

DEPARTMENT OF TRANSPORTATION

FEDERAL TRANSIT ADMINISTRATION

JUSTIFICATION STATEMENT

**49 U.S.C SECTION 5320 PAUL S. SARBANES
TRANSIT IN PARKS PROGRAM**

This justification statement is associated with a request for a new information collection.

1. Circumstances that make collection necessary.

Section 3021 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA–LU), as amended, established the Paul S. Sarbanes Transit in Parks Program (Transit in Parks Program) (49 U.S.C. Section 5320). The program is administered by the Federal Transit Administration (FTA) in partnership with the Department of the Interior (DOI) and the U.S. Department of Agriculture’s Forest Service.

The Paul S. Sarbanes Transit in Parks Grant Program was created to fund grants to Federal land management agencies, including but not limited to the National Park Service, the Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, the Bureau of Reclamation, and to State, tribal and local governments with jurisdiction over land in the vicinity of an eligible Federal land unit, acting with the consent of a federal land management agency, alone or in partnership with a federal land management agency or other governmental or non-governmental participant. The purpose of the program is to provide for the planning and capital costs of alternative transportation systems that will enhance the protection of national parks and federal lands; increase the enjoyment of visitors’ experiences by conserving natural, historical, and cultural resources; reduce congestion and pollution; improve visitor mobility and accessibility; enhance visitor experience; and ensure access to all, including persons with disabilities.

There are two stages of information collection: the application stage and the project management 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. FTA has issued FTA Circular 5010 detailing guidance for grant programs.

New applicants applying for the first time must submit:

a. Authorizing Resolution. As required by 49 U.S.C. 1602 (a)(2)(A), 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. Also required by 49 U.S.C.1602 (a)(2)(A) to ensure 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. Standard Form 424. Entitled "Application for Federal Assistance," this form must be submitted with each application.

b. 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.

c. Project Description. Some federal funding is limited to specific 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.

d. Project Justification. This information is required for all Section 5320 projects. The information is required by FTA to:

- 1) Determine whether the project will meet prescribed program objectives; and
- 2) Given the limited amount of federal funding available, determine whether or not the project is cost-effective.

e. List of Labor Unions (DOL Certifications and Assurances. This document is used by the Department of Labor in making the certification of labor protective arrangements required for grants in statutory language at Title 49 U.S.C. at Section 5333(b).

f. 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. This annual certification process replaces individual certifications and assurances that grantees used in the past when submitting each grant application or periodically when warranted by specific circumstances.

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 5010.1C, and also may also be included in sections of the grant contract. These requirements apply to State, local and tribal entities receiving grants through this program. These reporting requirements are:

- a. Quarterly Federal Financial Reports (FFRs). These quantitative reports 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.
- b. Quarterly Milestone & Progress Reports (QPR). These narrative reports define the level of activity for each project element during the reporting period. Delays, problems, and milestone achievements are reported to FTA. The reports greatly reduce the need for on-site visits by staff.

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

2. How, by whom, and for what purpose the information is to be used.

The information collected at the application stage is used to determine the applicant's eligibility for funding and to monitor approved projects. The reporting requirements are submitted during the application stage and the project management stage. During the application, FTA must determine the applicant's eligibility to receive funds. FTA must know who the applicant is, for what purpose the funds are requested and the amount of federal funds requested. Information reported during the project management stage is necessary to ensure the proper expenditure of federal funds within the scope of the project and to assess program effectiveness. The milestone/progress reports provide information on the level of activity for each project element during the reporting period. Problems, delays and milestone achievements are also reported to FTA during the project management stage.

Application Stage:

Information is collected at the application stage from eligible applicants, which include individual units of federal land management agencies, including but not limited to the National Park Service, the Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Reclamation, and from State, tribal and local governments with jurisdiction over land in the vicinity of an eligible federal land unit. Information is collected to determine whether applicants have the legal, financial, and technical capacity necessary to carry out proposed project and maintain facilities and equipment purchased with federal assistance. Eligibility information about the applicants is included in the authorizing resolution and the opinion of counsel.

Project information is collected in the form of a mandatory SF424 Application for Federal Financial Assistance, a competitive project proposal and a project justification. These documents are necessary to communicate the applicant's request for discretionary funding and to determine project eligibility in relation to the statutory requirements of the program. The competitive project proposal also includes a project budget. If the application is found eligible, this information will be used to determine the amount

awarded to the project. The information collected will also ensure that federal funds are being spent correctly.

If a project receives preliminary approval for funding, applicants also submit a list of labor unions for DOL certification, and complete FTA's Annual Certifications and Assurances to confirm that they are legally compliant with program statute and are eligible to receive federal funding.

Project Management Stage:

Information is collected during the project management stage from recipients of program funding that are currently managing an active or incomplete project. Information is collected in order to monitor the implementation of the project. Projects must be monitored to ensure that the work remains within the scope of the competitively selected award, that acceptable progress is being made towards completion in a reasonable timeframe, and that reimbursement requests and the drawdown of funds is in line with the proposed project milestones.

Information is collected in two forms:

- 1) A Quarterly Federal Financial Report, which allows FTA staff to monitor the recipient's use of Federal funds.
- 2) A Quarterly Progress & Milestone Report, which permits FTA staff to monitor the progress of the project in view of the proposed milestones. The narrative format of this report allows recipients the ability to highlight any changes to the proposed milestones, any unanticipated changes to the project schedule, and to highlight the seasonal impact of the transportation project on the recipient's visitor management goals.

3. Describe whether collection of information involves information technology and any consideration of using information technology to reduce the burden.

Paul S. Sarbanes Transit in Parks Program applicants are required to submit grant applications electronically through the GRANTS.GOV website.

In addition, FTA's Transportation Electronic Award and Management (TEAM) system electronically assists State, local and tribal grantees with submitting applications for federal funds. This program is designed to aid FTA grant applicants by reducing paper and time. Reporting can be done electronically using TEAM.

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 application and reports are project-specific and cannot be obtained from other sources.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information collected does not involve small businesses.

6. Describe consequences to federal program or policy activities if the information were not collected or collected less frequently, as well as any technical or legal obstacles to reducing burden.

If applications are not submitted when discretionary funding is available, FTA would not be in compliance with the Congressional directive to award funds to specific projects. FTA would not have the essential information to decide how the funds would be used.

7. Explain any special circumstances that would cause information 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. Describe efforts to consult with persons outside the agency to obtain their views.

A 60-day Federal Register notice was published on August 29, 2011, (pages 53714 and 53715) soliciting comments prior to submission to the Office of Management and Budget (OMB). No comments were received from that notice. A 30-day Federal Register notice was published on November 16, 2011, (page 71119). FTA also works cooperatively with the Department of the Interior and Federal Land Management agencies.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration contractors or grantees.

No payment or gift is made to respondents.

10. Describe any assurance of confidentiality provided respondents.

There is no assurance of confidentiality regarding submissions.

11. Additional justification for any questions of a sensitive nature.

None of the information is of a sensitive nature.

12. Estimate of the hour burden of the collection of information and annualized cost to respondents.

a. Estimate of the burden of the collection of information:

Requirements	Annual Submissions	Burden Hours per Submission	Total Burden Hours
Application Stage			
Competitive Proposal	100	5	500
Project Budget	100	1	100
Project Justification	100	3	300
Completion of HHS's SF 424	100	1	(100)
Authorizing Resolution	incl.	incl.	incl.
Opinion of Counsel	incl.	incl.	incl.
List of Labor Unions	incl.	incl.	incl.
Annual Certifications and Assurances	incl.	incl.	incl.
Subtotal		10	900
Project Management Stage			
Quarterly Federal Financial Report	32	2	64
Quarterly Progress & Milestone Report (Narrative)	128	2	256
Subtotal		4	320
Grand Total		14	1220

The total number of burden hours associated with this submission in FTA's information collection inventory is 1220 hours (900 hours for the application stage + 320 hours for the project management stage). An additional 100 burden hours is reflected in the Department of Health and Human Services' (HHS's) information collection, to reflect that HHS administers that form. Completion of the SF-424 (grants.gov application form) is estimated to take one hour per application. Therefore, 1 hour x 100 applicants = 100 hours for completion of the SF-424 application. These hours have been reassigned to HHS's information collection approval for their SF-424.

b. Estimate of the cost to respondents.

Requirements	Annual Burden Hours	Average Salary/Hour	Total Annual Cost to Respondent
Application Stage			
Competitive Proposal	500	\$32	\$16000
Project Budget	100	\$32	\$3200
Project Justification	300	\$32	\$9600
Authorizing Resolution	incl.	incl.	incl.
Opinion of Counsel	incl.	incl.	incl.
List of Labor Unions	incl.	incl.	incl.
Annual Certifications and Assurances	incl.	incl.	incl.
Subtotal	900		\$28800
Project Management Stage			
Quarterly Federal Financial Report	64	\$32	\$2048
Quarterly Progress & Milestone Report (Narrative)	256	\$32	\$8192
Subtotal	320		\$10240
Grand Total	1220		\$39040

The total cost to respondents is \$39,040.

13. Estimate of total annual cost burden to respondents or record keepers resulting from the collection of information (not including the cost of any hour burden shown in Items 12 and 14).

The information requested is collected and reviewed in the course of normal business practices; therefore, no additional costs are associated beyond that shown in items 12 and 14.

14. Estimates of the annualized cost to the federal government.

Requirements	Annual Personnel Hours	Average Salary/Hour	Total Annual Cost to the Federal Government
Application Stage			
Competitive Application Review	400	\$42	\$16800
Project Budget	100	\$42	\$4200
Project Justification	100	\$42	\$4200
Authorizing Resolution	incl.	incl.	incl.
Opinion of Counsel	incl.	incl.	incl.
List of Labor Unions	incl.	incl.	incl.
Annual Certifications and Assurances	incl.	incl.	incl.
Subtotal	600		\$25200
Project Management Stage			
Quarterly Federal Financial Report	64	\$42	\$2688
Quarterly Progress & Milestone Report (Narrative)	256	\$42	\$10752
Subtotal	320		\$13440
Grand Total	920		\$38640

It is estimated that the annual cost to the federal government is \$38,640. It should be noted that these figures assume that the applications are complete, fundable and non-controversial. More complex projects or programs of projects would consume additional time.

15. Explain reasons for changes in burden, including the need for any increases.

This is a new request.

16. Plans for tabulation and publication for collections of information whose results will be published.

FTA does not plan to publish the results of the information collected for statistical use.

17. If seeking approval not to display the expiration date of OMB approval, explain the reasons.

FTA is not seeking approval not to display the expiration date of OMB approval.

18. Explain any exceptions to the certification statement identified in item 19 of

Form 83-I.

No exceptions are stated.