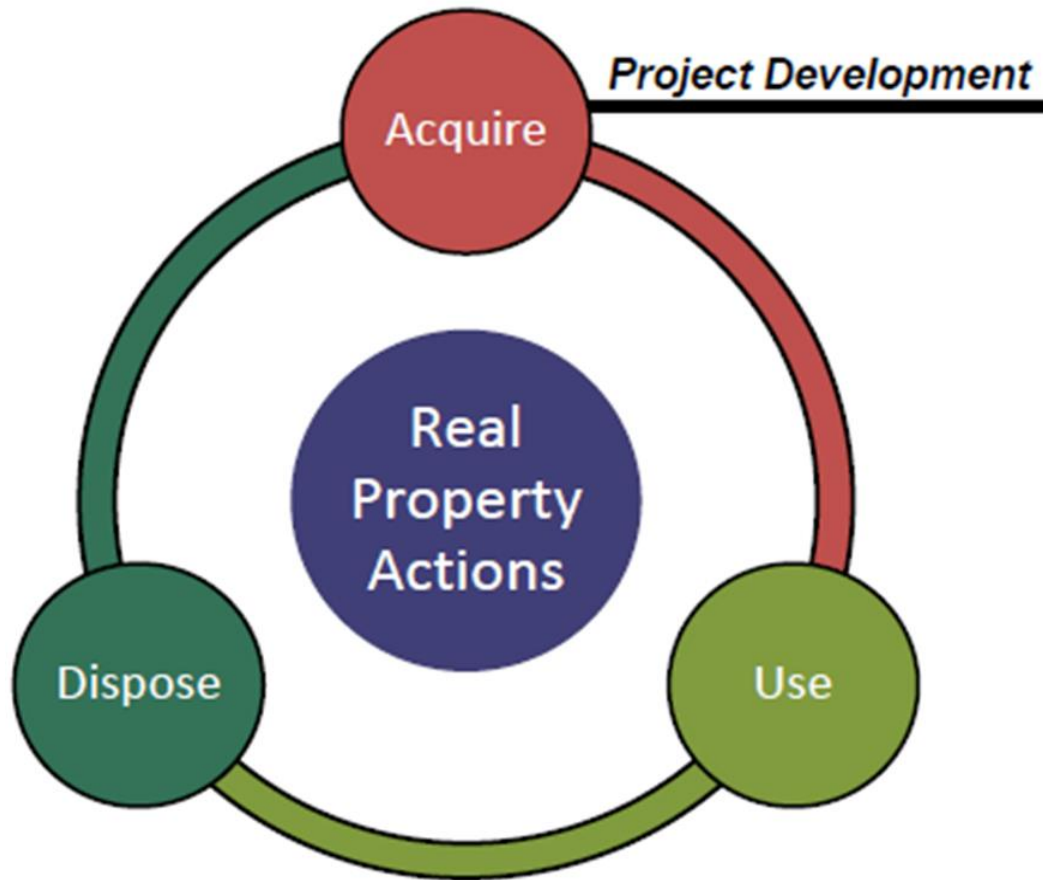
Chapter IV

Answers most questions on how **real property** is to be acquired, used, maintained, and/or disposed of as a condition of receiving federal assistance.

Real Property: 5010.1E - Continued



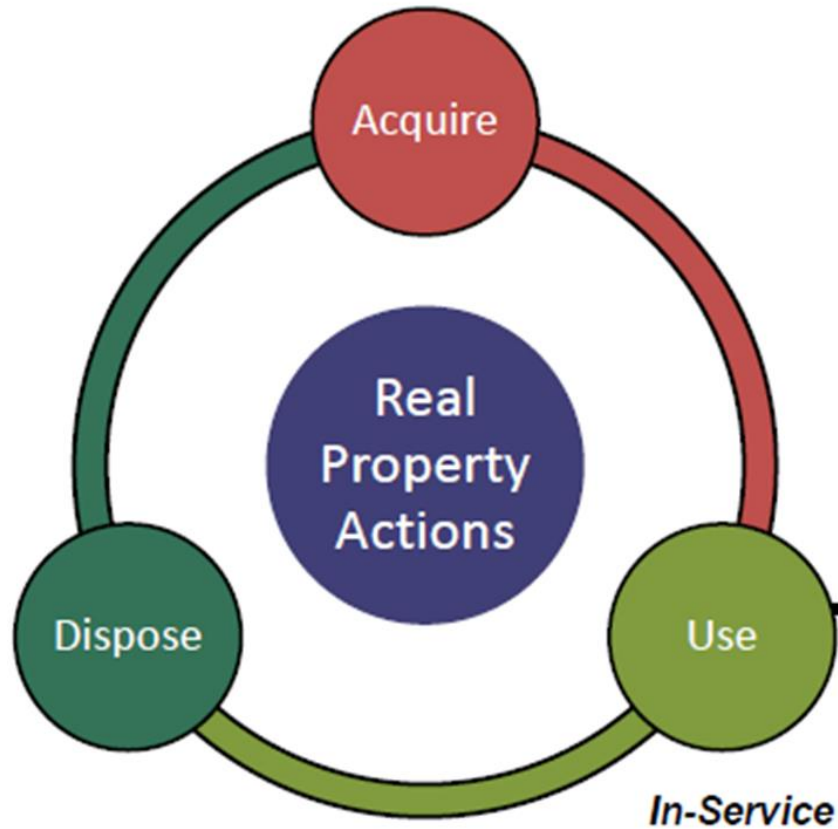
Real Property: Acquisitions



5010.1E Guidance

- Comply with Uniform Act requirements related to appraisal and valuation.
- Comply with Uniform Act requirements related to acquisition, negotiation, and relocation.
- **Comply with FTA prior concurrence policy.**
- **Address contamination prior to acquisition.**
- **Comply with RAMP requirements.**
- **Alternative procedures**
- **In-Kind real property contributions**

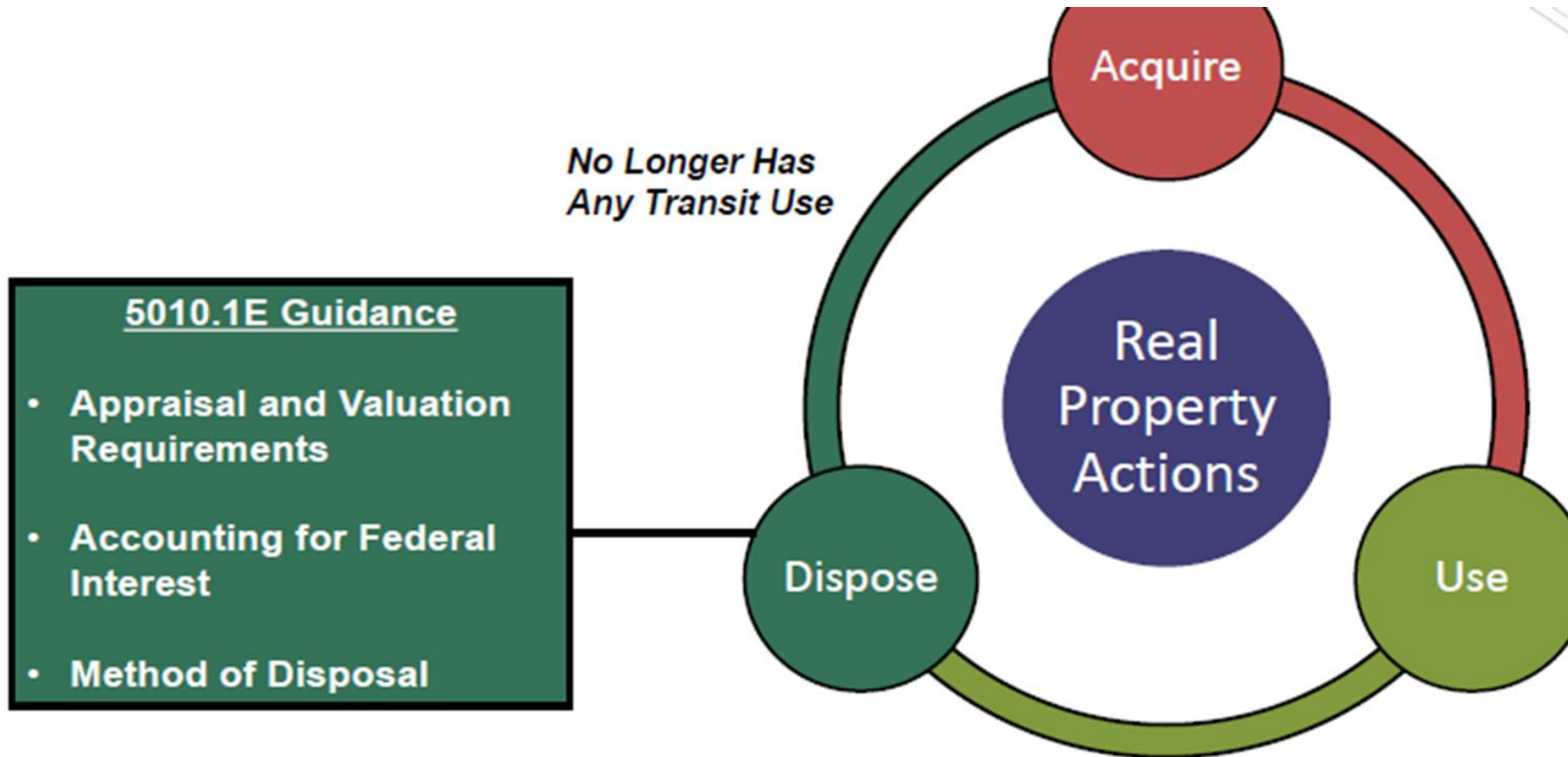
Real Property: Use and Continued Requirements



5010.1E Guidance

- Satisfactory Continuing Control Requirements
- Shared Use
- Non-Transit Uses
- Property Management

Real Property: Dispositions



Incidental Use

FTA Definition of Incidental Use: (5010.1E Chapter IV)

The limited authorized non-transit use of project property. Such use must not conflict with the approved purposes of the project and must not interfere with the intended transit uses of the project property. An acceptable incidental use does not affect a property's transit capacity or use. FTA may concur in incidental use after award of the grant.

- Requires FTA approval except when it involves coordinated public transit human services transportation.

Incidental Use: Requirements

- Must Be Compatible with Original Grant Purpose
- Needed Property
- No interference with safety and public transportation purpose
- Continuing Control
- Income Retained for Capital and Operating Purposes; but not to match original grant

Useful Life

- Useful life is the minimum acceptable period a capital asset purchased with FTA funds should be used in service
- Examples of Useful life minimums:

Vehicle	FTA-Defined Useful Life
35'-40' heavy duty bus and articulated transit buses	12 years or 500,000 miles
30' heavy duty transit bus	10 years or 350,000 miles
30' medium-duty transit bus (body on chassis)	7 years or 200,000 miles
25'-35' light duty transit bus (body on chassis vehicles)	5 years or 150,000 miles
Other vehicles (small buses, vans, sedans)	4 years or 100,000 miles
Rail vehicles	25 years
Fixed guideway steel-wheeled trolley	25 years
Fixed guideway electric trolleybus	15 years
Passenger ferry	25 years

Useful Life

- The useful life of rolling stock and ferries begins on the date the vehicle is placed in revenue service and continues until it is removed from revenue service.
- Capital assets purchased with FTA funds may frequently be used beyond their minimum useful life.
- The minimum useful life for rolling stock is calculated based on the date the vehicle is placed into revenue service and continues until it is removed from service.
 - Vehicles removed from service for an extended length of time needs to deduct that time from the useful life calculation when considering amount of time the equipment has been in service.
- Recipients may request waivers of remaining Federal interest to retire rolling stock early, before the fulfilment of its required useful life.
 - These requests are approved by the FTA Administrator on a case-by-case basis.

Dispositions under the IIJA

What's Changed?

- At the end of useful life, when equipment with a fair market value of more than \$5,000 is sold:
 - The recipient retains \$5,000 and the non-Federal share of the remaining proceeds.
 - Remaining funds must be returned to FTA and may not be kept for public transportation use.

Note:

- This is only for equipment & unused supplies with an aggregate value of \$5,000.
- The requirements for real estate remain the same.
- This is a change in the authorizing legislation (the law) and, as such, takes precedent over any existing guidance.

Dispositions under the IIJA – continued

Applicability

- These new provisions are for **equipment that met its useful life and was sold after November 15, 2021**, when the bill was signed into law.
- For items **sold prior to November 15, 2021**, the existing requirements under **5010** and the Uniform Guidance are applicable.

Resources

- Awards Management Requirements Circular - [Award Management Requirements Circular \(5010.1E\) | FTA \(dot.gov\)](#)
- TrAMS User Guide - <https://www.transit.dot.gov/sites/fta.dot.gov/files/2023-10/TrAMS-User-Guide-v2.15-Recipient.pdf>
- NTD Reporting Manual- [Manuals | FTA \(dot.gov\)](#)
- FTA Circular 4220.1F - Third Party Contracting Guidance - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/third-party-contracting-guidance>
- Best Practices Procurement Manual - <https://www.transit.dot.gov/resources/procurement/best-practices-procurement-manual>
- Frequently Asked Questions: Third Party Procurement - <https://www.transit.dot.gov/funding/procurement/third-party-procurement/third-party-procurement-faqs>
- Final FTA Circulars - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/final-circulars>
- Master Agreement - https://www.transit.dot.gov/sites/fta.dot.gov/files/2022-11/FTA-Master-Agreement-v30-2022-11-02_0.pdf

Resources – cont.

- Frequently Asked Questions: Third Party Procurement - <https://www.transit.dot.gov/funding/procurement/third-party-procurement/third-party-procurement-faqs>
- Final FTA Circulars - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/final-circulars>
- Master Agreement - https://www.transit.dot.gov/sites/fta.dot.gov/files/2022-11/FTA-Master-Agreement-v30-2022-11-02_0.pdf

FTA Mission, Vision, Values



Mission

Improve America's Communities through Public Transportation



Vision

A Better Quality of Life for All Built on Public Transportation Excellence

Values

Service

Provide reliable, transparent, responsive, and anticipatory services to meet stakeholder needs

Integrity

Commitment to the highest professional and ethical standards

Innovation

Foster new ideas, concepts, and solutions for improved outcomes

Sustainability

Optimize decisions, resources, and systems to make long-term positive impacts on the environment, infrastructure, and safety

Equity

Remove barriers for systemically underserved communities to access all aspects of economic, social, and civic life

Thank you!

Charlene Lee Lorenzo

202-981-2877

Charlene.leelorenzo@dot.gov



U.S. Department of Transportation
Federal Transit Administration