

DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION

SUPPORTING STATEMENT

**49 U.S.C. SECTIONS 5310 – ENHANCED MOBILITY OF SENIORS AND
INDIVIDUALS WITH DISABILITIES PROGRAM AND SECTION 5311- FORMULA
GRANTS FOR RURAL AREAS**

OMB# 2132-0500

This supporting statement is associated with an extension without change of a currently approved information collection. The change in this collection reflects an increase in the respondent universe and corresponding burden. The increase is due to an increase in the number of Section 5310 applicants and an increase in the number of Indian Tribes participating in the Tribal Transit program. There has been no programmatic change to the grant program since the passing of the Fixing America's Surface Transportation (FAST) Act

A. Justification

1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY.

The Federal Transit Administration (FTA) provides financial assistance to states, local governments, private nonprofit agencies, and public bodies through the Section 5311 program for transportation services in rural areas. The Rural Transit Assistance Program (RTAP), a subsection of Section 5311, provides funds for training, technical assistance, and related activities to support rural public transportation. States are the direct recipients of Section 5311 and RTAP funding. The Tribal Transit Program, another subsection of Section 5311, provides transportation services to federally recognized Indian tribes. The Tribal Transit Program consists of a \$30 million formula program and a \$5 million competitive program each year.

Additionally, FTA provides transportation services designed to meet the mobility needs of seniors and persons with disabilities through the Section 5310 program. This program is apportioned to designated recipients in large urbanized areas and to States for distribution in small urbanized and rural areas.

In 2015, the Fixing America's Surface Transportation (FAST) Act, Congress created a new discretionary pilot program for innovative coordinated access and mobility - open to 5310 recipients and sub-recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation (NEMT) services; such as: the deployment of coordination technology, projects that create or increase access to community One-Call/One-Click Centers. That addition was included and approved in the 2016 submission of this information collection

The provisions of 49 U.S.C. Sections 5310 and 5311, 49 CFR Part 18, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” and 49 CFR Part 19, “Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, and other Non-profit Organizations,” require that FTA review Section 5310 and Section 5311 applications for federal financial assistance. This review assesses eligibility and compliance with statutory and administrative requirements and provides a basis for monitoring approved projects to ensure timely and appropriate expenditure of federal funds by grant recipients. The applications must contain enough information to enable the agency to make the findings required by law and enforce program requirements.

Although differences exist in the administration of these two programs, the information collection under each program is structured to comply with legislative and administrative mandates. Generally, the reporting requirements are the same and are submitted by grantees in two stages: the application stage and the project management stage. Since States administer the Section 5311 program and the Section 5310 program in small urban and rural areas, application and reporting requirements to FTA have been streamlined and made as minimal as possible. For each program, the state submits a consolidated annual application on behalf of all the subrecipients within the state. Designated recipients administer the Section 5310 program in large urbanized areas. The sub-recipients do not submit information directly to FTA, but are required by the State or designated recipient to file sufficient documentation to support the certifications and assurances the State must make on their behalf.

APPLICATION STAGE

During the application stage, FTA must determine the applicant’s eligibility to receive program funds. Project planning requirements must be complete and properly documented prior to submitting grant applications. FTA must know: (a) who the applicant is; (b) for what purpose the funds are requested; and (c) the amount of federal funds requested.

A description of the application stage requirements, as included in the program circulars, follows:

- a. The Project Budget identifies funds for project implementation. The applicant prepares the program budget, which identifies the local and federal shares that make up the project funding.
- b. The Program of Projects includes a list of subrecipients that will be funded, the total amount of funds for each subrecipient, and a description of the projects to be funded. Only certain categories of transit projects are eligible for funding, and the project description enables FTA to determine whether funding of the proposed project is permissible under the law.
- c. The Project Implementation Plan is a brief plan for implementation of the program of projects. The plan should include significant milestones such as vehicle procurements

and agreements with subrecipients, an estimated schedule for encumbrance of funds, and an estimated completion date for the grant.

- d. The State Management Plan or Program Management Plan describes the grantee's policies and operating procedures in administering the programs. The submission of this information is on a one-time basis. The information enables FTA to ascertain that the grantee's administration of the programs is consistent with federal policies without conducting repeated inspections and detailed supervision of each grantee's procedures. Significant changes in program procedures are reflected in revisions to the State Management Plan.
- e. Annual Certifications and Assurances certify compliance with all applicable related federal requirements. The annual notice, published in the Federal Register, provides the applicant with a single signature page on which the applicant and its attorney certify compliance with all certifications and assurances applicable to each grant for which the applicant wishes to apply in each fiscal year.

PROJECT MANAGEMENT STAGE

Upon notice of approval of the program of projects, the grantee may begin implementation of project elements.

The reporting requirements listed below are necessary to ensure proper and timely expenditure of federal funds within the scope of the approved program of projects for Section 5310 and 5311. This requirement complies with 49 CFR Parts 18 and 19 and is contained in FTA Circulars 9070.1G, "Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance & Application Instructions" and FTA Circular 9040.1G, "Formula Grants for Rural Areas Program Guidance and Application Instructions."

Financial Status Report. On an annual basis, the State should provide a financial status report for each active grant.

Annual Milestone Progress Reports. On an annual basis, States provide an update of the program of projects for each active grant.

National Transit Database (NTD) Report. Recipients and subrecipients of Section 5311 funds are required to submit data to the NTD annually. Recipients and sub recipients of Section 5310 funds are only required to submit a list of rolling stock. To avoid duplication an undue burden, the collection of the NTD report by 5310 and 5311 grantees are completed one a year and included in a separate IC OMB# 2132-0008 National Transit Database. That data is automatically stored in TrAMS.

2. INDICATE HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED.

The information collected is used by FTA to determine eligibility for grant benefits and ensures compliance with federal requirements. The information is also used by FTA for program management and monitoring.

3. DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTION TECHNIQUES OR OTHER FORMS OF INFORMATION TECHNOLOGY.

49 U.S.C. Section 5310 and Section 5311 grant applications and project management reports are submitted electronically (100 percent) through the web-based Transit Award Management System (TrAMS). This electronic system allows grantees to apply for funds, seamlessly receive information about their requests, submit reports and provide overall project management. The TrAMS system has a point-and-click capability, menus and selection choices designed to streamline the application process and reporting requirements and significantly reduces the amount of information a user needs to input the application.

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.

There is no duplication. The information is project specific and is not available elsewhere. Many requirements have been satisfied with one-time submissions that must be updated only when significant changes occur.

5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESS OR OTHER SMALL ENTITIES, DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

This information collection does not involve small businesses.

6. DESCRIBE CONSEQUENCES TO FEDERAL PROGRAM OR POLICY ACTIVITIES IF THE COLLECTION WERE CONDUCTED LESS FREQUENTLY AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN.

The information that is collected during the application stage must be collected annually because grantees submit one annual grant during a fiscal year. Section 5311 and Section 5310 funds for small urban and rural areas are apportioned to the States each fiscal year. Section 5310 funds for large urban areas are apportioned to designated recipients each fiscal year. Section 5311(c)(2)(b) Tribal Transit Formula grants are apportioned to federally recognized Indian Tribes each fiscal year.

During the project management stage and annual financial report and an annual milestone progress report is submitted. These reports provide needed financial information on the grant and a status of the program of projects.

The information collected during the application stage and the project management stage is required to ensure FTA compliance with the provisions of the Federal Transit Act and 49 CFR. If the information were collected less frequently than required during the application stage and the project management stage, it would inhibit FTA from determining the applicant's eligibility for funding. Also, less frequent submissions would reduce the effectiveness of FTA's monitoring responsibility required by 49 CFR Parts 18 and 19.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT REQUIRE THE COLLECTION TO BE CITED IN A MANNER INCONSISTENT WITH THE GUIDELINES IN 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.

A 60-day Federal Register notice was published on July 18, 2019 Vol. 84 No. 138 (pages 34474-34475), 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 25, 2019 Vol. 84 No. 227 (pages 64956-64957).

A national meeting of State program managers is held every other summer to discuss program administration issues. Approximately 90 program managers attend these meetings, representing most of the states. Due to the small nature of some of the sub-recipients, technical assistance is provided by FTA's regional office staff. State and sub-recipient staff frequently engage with regional staff with questions or concerns regarding the application and/or reporting requirements.

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

No payment or gift is made to respondents.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.

FTA gives no assurance of confidentiality since the information is not personal or sensitive in nature.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF SENSITIVE NATURE.

No questions of a sensitive nature are involved.

12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION AND ANNUALIZED COST TO RESPONDENTS.

Estimated Annual Number of Respondents: 523

Estimated Total Annual Burden Hours: 54,727

Estimated Total Cost: \$ \$2,459,979

Frequency: Annual

Section 5310 Program

Annually, it is estimated to take 40 hours of application preparation and 49 hours of project management) for 284 respondents (States and designated recipients) for the Section 5310 Program.

Initial applications are estimated to take 20 hours to prepare. It is estimated that 23 applications would be approved each year under the discretionary program.

The total number of respondents is 307 as some grantees applied to both the formula and discretionary grant.

Application Stage:

284 respondents x 40 hours = 11,360 hours

23 respondents x 20 hours = 460 hours

Total Application Stage = 11,820 hours

Project Management Stage:

307 respondents x 49 hours = 15,043 hours

Total burden hours for Section 5310 Program = 26,863 hours (11,820 hours for application stage + 15,043 hours for project management stage).

Section 5311 Program

Annually, it is estimated to take 74 hours of application preparation and 55 hours of project management per 216 respondents (54 for Section 5311 Formula Program and 162 for Tribal Transit Section 5311 Program).

Application Stage:

5311 Formula Program: 54 respondents (50 states and 4 territories) x 74 hours = 3,996 hours

5311 Tribal Transit Program: 162 respondents x 74 hours = 11,988 hours

Total Application Stage: 15,984 hours (3,996 hours + 11,988 hours)

additional time.

Although reviewed by several different staffers, it is estimated that the average grade level of the reviewers is GS-12/step 5 https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/DCB_h.pdf (including locality pay) paid at \$45.29 per hour. There are 523 respondents and it generally takes 17 hours to review each application

Therefore:

17 hours per respondent x \$45.29 x 523 respondents = \$402,673 annually for both programs for the application stage.

Project Management

A review of the progress and other project management reports submitted during a year should be completed within 1 hour by the same GS-12/Step 5 program manager. There are approximately 1,046 progress reports submitted during a year (523 respondents submitting 2 reports per year).

Therefore:

1 hour per review x 45.29 x 1046 = \$47,373.

The total cost to the federal government for application and project management stages is \$450,046 (\$402,673 application stage + \$47,373 project management stage).

15. EXPLAIN REASONS FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14.

There are no programmatic changes to this information collection from the 2016 information collection. However, there was an increase in the number of number of Section 5310 applicants and an increase in the number of Indian Tribes participating in the Tribal Transit program. In 2016 there were 423 respondents. In this information collection is an increase of 100 new respondents for a total of 523 (5310 and 5311) grantees. As a result, there is a corresponding increase in burden hours from 45,807 to 54,727.

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

There are no plans to publish the results of this information collection.

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.

No exceptions are stated.