JUSTIFICATION STATEMENT

Transit Investments in Greenhouse Gas and Energy Reduction Program

1. CIRCUMSTANCES THAT MAKE THE COLLECTION NECESSARY.

Summary of Submission

This submission is a request for a revision to a previously approved information collection. The collection was approved as an "Emergency Information Collection Request" on September 10, 2009, and a subsequent extension approval was granted on December 10, 2009.

Changes to Previously Approved Collection:

- The total number of burden hours associated with this submission is 31,880. A burden Reduction of -200 hours from the last approved collection reflects a correction, appropriately accounting for burden associated with HHS's Standard Form 424 (grants.gov application form). These burden have been reassigned to HHS's information collection approval for their Standard Form 424.

- The Terms of Clearance for the last approval of this information collection (an extension granted on December 10, 2009) requested that FTA explain the zero'ing out of the cost burden (-$1,010,401). This cost burden was reflected in error – as it was quantifying the costs of already accounted for burden hours. The total burden for the collection is 31,880 hours, with no additional cost burden to respondents.

The Federal Transit Administration (FTA) provides financial assistance to public transportation authorities through the Transit Investments in Greenhouse Gas and Energy Reduction (TIGGER) Program.

To meet the requirements of the American Recovery and Reinvestment Act of 2009, FTA requested an emergency approval from the Office of Management and Budget (OMB) for the Transit Investments in Greenhouse Gas and Energy Reduction (TIGGER) Program. OMB approved FTA's emergency request for approval on March 10, 2009, with an extension granted on December 10, 2009. FTA is now requesting a revision to the previously approved collection, and is seeking a 3-year approval period.

The provisions of the American Recovery and Reinvestment Act of 2009, Title 49 U.S.C. Chapter 53, 49 C.F.R. Part 18, the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and local governments (the Common Grant Rule), and prudent administration of federal grant funds dictate that grantor agencies review applications for federal assistance to assure eligibility and other criteria, as appropriate, and monitor approved projects to ensure timely expenditure of federal funds by grant recipients. Information collected under this program is structured to comply with federal mandates. The reporting requirements are submitted by recipients in three stages: the application stage, the project management stage and the project evaluation stage.

Application Stage

FTA must determine the applicant's eligibility to receive program funds. FTA must know: a) who the applicant is; b) for what purpose the funds are requested; and c) the amount of federal funds requested or needed. Applicants must submit:

a. Authorizing Resolution. This information is necessary to assure FTA that the individuals involved represent the organization seeking federal assistance and are empowered to enter into contracts on the organization's behalf.

b. Opinion of Counsel. This information ensures that the applicant has the legal capacity to carry out the project and that there is no outstanding litigation that would encumber the federal government upon project approval.

In addition, each application must include:

a. Project Budget. FTA must know how much federal financial assistance is required, the amount and sources of local funds available for this project, and the specific elements and associated costs for each.

b. Project Description. Federal funding is limited to certain categories of transit projects. The project description enables FTA to determine whether funding of the proposed project is allowable under federal transit law and the Common Grant Rule.

c. Project Milestone Schedule. This document consists of milestone dates for major activities and an overall project completion date. Milestone dates are provided for such events as bid advertisement, bid award, and contract completion.

d. List of Labor Unions. This document is used by the Department of Labor in making the certification of labor protective arrangements required for JARC Grants.

e. Environmental Exhibit. This documentation includes a proposed classification of each activity line item in accordance with the Federal Highway Administration/Federal Transit Administration (FHWA/FTA) Environmental Impact and Related Procedures, as required by 23 C.F.R. Parts 771.115 and 771.117. Most projects meet the criteria for a categorical exclusion. For each of these projects, proposed classifications and supporting documentation must be submitted. For those projects that do not meet the criteria for a categorical exclusion, an Environmental Assessment or Environmental Impact Statement may need to be submitted as required by the National Environmental Policy Act.

f. Public Hearing Notice Transcript. When a capital project under Section 5317 will have a substantial impact on a community or on the mass transit service of the community, grant applicants must provide an opportunity for a public hearing to obtain the views of citizens on the proposed project(s). Notices of a hearing must include a brief description of the proposed project(s) and be published in a newspaper circulated in the affected area. Section 5323(b) requires that when such a hearing is held that a transcript submission provides a record of the public's concerns to verify that the comments were taken into consideration during project development.

g. Coordination Activities. In the application stage, grantees are required to provide information describing their coordinated transportation planning process and evidence of approval by their transit operators.

h. Energy use and greenhouse gas reduction estimates. In the application stage, grantees are required to provide information on the estimated reduction of energy use for the project, the total energy use of the agency, and estimated greenhouse gas reduction for the project.

Annual Certifications and Assurances. Before FTA may award a federal grant, the applicant must provide FTA with all certifications and assurances required by federal laws and regulations for the applicant or project. A grant applicant must sign the appropriate certifications and assurances each year for all anticipated grant applications during that particular fiscal year.

Project Management Stage

The reporting requirements under this stage are necessary to ensure the proper and timely expenditure of federal funds within the scope of the approved project. The requirements comply with the Common Grant Rule and are contained in FTA Circular 5010.1D, and may also be included in sections of the grant contract. These reporting requirements are:

a. Milestone/Progress Reports (QPR). These narrative reports are required quarterly for areas over 200,000 populations and annually for areas less than 200,000. They define problems, and milestone achievements are reported to FTA. The reports greatly reduce the need for on-site visits by staff.

b. Financial Status Reports (FSRs). These quantitative reports are required quarterly for areas over 200,000 and annually for areas under 200,000. They provide a financial picture of project activity. The reports include information regarding obligations, payments, receipts, and other pertinent financial data required to ensure proper expenditure of federal funds.

c. Reports of Significant Events. Unforeseen events that impact the schedule, cost, capacity, usefulness or purpose of the project should be reported to FTA immediately after detection and then reflected in the next quarterly progress or annual report.

d. Pre-award and Post-delivery Rolling Stock Audits. The audits are required to be performed by FTA grantees purchasing rolling stock. These audits are intended to ensure compliance with various requirements, such as Buy America, and to detect any vehicle defects while the vehicle is under warranty. Grantees certify compliance with the audit requirements under the implementing rule that was published in September 1991.

Project Evaluation Stage

The reporting requirement under this stage is necessary to assess program effectiveness for the federal government in both the Executive and Congressional branches. This electronic database report is collected annually from grantees and provides information regarding how the project is performing in achieving national program objectives. Information is provided regarding actual energy use and greenhouse gas emission reductions and associated reductions in operating costs. This information permits federal Executive and Congressional evaluation of the program.

2. HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED AND CONSEQUENCES IF THE INFORMATION IS NOT COLLECTED.

The reports are submitted annually through FTA’s Transportation Electronic Management and Award (TEAM) system. The information submitted ensures FTA's compliance with applicable federal laws and the Common Grant Rule. In addition, without these reports, significant resources and manpower would be necessary to conduct on-site inspections. Finally, the evaluation report permits an assessment of program effectiveness for the federal government in both the executive and congressional branches.

This information collection also satisfies the environmental stewardship goal in the Departmental Strategic Plan.

3. CONSIDERATION OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN AND ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN.

FTA's electronic grant making and management system is a paperless, electronic grant application, review, approval, acceptance and management process. All TIGGER grants and periodic reports are submitted electronically. Grantees also use the electronic system for signature of annual certifications and assurances.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSES DESCRIBED IN ITEM 2.

The reports are project specific and the information is not available elsewhere. There is no duplication.

5. METHODS USED TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES.

The information collected does not involve small business.

6. CONSEQUENCES TO FEDERAL PROGRAMS OR POLICY ACTIVITIES IF INFORMATION WAS NOT COLLECTED OR COLLECTED LESS FREQUENTLY, AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING THE BURDEN.

   If these and other reports were required less frequently, additional site visits by agency staff would be required to ensure compliance with program objectives. Additionally, the agency would not be able to effectively evaluate the program in accordance to the Government and Performance and Results Act.

7. SPECIAL CIRCUMSTANCES THAT REQUIRE THE COLLECTION TO BE CONDUCTED IN A MANNER INCONSISTENT WITH 5 CFR 1320.6.

   The information collected is consistent with the guidelines in 5 CFR 1320.6.

8. EFFORTS TO CONSULT WITH PERSONS OUTSIDE THE AGENCY TO OBTAIN THEIR VIEWS.

   FTA has worked with grantees on reporting requirements in shaping its reporting system and offers an opportunity for all grantees to comment on its methodologies.

   A 60-day Federal Register notice was published on April 27, 2009 (pages 19114 and 19115), soliciting comments prior to submission to OMB. No comments were received from that notice. The 30-day Federal Register notice was published on July 13, 2009 (page 33509).

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.

   No payment is made to respondents.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED RESPONDENTS.

    There is no assurance of confidentiality regarding these submissions.

11. ADDITIONAL JUSTIFICATION FOR QUESTIONS OF A SENSITIVE NATURE.

    None of the information is of a sensitive nature. Congress through the Government Accountability Office has required an evaluation of this program every six months and a formal written report annually.

12. ESTIMATE OF THE HOUR BURDEN OF THE COLLECTION AND ANNUALIZED COST TO RESPONDENTS.

Requirements	# of Annual Submissions	Burden hours per Submission	Total Burden hours
Application Stage *(includes all of the following)*	**200**	79	15,800
Authorizing/Resolution			
Opinion of Counsel			
Project Description			
Project Budget			
Project Justification			
Public Hearing Notice			
Project Milestones			
List of Labor Unions			
Environmental Exhibit			
Energy Estimates			
Completion of HHS's SF 424 (grants.gov application form)	200	1	(200)
Total			15,800
Project Management Stage *(includes all of the following)*	**80**	156	12,480
Progress Report			
Financial Status Report			
Cost Allocation Plans			
Total			12,480
Annual Evaluation Report	80	45	3600
Total			3600
Grand Total			**31,880**

All burden hour estimates are based on a comprehensive review of all the requirements associated with the TIGGER program and, discussions with appropriate Headquarters and Regional staff, and analysis of other FTA programs. The 200 burden hours (one hour per respondent) associated with the use of HHS's Standard Form 424 (grants.gov application form) is shown above.

The annual respondents used to calculate total annual burden on the OMB Form 83-I include all the respondents who complete quarterly and annual reports. Included in this figure is the number of annual applicants who must submit quarterly and annual reports and the active grants from previous years.

Estimate of the cost to respondents:

The number and complexity of applications submitted each year vary considerably and there is a wide variance in the level of effort required. A majority of applications are, however, simple and straightforward. The figures below are representative of a straightforward application meeting all of the criteria for federal funding. The hourly burden to respondents is outlined in the preceding paragraphs; however, there are no additional costs to respondents other than those reflected above. While FTA provides an estimate below (approximating annual cost of the burden hours), for the purposes of burden calculation for this collection, all respondent costs are reflected in terms of burden hours. Therefore, the annual cost to respondents as reflected in the summary of burden is $0. Previously approved versions of this collection erroneously counted both burden hours and monetized burden hours, overestimating the burden impact.

We estimate that it takes approximately 80 person-hours to develop and submit an application to FTA for review. Since FTA expects to receive approximately 200 applications per year, the total hours required are estimated to be (80 hrs. x200 applications =16,000 hrs.). Although various personnel are involved in the development of an application, the average salary is estimated to be $33 per hour. Therefore, the cost to the respondents is computed at $ (16,000 hrs. x $33 = $528,000).

Project Management Stage:

Staff time devoted to the preparation of Project Management reports takes approximately 156 hours at an average salary of $30 per hour or $4,680 per report. There are expected to be 80 reports annually; therefore, the cost is estimated to be (156 hrs. x 80 reports. x $30 = $374,400.

Evaluation Stage:

There are approximately 80 applicants that are required to submit an annual evaluation report and we estimate that it will take approximately 45 burden hours per submission.

Therefore, the cost is estimated to be $108,000 (80 applications x 45 hours =3600 hours. $30 per hour x 3600 hours =$108,000.

The grand total cost to the respondents for both the application, program management and evaluation stage is $1,010,400 ($528,000 + $374,400 + $108,000).

13. ESTIMATE OF TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORDKEEPERS RESULTING FROM THE COLLECTION OF INFORMATION (NOT INCLUDING THE COST OF ANY HOUR BURDEN SHOWN IN ITEMS 12 AND 14).

There is no additional cost beyond that shown in items 12 and 14.

14. ESTIMATE OF THE ANNUALIZED COST TO THE FEDERAL GOVERNMENT.

The cost is calculated as follows:

Application Stage:

Experience indicates that it takes approximately 14 person-hours to review each application received by FTA. It should be noted that this figure assumes that the application is: 1) complete, 2) fundable and 3) non-controversial. More complex projects or programs of projects would consume additional time.

Although reviewed by several different staffers, from secretaries to the Regional Administrator, we estimate that the average grade level of the reviewers is GS-12/step 5, paid $40 per hour. Since we expect to receive and review approximately 200 applications per year, the cost to the federal government is $112,000 (14 hours x 200 applications = 2800 hours x $40 = $112,000).

Project Management Stage:

Individuals managing projects throughout FTA vary from GS-9 to GS-14; however, in looking at the averages it can take a GS-13 (average salary, $42 per hour) about ½ hour per report to review it. There are approximately 80 projects requiring reports annually. The cost to the federal government is $1,600 (1/2 hr. x 80 submissions =40. x $40 = $1,600).

Annual Evaluation Stage:

Grantee performance information is submitted electronically and annually to FTA through FTA's TEAM system. This information will be summarized by FTA staff or a contractor and posted for the public. FTA estimates that one staff person at the GS-13 level will devote approximately 481 hours to this task, totaling $15,392 (481 hours x $32 per hour =$15,392).

The total cost to the federal government is $128,992 ($112,000 + $1,600 + $15,392).

15. EXPLAIN REASONS FOR CHANGES IN BURDEN, INCLUDING THE NEED FOR ANY INCREASES.

The total number of burden hours associated with this submission is 31,880. A burden reduction of -200 hours from the last approved collection reflects a correction, appropriately accounting for burden associated with HHS's Standard Form 424 (grants.gov application form). These burden hours are have been reassigned to HHS, under HHS's information collection approval for their Standard Form 424.

16. PLANS FOR TABULATION AND PUBLICATION FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED.

FTA plans to publish the results of the information collected for statistical use and use by grantees.

17. IF SEEKING APPROVAL NOT TO DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL, EXPLAIN THE REASONS.

There is no reason not to display the expiration date of OMB approval.

18. EXPLAIN ANY EXCEPTIONS TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19 OF OMB FORM 83-I.

No exceptions are stated.