Siskiyou County
Department of General Services
190 Greenhorn Road
Yreka, California 96097
Phone: (530) 842-8220 Fax: (530) 841-2800

Notice of Intent (NOI)

Project Name:	**FY20/21 CARES Act Grant Phase II**
Amount of Grant:	**$546,202.00**
Department:	**Transportation/STAGE**
Last Updated:	**August 5, 2020**
Project Manager:	**Angela Stumbaugh**
Director:	**Scott Waite**

Project Description:

Funds will be used for Covid-19 impacts to operating costs.

Summary:

We will be using the CARES-Act funds to prevent, prepare for, and respond to Covd-19 expenses.

APPROVALS

Prepared By Angela Stumbaugh
Project Manager

Approved By
Director of Public Works

08/05/2020
County Administrator Officer

ATTACHMENT
Grant Summary Form

This form is available on the County's Intranet.

County of Siskiyou
GRANT SUMMARY FORM

GENERAL INFORMATION

Grant Title			Grant No.(CFDA)
FY20/21 CARES Act Grant Phase II			20.509
General Description of Grant Work scope			
FTA is allocating $25 billion to recipients of urbanized area and rural area formula funds. Funding will be provided at a 100% federal share, with no local match required, and will be available to support capital, operating, and other expenses generally eligible under the 5311 grant to prevent, prepare for, and respond to Covid-19.			
Granting Agency ☑ FED ☐ STATE ☐ OTHER		Agency Contact	Phone No.
Apply through Caltrans, but funded by FTA		Cayman Morgan	916-654-8647
Responsible Department		Department Contact	Extension No.
General Services - STAGE		Angela Stumbaugh	530-842-8297
Board Approval Date	Application Date	Award Date	Est'd Completion Date
September 1, 2020	August 13, 2020		2024

GRANT COST AND REVENUE SUMMARY

Program Cost Summary	Total	Grant Portion
Revenue (Please display with brackets <>)		-546,202.00
Soft/hard cash match or In kind (<>)		
Staffing		
Contract Services		
Supplies & Other Operating Expenditures	546,202.00	
Capital Outlay		
Indirect Cost@ % of Direct Costs		
TOTAL GRANT COSTS AND REVENUES	$ 546,202.00	$ -546,202.00
How Was Grant Portion Determined?		
The amount is based on a formula developed by FTA. We have no control over the amount.		

Budget Amendment Request Required? ☑ Yes ☐ No If yes, please attach copy of Budget Appropriation Transfer	
We will submit upon notice of award. Auditor to establish budget.	

Does this grant allow for supplanting? ☐ Yes ☑ No
Does this grant allow for program income? ☐ Yes ☑ No
Will this require an advance of grant dollars? ☐ Yes ☑ No

OTHER COMMENTS (note any significant or unusual compliance requirements)

We will receive a Standard Agreement that will be signed by the CAO after the grant application has been
approved.

Use reverse side if necessary to provide additional information

Prepared By: [signature]

Date: August 5, 2020

****Please attach a copy of the grant guidelines and all supporting documents that relate to the program cost summary section.

Caltrans

Sample Authorizing Resolution for FTA Funds
State of California
Division of Rail and Mass Transportation

RESOLUTION NO. ______

RESOLUTION AUTHORIZING THE FEDERAL FUNDING UNDER FTA SECTION 5311 (49 U.S.C. SECTION 5311) WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital/operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act (**FTA C 9040.1G**); and

WHEREAS, the California Department of Transportation (Department) has been designated by the Governor of the State of California to administer Section 5311 grants for transportation projects for the general public for the rural transit and intercity bus; and

WHEREAS, *(STAGE)* desires to apply for said financial assistance to permit operation of service in *(Siskiyou County)*; and

WHEREAS, the *(STAGE)* has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the *(Siskiyou County Board of Supervisors)* does hereby Authorize the *(County Administrator),* to file and execute applications on behalf of with the Department to aid in the financing of capital/operating assistance projects pursuant to Section 5311 of the Federal Transit Act (**FTA C 9040.1G**), as amended.

That *(County Administrator)* is authorized to execute and file all certification of assurances, contracts or agreements or any other document required by the Department.

That *(County Administrator)* is authorized to provide additional information as the Department may require in connection with the application for the Section 5311 projects.

That *(County Administrator)* is authorized to submit and approve request for reimbursement of funds from the Department for the Section 5311 project(s).

PASSED AND ADOPTED by the *(Board of Supervisors)* of the *(County of Siskiyou),* State of California, at a regular meeting of said Board Meeting held on the 1st day of September, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:
LAUDRA BYNUM, COUNTY CLERK

By: ______________________________

____________________ ____________
Michael N. Kobseff, Chair Date
Siskiyou County Board of Supervisors

Caltrans

Application Certification
State of California
DRMT Federal Programs
Application

Applicant: County of Siskiyou

FTA Program: FTA 5311 Program

Fiscal Year: 2020

I hereby certify that I am the authorized signee for the above listed applicant. I also herby certify that I have reviewed the organizational information and application forms submitted in the BlackCat system and all statements, information, and representations made are true and correct to the best of my knowledge. I also hereby certify that adequate local share as described in herein will be available to execute this project(s).

Please Enter Name & Title of Authorized Signee Below:

Name: Angela Davis

Title: County Administrator

Sign Here: ______________________________ Date: Click here to enter a date.

(Please Sign in Blue Ink)

CARES ACT
Caltrans DRMT 5311 FUNDS
DISBURSEMENT

Federal Coronavirus Relief

The recently-enacted "Coronavirus Aid, Relief, and Economic Security Act", or CARES Act, was passed by Congress with overwhelming, bipartisan support and signed into law by President Trump on March 27th, 2020. The CARES Act includes provisions for new transit funding to assist providers during the COVID-19 pandemic. California's allocation of these funds under the Federal Transit Administration (FTA) Section 5311 Formula Grants for Rural Areas Program is $94,976,667. These funds will be distributed to eligible agencies by Caltrans' Division of Rail and Mass Transportation (DRMT).

Federal Funding Details

Eligible Recipients
Providers that meet FTA eligibility for 5311 Rural and 5311(f) Intercity funds

Eligible Activities
Projects for preventing, preparing for, and responding to the COVID-19 disease such as:

- Operating costs to maintain service
- Lost revenue due to COVID-19 public health emergency
- Purchase of personal protective equipment associated with response to the pandemic
- Administrative leave salaries for operations personnel

The FTA has also stated that although the priority for the funding is operational expenses, FTA will generally consider all expenses normally eligible under the Section 5311 program that are incurred on or after January 20, 2020 to be in response to economic or other conditions caused by COVID-19 and thus eligible under the CARES Act.

Match Rate
100% Federal / 0% Local

Project Eligibility Date
Retroactive to January 20, 2020

Access to Funds Through Caltrans DRMT

Transit providers across the state are reducing service, eliminating routes, and, in some cases, closing their doors during this pandemic. Funding assistance to continue service and to recover in the following months is essential. CARES funds have been provided for this purpose. Due to the urgent need, Caltrans DRMT is working to move funds out to transit providers as quickly as possible while also considering future needs and recovery.

Approximately one third ($30.0 Million) of the total CARES 5311 funds allocated to California will be made available in the next few months as formula funding to any of the current 5311 agencies who indicate a need and apply for funding. The CARES Act funding must include 15% for 5311(f) Intercity Bus operations. Separate instructions will be developed for the 5311(f) Program. The remaining funds (almost $65.0 Million) will be distributed on a continuing basis using an application process through BlackCat. Information will be available on the Caltrans DRMT website in the coming months.

Formula Funds Process

- FTA 5311 formula distribution will be made available in new grant agreements written to current 5311 agencies based on their regional allocation. DRMT Staff are drafting agreements that will be sent to each agency in the next few weeks.
- Agreements will be effective on January 20, 2020. Eligible activities from January 20, 2020 to the present as estimated in the Invoice and Pre-Agreement document will be processed immediately for reimbursement upon encumbrance of the standard agreement. Agencies must follow up with documentation for the expenses identified in the Invoice and Pre-Agreement for eligibility review by Caltrans DRMT staff. Any expenses covered in the initial payment that are later determined to be ineligible will require adjustment against later requests for reimbursement.
- These initial agreements will expire on June 30, 2022 to allow time for agencies to assess their needs and determine best uses of the funds based on eligible project types. However, agreement amendments for additional funding and time extensions may be allowed as provider needs become clearer.
- Statements of work will cover eligible project activities at a high level. This will allow flexibility for transit providers to complete any eligible activity at their discretion and to adapt quickly to changing needs.
- Agreements will be reimbursement-based, and reimbursement requests will generally require the same type of expense documentation as is currently required for other agreement types.

  Note: Since some COVID-19-related expenses may be difficult to document, e.g., loss of revenue, Caltrans will provide examples and guidance on what is expected.
- Monthly reimbursement requests are allowed.
- Funds will come from FTA's one-time allocation in response to the COVID-19 pandemic. These funds will not be available again and will not change the regular Section 5311 funding process.
- No local match is required.

Caltrans DRMT requests that these agreements be routed for signature as quickly as possible. We will also expedite agreement execution on our end.

To expedite the first reimbursement, please complete the "Invoice and Pre-Agreement for Coronavirus Aid, Relief and Economic Security Act (CARES Act) Funding (FTA 5311)" attached, and submit it to Caltrans DRMT Rural and Intercity Bus Branch Chief, Kathy Pongratz (katherine.pongratz@dot.ca.gov), as soon as possible. The amount you enter on this document is for the first invoice which may differ from the Standard Agreement. The Standard Agreement amount for each agency was shared in a letter which was sent out on April 10, 2020 from Kyle Gradinger, DRMT Division Chief. Subrecipients will receive a Standard Agreement with the first round of funding. Funds that are not expended by the agreement expiration date will be de-obligated and returned to the program for Caltrans DRMT distribution. Agencies unable to participate in the first formula disbursement of CARES ACT funds may request funding through the next round application process.

The balance of CARES funds, approximately $65 M, remaining after the formula process described above will be distributed to 5311 and 5311(f) recipients. The CARES Act requires that 15% of California's total must go to 5311(f).

Eligible Recipients

- Publicly-funded transit providers eligible to receive Section 5311 or 5311(f) funding who are in compliance with 5311/5311(f) drug and alcohol and other requirements beginning the first day eligible expenses are incurred. This does not automatically entitle future 5311 funding.
- For-profit public transit providers may be eligible; additional conditions will apply.

Eligible Projects

- Projects supporting FTA 5311 (rural) or 5311(f) (intercity) eligible transit service and also those intended to prevent, prepare for, or respond to COVID-19

Eligible Activities

Include projects for preventing, preparing for, and responding to the COVID-19 disease such as:

- Operating costs to maintain service
- Lost revenue due to COVID-19 public health emergency
- Purchase of personal protective equipment associated with response to the pandemic
- Administrative leave salaries for operations personnel

Match Rate

100% Federal / 0% Local

Project Eligibility Date

January 20, 2020

Resources

Caltrans DRMT: https://dot.ca.gov/programs/rail-and-mass-transportation

FTA Coronavirus Page: https://www.transit.dot.gov/coronavirus
FTA Questions Link: : FTAResponse@dot.gov

Contacts

Kathy Pongratz, Caltrans FTA Section 5311 and Intercity Bus Branch: Katherine.Pongratz@dot.ca.gov
Wendy King, Office Chief, Caltrans Transit Grants and Contracts: Wendy.King@dot.ca.gov
Kyle Gradinger, Chief, Caltrans Division of Rail & Mass Transportation: Kyle.Gradinger@dot.ca.gov

FTA CARES Act Funds for Distribution in Round 2 (Final Round)
Division of Rail and Mass Transportation
Office of Transit Grants and Contracts
Amounts determined using 5311 Regional Formula Calculations

D	County/Region	CARES Formula	
4	MTC	$ 3,453,334	(1)
3	SACOG	$ 1,630,029	(2)
10	Alpine	$ 118,908	
10	Amador	$ 463,371	
3	Butte	$ 1,481,971	
10	Calaveras	$ 554,450	
3	Colusa	$ 260,559	
1	Del Norte	$ 348,036	
3	El Dorado	$ 1,081,553	
6	Fresno	$ 3,355,334	
3	Glenn	$ 342,100	
1	Humboldt	$ 1,637,669	
11	Imperial	$ 800,995	
9	Inyo	$ 225,609	
6	Kern	$ 3,178,250	
6	Kings	$ 791,214	
1	Lake	$ 786,640	
2	Lassen	$ 424,493	
7	Los Angeles	$ 911,817	
6	Madera	$ 881,368	
10	Mariposa	$ 222,021	
1	Mendocino	$ 1,068,573	
10	Merced	$ 1,143,934	
2	Modoc	$ 151,063	
9	Mono	$ 172,765	
5	Monterey	$ 1,325,495	
3	Nevada	$ 1,201,450	
12	Orange	$ -	
3	Placer	$ 1,013,089	
2	Plumas	$ 243,382	
8	Riverside	$ 2,031,019	
5	San Benito	$ 672,339	
8	San Bernardino	$ 2,955,913	
11	San Diego	$ 1,587,112	
10	San Joaquin	$ 910,393	
5	San Luis Obispo	$ 1,134,604	
5	Santa Barbara	$ 562,722	
5	Santa Cruz	$ 384,276	
2	Shasta	$ 723,711	
3	Sierra	$ 139,040	
2	Siskiyou	$ 546,202	
10	Stanislaus	$ 987,360	
2	Tehama	$ 772,018	
2	Trinity	$ 167,705	
6	Tulare	$ 1,854,568	
10	Tuolumne	$ 673,507	
7	Ventura	$ 858,206	

(1) Metropolitan Transportation Commission (MTC): Sonoma, Napa, Solano, Contra Costa, Alameda, Marin, San Francisco, San Mateo and Santa Clara Counties

(2) Sacramento Area Council of Governments (SACOG): Yuba, Sutter, Yolo and Sacramento Counties

Date Prepared: July 10, 2020
Data Source: CARES Act FFY 2020 Apportionment Table 3; 2010 Census Data workbook
Prepared by: Tracy Harrison, Grants Management Branch

DEPARTMENT OF TRANSPORTATION
DIVISION OF RAIL & MASS TRANSPORTATION
P.O. BOX 942874, MS-74
SACRAMENTO, CA 94274-0001
PHONE (916) 653-0243
FAX (916) 654-9366
TTY 711
www.dot.ca.gov

Making Conservation
a California Way of Life.

July 10, 2020

Dear MPOs, RTPAs, and Subrecipients:

We continue to thank you for all you do to keep transit running during these difficult times. The Division of Rail and Mass Transportation has been diligently working on distributing the first round of CARES Act funding to the current FTA 5311 and 5311(f) subrecipients. As we move forward in distributing the next phase of CARES Act to our subrecipients, I would like to express my appreciation for your participation in the June 8, 2020 webinar, the additional feedback shared, and your continued patience. Overwhelmingly, the feedback received shows our stakeholders would like to keep Phase 2 as regional apportionments like our current 5311 grant distribution process. In order to minimize any further delays, DRMT is moving forward with a "Call for CARES Act FTA 5311 Projects". DRMT will provide apportionment amounts available to each region. Eligible applicants that are not current 5311 sub recipients can apply to their MPO or RTPA for a portion of the CARES act funding. Please note, the FTA 5311(f) Intercity Bus call for projects will be determined separately and announced later.

Phase 2 distribution steps are listed below:

1. DRMT distributes the Apportionment of remaining funds for FTA 5311 by Region (as is currently done for each regular grant cycle). FTA 5311(f) will be determined later.
2. The Call for Projects will be Announced next week. This will be open to all eligible FTA 5311 applicants who provide public transportation for rural populations <50,000. It is not limited to current 5311 recipients.
3. Each MPO/RTPA will be asked to work with the rural transit agencies in their region to develop projects and allocate from the regional apportionment.
    a. They may include Tribal entities.
    b. They may include other rural agencies that are not current subrecipients if they meet FTA 5311 eligibility criteria.

4. DRMT will allow 4 weeks for the application/project set up in BlackCat.
5. Programming (TIP) is not required for Operating, Preventative Maintenance, and Planning Projects.
6. Programming (TIP) is not required for bus replacement projects.
7. Programming (TIP) IS required for bus expansion projects and we strongly encourage operators to wait, if possible, until the next regular grant cycle (FFY 2021) to request funds for expansion projects.
8. Once all compliance requirements are met, DRMT's Grant Management Branch will submit the grant application to FTA TrAMS.
9. Standard Agreements will be executed after grant Phase 2 CARES Act application approval by FTA.
10. Request for Reimbursement (rfr) would follow current BlackCat submittal process.

DRMT plans on announcing the "Call for CARES Act FTA 5311 Projects 2020" within the next week and applications will be due early August 2020.

We understand the critical need for CARES Act funds and allow all eligible applicants the opportunity to apply through this process.

Sincerely,

W. KYLE GRADINGER, Chief
Division of Rail and Mass Transportation

Enclosure(s)

c: Wendy King, Office Chief, Transit Grants and Contracts
Kathy Pongratz, Branch Chief, Rural and Intercity Bus Program
DRMT Rural and Intercity Bus Program Liaisons
Caltrans District Transit Representatives

DEPARTMENT OF TRANSPORTATION
DIVISION OF RAIL & MASS TRANSPORTATION
P.O. BOX 942874, MS-74
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www.dot.ca.gov

Making Conservation a California Way of Life.

July 17, 2020

Dear MPO's and RTPA's:

The Division of Rail and Mass Transportation (DRMT) is pleased to announce the Call for Projects for the Coronavirus Aid, Relief, and Economic Security (CARES) Act for Federal Transit Administration (FTA) Section 5311 Program Phase 2.

The regional apportionment is based on the 2010 decennial census and represents the remaining Phase 2 CARES Act funding for regular FTA 5311 Program. The Call for CARES Act Projects is only for the regular FTA 5311. FTA 5311(f) Rural Intercity Bus Program will be announced later.

The FTA 5311 formula program amount allocated to each region is enclosed. Please work with the transit agencies, tribal entities, and others eligible applicants within your region to sub-allocate from your regional apportionment, a blank POP is enclosed. Also enclosed is a brief Fact Sheet for FTA 5311 applicants to help you determine eligibility. Please work with your Caltrans Headquarters liaison for assistance.

During this Call for Projects, the BlackCat Electronic Grants System (web-based electronic grants management system), is only accepting FTA Section 5311 applications. If new applicants need access to BlackCat please contact Vivian Miller at Vivian.Miller@dot.ca.gov.

All applications are due **August 13, 2020 at 2:00 p.m. PST**

Sincerely,

Kathy Pon

KATHY PONGRATZ, Chief
Rural Transit and Intercity Bus Branch

Enclosures:
(1) Regional Apportionment for Phase 2 CARES Act
(2) CARES Act Program of Projects (POP)
(3) FTA 5311 CARES Act Fact Sheet
(4) DRMT FTA 5311 Contact Map

c: W. Kyle Gradinger, Division Chief, DRMT
Wendy King, Office Chief, Transit Contract and Grants, DRMT
Current Subrecipients
DRMT Rural and Intercity Bus Liaisons
Caltrans District Transit Representatives

Program Overview and Goals
State of California
FTA Section 5311

Federal Transit Administration (FTA) Section 5311 is a formula-based program that provides funding to states for the purpose of supporting public transportation in rural areas. Rural areas encompass all populations, housing, and territory not included within an urbanized area of 50,000 or more population. Counties and regions may be entirely rural, or they may be composed of rural areas and one or more urbanized areas.

The goal of the 5311 program is to provide the following services to rural areas:

- Enhance the access of people in non-urbanized areas to health care, shopping, education, employment, public services, and recreation;
- Assist in the maintenance, development, improvement, and use of public transportation systems in non-urbanized areas;
- Encourage and facilitate the most efficient use of all transportation funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services;
- Assist in the development and support of intercity bus transportation; and
- Provide for the participation of private transportation providers in rural areas.
- Improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals;
- Transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities;
- Meet the transportation needs of eligible low-income individuals, and of reverse commuters regardless of income.
- Provide financial assistance to help carry out national goals related to mobility for all, including seniors, individuals with disabilities, and low-income individuals;
- Increase availability of transportation options through investments in intercity bus services;

Eligible Applicants and Activities State of California FTA Section 5311

Eligible Recipients:

Public transit providers, state and local governments, rural transportation planning agencies, private-nonprofit organizations, Tribal Governments and private intercity bus operators 5311(f) that provide transportation to the general public.

Eligible Operating Activities:

Operating assistance consists of activities and services directly provided or purchased by the subrecipient. The project funds may be used for expenses such as labor, supplies, fuel, etc. Operating funds cannot be used for depreciation on vehicles purchased with federal or state dollars; expenses associated with charter and school use for vehicles; and costs associated with expenses incurred for timeframes outside of the stated operating period (such as pre-paid insurance coverage, etc.).

Eligible Capital Activities (Vehicles, Equipment, Facilities & Maintenance):

Capital expenses include buses, vans, radios and communication equipment, fareboxes, wheelchair lifts and restraints, passenger shelters, operational support such as computer hardware/software and minor construction or rehabilitation of transit facilities. In addition, vehicle inspection fees are eligible capital expenses. Another category of capital expense is transit related "intelligent transportation system" (ITS) equipment. Examples include automated vehicle locator systems, scheduling software, information kiosks, etc.). ITS projects must be consistent with the Regional Architecture Plan. Vehicle specifications **must** be reviewed and approved by DRMT procurement staff prior to purchase. For more information, see Caltrans DRMT Federal Vehicle Procurement Process at http://www.dot.ca.gov/hq/MassTrans/Procurement-Grants- Management.html.

All the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost-effective manner, up to and including the current state of the art for maintaining such asset. These capital maintenance expenses are eligible to use FTA formula funding programs for these functions:

- **Vehicles:** Periodic inspections and maintenance activities based on mileage.
- **Building Components and Systems:** Periodic maintenance based on either manufacturer recommended or agency developed PM programs.

For more information, please see FTA's "Transit State of Good Repair" at https://www.transit.dot.gov/regulations-and-guidance/asset-management/state-good-repair

Capital assistance also includes the acquisition, construction, expansion, and improvement of public transit facilities, such as transit terminals, storage and maintenance garage, office facilities, and parking facilities; purchase and installation of bus shelters, benches, signage, and facilities to provide access for bicycles to facilities or equipment for transporting bicycles on transit vehicles. Environmental documents must be reviewed and approved by FTA and Plans and Specifications must be reviewed and approved by registered engineer prior to the start of the proposed project.

Eligible Planning Activities:

Planning is an eligible expense allowed under Section 5311for planning activities in addition to funding awarded to a State under Section 5305 for planning activities that are directed specifically at the needs of rural areas in the State. Planning projects must be included in the Planning Work Program and can support efforts to:

1. Develop transportation plans and programs;
2. Plan, engineer, design, and evaluate a public transportation project; and
3. Conduct technical studies relating to public transportation.
4. Eligible activities include the following:

    a. Studies related to management, planning, operations, capital requirements, and economic feasibility.
    b. Evaluating previously financed projects.
    c. Peer reviews and exchanges of technical data, information, assistance, and related activities in support of planning and environmental analyses among metropolitan planning organizations and other transportation planners.

Other similar and related activities preliminary to and in preparation for constructing, acquiring, or improving the operation.

5311 Program CARES Act Fact Sheet

Congress passed the Coronavirus Aid, Relief and Economic Security Act (CARES Act) to provide support for capital, operating, and other expenses generally eligible under the FTA Section 5311 program to prevent, prepare for, and respond to COVID-19. This including operating expenses to maintain transit services as well as paying for administrative leave for transit personnel due to reduced operations during an emergency.

What: The overall goal of the FTA 5311 program is to enhance the availability of public transit in rural areas and provide public transportation opportunities to residents in rural areas for access to employment, education and health care, shopping and recreation.

Program Funds: Program funds are made available to rural areas with a population of less than 50,000 as designated by the Bureau of the Census (2010).

Eligible Applicants: Public transit providers, state and local governments, rural transportation planning agencies, private-nonprofit organizations, Tribal Governments and private intercity bus operators (5311(f)). All subrecipients are required to be compliant with FTA regulations.

Eligible Projects: Eligible projects include capital projects, planning and operating assistance projects. CARES Act projects are 100% federally funded and requires no local share.

Program Fund Role Players: The FTA, local government, transit providers, MPO's RTPAs, DRMT, Districts, SCO, and Accounting.

Funding Amount and Distribution Process: The CARES Act apportionment for California is $94,976,667. Of this amount, 75% is set aside for regional distribution. Of the remaining 25%, 15% is set-aside for Intercity Bus Section 5311(f) and 10% for program administration. DRMT distributed Phase 1 to current subrecipients of FTA 5311 and 5311(f). Phase 2 is being distributed through a Call for Projects for ALL eligible transit operators. FTA 5311(f) Phase 2 will be determined later.

The Transportation Planning Agencies (RPA) Project Selection for CARES Act: Caltrans provides the formula-based funding amount for each region to the MPOs/RTPAs. They then plan and sub-allocate projects based on regional transportation needs. Once the projects are selected the transit agencies will submit their application to Caltrans using BlackCat Electronic Grants System.

References: CARES Act FQA's https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19
FTA Circular 9040.1.G https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/formula-grants-rural-areas-program-guidance-and-application

Eligible Applicants and Activities State of California FTA Section 5311

Eligible Recipients:

Public transit providers, state and local governments, rural transportation planning agencies, private-nonprofit organizations, Tribal Governments and private intercity bus operators 5311(f) that provide transportation to the general public.

Eligible Operating Activities:

Operating assistance consists of activities and services directly provided or purchased by the subrecipient. The project funds may be used for expenses such as labor, supplies, fuel, etc. Operating funds cannot be used for depreciation on vehicles purchased with federal or state dollars; expenses associated with charter and school use for vehicles; and costs associated with expenses incurred for timeframes outside of the stated operating period (such as pre-paid insurance coverage, etc.).

Eligible Capital Activities (Vehicles, Equipment, Facilities & Maintenance):

Capital expenses include buses, vans, radios and communication equipment, fareboxes, wheelchair lifts and restraints, passenger shelters, operational support such as computer hardware/software and minor construction or rehabilitation of transit facilities. In addition, vehicle inspection fees are eligible capital expenses. Another category of capital expense is transit related "intelligent transportation system" (ITS) equipment. Examples include automated vehicle locator systems, scheduling software, information kiosks, etc.). ITS projects must be consistent with the Regional Architecture Plan. Vehicle specifications **must** be reviewed and approved by DRMT procurement staff prior to purchase. For more information, see Caltrans DRMT Federal Vehicle Procurement Process at http://www.dot.ca.gov/hq/MassTrans/Procurement-Grants- Management.html.

All the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost-effective manner, up to and including the current state of the art for maintaining such asset. These capital maintenance expenses are eligible to use FTA formula funding programs for these functions:

- **Vehicles:** Periodic inspections and maintenance activities based on mileage.
- **Building Components and Systems:** Periodic maintenance based on either manufacturer recommended or agency developed PM programs.

For more information, please see FTA's "Transit State of Good Repair" at https://www.transit.dot.gov/regulations-and-guidance/asset-management/state-good-repair

Capital assistance also includes the acquisition, construction, expansion, and improvement of public transit facilities, such as transit terminals, storage and maintenance garage, office facilities, and parking facilities; purchase and installation of bus shelters, benches, signage, and facilities to provide access for bicycles to facilities or equipment for transporting bicycles on transit vehicles. Environmental documents must be reviewed and approved by FTA and Plans and Specifications must be reviewed and approved by registered engineer prior to the start of the proposed project.

Eligible Planning Activities:

Planning is an eligible expense allowed under Section 5311for planning activities in addition to funding awarded to a State under Section 5305 for planning activities that are directed specifically at the needs of rural areas in the State. Planning projects must be included in the Planning Work Program and can support efforts to:

1. Develop transportation plans and programs;
2. Plan, engineer, design, and evaluate a public transportation project; and
3. Conduct technical studies relating to public transportation.
4. Eligible activities include the following:

    a. Studies related to management, planning, operations, capital requirements, and economic feasibility.
    b. Evaluating previously financed projects.
    c. Peer reviews and exchanges of technical data, information, assistance, and related activities in support of planning and environmental analyses among metropolitan planning organizations and other transportation planners.

Other similar and related activities preliminary to and in preparation for constructing, acquiring, or improving the operation.

Rail and Mass Transportation

The vision of the Caltrans' Division of Rail and Mass Transportation (DRMT) is to make public transportation a viable option for all. Our mission is to provide measurable improvements to California's integrated and sustainable public transportation system. Contact Rail and Mass Transportation

The DRMT has the following primary functions:

- Statewide transit and passenger rail network management;
- Grant administration of Federal and State funds;
- Procurement support; and
- Technical services.

Please visit your respective program(s) individual webpages list below for updates and additional information.

In response to the Coronavirus (COVID-19) pandemic and to comply with the in-shelter order activated by Sacramento County on March 19, 2020, a number of DRMT personnel are now (or making arrangements for) telecommunicating from home. We request your patience at this time. The following COVID-19 FAQs, Information, and Resources Page provides information on COVID-19, its impact on rail and transit systems, and what steps federal, state, and transit operators are taking in response to this pandemic.

California Integrated Travel Program (Cal-ITP) Feasibility Study Posted April 24, 2020

The Draft California Minimum GTFS Guidelines were developed as part of the California Integrated Travel Program (Cal-ITP) dedicated to making travel simpler and cost-effective for all. Please submit comments on the draft guidelines to gtfsrt@dot.ca.gov by Tuesday July 21, 2020.

Assets and Equipment

- Federal Grants Procurement Management
- Federal Grants Procurement Management - State Paratransit Vehicle Contracts
- Oakland Maintenance Facility Oversight
- Rail Equipment Branch
- Rail Equipment Project Support
- Rolling Stock Procurement Branch

Planning and Operations

- California Coordinated Plan Resources Center
- California State Rail Plan
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- Intelligent Transportation Systems (ITS) Requirements
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Project Development and Delivery

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Title VI and Priority Populations

- Caltrans FTA Disparity Study
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Transit Grants and Contracts

- American Recovery and Reinvestment Act of 2009 (ARRA)
- FTA Section 5310 - Enhanced Mobility of Seniors and Individuals with Disabilities Program
- FTA Section 5311 & 5311(f) Archives
- FTA Section 5339 - Bus and Bus Facilities
- LCTOP Archive
- Low Carbon Transit Operations Program (LCTOP)
- Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)
- Rural Transit & Intercity Bus - FTA Section 5311 and 5311(f)
- Rural Transit Assistance Program (RTAP)
- State of Good Repair
- State Management Plan
- Transit Asset Management
- Transit Safety
- Urbanized Area Formula Grants (FTA 5307)

- State Transit Programs (SB-1 LPP/STIP/Prop. 1A/TCRP/Prop 116/Prop 1B-SLPP)
- Transit and Intercity Rail Capital Program (TIRCP)

Statewide Campaigns

- ADA Access
- Adopt-A-Highway
- Amber Alert
- Arrive Alive
- Be Work Zone Alert
- CAL FIRE
- California Census 2020
- California Climate Investments
- California Connected
- California Transportation Plan 2050
- Energy Upgrade
- Flex Alert
- Keep Your Home
- Move Over Law
- Response.CA.gov: Power Outage and Fire Recovery Resources
- REAL ID
- Save Our Water
- Unclaimed Property

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State of Good Repair

Helping transit agencies maintain bus and rail systems in a State of Good Repair (SGR) is one of FTA's highest priorities. FTA recommends Transit Asset Management (TAM) practices to preserve and expand transit investments. Having well maintained, reliable transit infrastructure – track, signal systems, bridges, tunnels, vehicles and stations – will help ensure safe, dependable and accessible services.

FTA's State of Good Repair Formula Program grants are distributed to state and local governments in urbanized areas for repairs and upgrading of rail and bus rapid transit systems that are at least seven years old.

Research Reports

- TCRP E-09A, *Guidance for Applying the State of Good Repair Prioritization Framework and Tools*
- 2013 Conditions and Performance Report
- 2011 State of Good Repair Report to Congress (PDF)
- 2010 National State of Good Repair Assessment (PDF)
- Rail Modernization Report (PDF)
- Transit State of Good Repair: Beginning the Dialogue (PDF)

Grants

- State of Good Repair Pilot Projects Report to Congress – April 2013 (PDF)
- State of Good Repair Initiative Report to Congress – December 2011 (PDF)
- State of Good Repair Program MAP-21 Fact Sheet (PDF)
- State of Good Repair Grants to WMATA – December 2010
- FY2012 State of Good Repair Discretionary Grant Awards
- FY2010 State of Good Repair Discretionary Grant Awards (PDF)

Last updated: Tuesday, September 29, 2015

Related Links

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Tags

- transit asset management; state of good repair; transit

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5311 Program CARES Act Fact Sheet

Congress passed the Coronavirus Aid, Relief and Economic Security Act (CARES Act) to provide support for capital, operating, and other expenses generally eligible under the FTA Section 5311 program to prevent, prepare for, and respond to COVID-19. This including operating expenses to maintain transit services as well as paying for administrative leave for transit personnel due to reduced operations during an emergency.

What: The overall goal of the FTA 5311 program is to enhance the availability of public transit in rural areas and provide public transportation opportunities to residents in rural areas for access to employment, education and health care, shopping and recreation.

Program Funds: Program funds are made available to rural areas with a population of less than 50,000 as designated by the Bureau of the Census (2010).

Eligible Applicants: Public transit providers, state and local governments, rural transportation planning agencies, private-nonprofit organizations, Tribal Governments and private intercity bus operators (5311(f)). All subrecipients are required to be compliant with FTA regulations.

Eligible Projects: Eligible projects include capital projects, planning and operating assistance projects. CARES Act projects are 100% federally funded and requires no local share.

Program Fund Role Players: The FTA, local government, transit providers, MPO's RTPAs, DRMT, Districts, SCO, and Accounting.

Funding Amount and Distribution Process: The CARES Act apportionment for California is $94,976,667. Of this amount, 75% is set aside for regional distribution. Of the remaining 25%, 15% is set-aside for Intercity Bus Section 5311(f) and 10% for program administration. DRMT distributed Phase 1 to current subrecipients of FTA 5311 and 5311(f). Phase 2 is being distributed through a Call for Projects for ALL eligible transit operators. FTA 5311(f) Phase 2 will be determined later.

The Transportation Planning Agencies (RPA) Project Selection for CARES Act: Caltrans provides the formula-based funding amount for each region to the MPOs/RTPAs. They then plan and sub-allocate projects based on regional transportation needs. Once the projects are selected the transit agencies will submit their application to Caltrans using BlackCat Electronic Grants System.

References: CARES Act FQA's https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19
FTA Circular 9040.1.G https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/formula-grants-rural-areas-program-guidance-and-application

Frequently Asked Questions from FTA Grantees Regarding Coronavirus Disease 2019 (COVID-19)

These FAQs provide clarity regarding how COVID-19 preparations impact certain FTA requirements. They also contain recommendations from the Centers for Disease Control and Prevention (CDC) to help grantees and subgrantees prepare for COVID-19. (Updated 6/18/2020)

These FAQs do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Grantees and subgrantees should refer to FTA's statutes and regulations for applicable requirements.

Coronavirus Disease 2019 (COVID-19) FAQs

Coronavirus Aid, Relief, and Economic Security (CARES) Act

CA1: Are all expenses normally eligible under the Urbanized Area Formula Program (49 USC 5307) and the Formula Grants for Rural Area Program (49 USC 5311) eligible under the CARES Act?

A: Yes, the CARES Act provides funds to prevent, prepare for, and respond to COVID-19. Although the priority for the funding is operational expenses, FTA will generally consider all expenses normally eligible under the Section 5307 and 5311 programs that are incurred on or after January 20, 2020 to be in response to economic or other conditions caused by COVID-19and thus eligible under the CARES Act.

In addition, CARES Act funds are available for operating expenses for all FTA Section 5307 and 5311 recipients, including those in large urban areas, and including administrative leave for transit workers.

CA2: What is eligible as an operating expense?

A: Funds available under the CARES Act are available for all operating activities (net fare revenues) that occur on or after January 20, 2020 are eligible.

In general, operating expenses are those costs necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one year, including personal protective equipment and cleaning supplies. See Chapter IV of the Urbanized Area Formula Program circular or Chapter III of the Formula Grants for Rural Areas circular for more information on eligible operating expenses.

The CARES Act funding can be used for administrative leave, such as leave for employees due to reductions in service or leave required for a quarantined worker.

CA3: Is there a limit for how much funding can be used for operating expenses?

A: No. All funds made available under the CARES Act may be used for operating expenses.

CA4: Does the limit on using up to 10 or 20 percent of a recipient's apportionment of 5307 and 5311 funds for paratransit service in accordance with the Americans with Disabilities Act apply?

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United States

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A: No. Funds provided under the CARES Act are available at a 100-percent federal share to maintain operations. As such, there is no limit on the amount of funds made available under the CARES Act that may be used to pay for paratransit service provided on or after January 20, 2020, which is typically an operating expense.

CA5: Are operating costs incurred under operations or maintenance service contracts with third parties, and administrative leave for third-party contractors, including intercity bus providers, eligible for FTA reimbursement under the CARES Act?

A: It depends. Title XII of Division B of the CARES Act provides that administrative leave for public transportation operations personnel is an eligible expense. Expenses under third-party contracts for operations or maintenance services incurred on or after January 20, 2020, including third-party contract employees providing such service who are placed on administrative leave due to reduced service, are eligible for federal reimbursement. Whether an FTA recipient is responsible for such administrative leave will depend on the terms of its third-party contract.

CA6: Are FTA funds available for public transit agencies to reimburse third-party operations and maintenance contractors for the amounts provided in the contracts, even if the levels of service provided by the third-party contractors are reduced because of COVID-19?

A: No. Federal funds can only be used to reimburse FTA recipients for actual operating or maintenance costs. However, an FTA recipient may use federal funds to reimburse a contracted operations or maintenance provider for employees placed on administrative leave if service levels are reduced, if the FTA recipient is responsible for salaries and benefits under the terms of its contract.

CA7: Are states and designated recipients required to adhere to existing FTA-approved State Management Plans for allocation of CARES Act funding within the State or service area?

A: No. States and designated recipients have flexibility to allocate CARES Act funding through a different process than the one described in a previously approved State Management Plan, without prior FTA approval. States should document any deviations in an attachment to the CARES Act funding application. Requirements for fair and equitable distribution and intercity bus consultation under 49 U.S.C. 5311(f) apply to CARES Act funds.

CA8: Is a state required to use its existing State Management Plan to develop a program of projects for CARES Act funds administered under the Formula Grants for Rural Areas Program (Section 5311)?

A: No. A State may develop a program of projects consistent with its documented State Management Plan that has been updated to accommodate CARES Act funds.

CA9: Are CARES Act funds administered under the Urbanized Area Formula Grants (Section 5307) program subject to Program of Projects (49 U.S.C. 5307(b)) requirements?

A: In part. Projects funded with CARES Act funds that are administered under the Urbanized Area Formula Program that involve substantial changes to the function, location, or capacity of transit system assets are subject to all Program of Projects requirements. See 23 CFR 450.218(g)(5) and 23 CFR 450.326(e)(5). Consistent with the emergency exemptions from the Transportation Improvement Program (TIP) or the Statewide Transportation Improvement Program (STIP) requirements, all other projects funded by CARES Act funds, including operating assistance projects and capital projects that do not involve a substantial change to the function, location, or capacity of an asset, are subject only to the requirements associated with making the amount of funding available to the recipient public (49 U.S.C. 5307(b)(1)) and making the final program of projects available to the public (49 U.S.C. 5307(b)(7)). Recipients must document the process used to comply with these requirements.

CA10: Are there any restrictions on establishing period of performance end dates for CARES Act grants for operating assistance or preventive maintenance?

A: No. Grants for operating assistance and preventive maintenance using CARES Act funds may cover a period of time that corresponds to the expected spend-down rate of the funds, and the agency may establish the end of the period of performance of the grant accordingly.

CA11: May a transit agency use CARES Act funds to pay intercity bus service providers that it usually pays with State/local funds?

A: Yes. A transit agency may use funding from the CARES Act apportioned through the Formula Grants for Rural Areas (Section 5311) program for any purpose normally allowed through that program, including intercity bus services eligible under 49 U.S.C. 5311(f).

CA12: Does the requirement that grant recipients use one percent of funds apportioned via the Urbanized Area Formula program for public transportation security projects apply to CARES Act funds?

A: Yes. Similar to grants made with annually apportioned Urbanized Area Formula funds, at least one percent of CARES Act funds apportioned via the Urbanized Area Formula program must be used for public transportation security projects, or the recipient must certify that the expenditures are unnecessary (pursuant to 49 U.S.C. 5307(c)(1)(J)).

CA13: If a transit system waives fares for riders, can the transit system use CARES Act funding for operations that those fares would have covered?

A: Funding under the CARES Act can be used to reimburse operating costs associated with providing fare-free service. FTA funds net operating costs, or those costs that cannot reasonably be financed by fare revenues (as defined in 49 U.S.C. 5302(12)). In the case of fare-free service, FTA would fund the total operating costs, as there are no fare revenues to deduct to get to net operating cost.

CA14: Can a public transportation system that has not previously received FTA formula funding receive CARES Act funding as a recipient or a subrecipient, including to pay for administrative leave of operations personnel?

A: Yes. Operators that meet the definition of public transportation service and that are otherwise eligible to be a recipient or subrecipient under the Urbanized Area Formula Program (Section 5307) or the Rural Areas Formula Program (Section 5311) may receive CARES Act funding if allocated funds by the designated recipient. To receive funding as a recipient or subrecipient, the public transportation operations must meet all eligibility and program requirements of either Section 5307 or Section 5311. As a subrecipient, the operator must receive CARES Act funding through an existing designated or direct recipient of Urbanized Area or Rural Area formula funding. 49 USC 5302(4), 5307(c), 5311(a)(2).

CA15: How will FTA reimburse grantees for lost revenue, which is eligible under the CARES Act?

A: FTA will reimburse any eligible expenses incurred on or after January 20, 2020, including eligible expenses that would have otherwise been paid for by the lost revenue. This includes all the expenses normally eligible under Urbanized Area Formula Grants (Section 5307) or the Formula Grants for Rural Areas Program (Section 5311) that occurred on or after January 20, 2020, at a 100% federal share. It also includes reimbursement of any net operating expenses for all Urbanized Area and Rural recipients. Operating costs are those costs necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one year, including personal protective equipment and cleaning supplies. See Chapter IV and the Appendix C of the Urbanized Area Formula Program Circular or Chapter III of the Formula Grants for Rural Areas Circular for more information on eligible operating expenses and how to calculate them. CARES Act funding also can be used for administrative leave, such as leave for employees due to reductions in service or leave required for a quarantined worker. The type of lost revenue does not matter and the applicant does not need to identify the amount of lost revenue in the grant application.

CA16: May a recipient modify a third-party contract to require the payment of administrative leave of operations or maintenance personnel or for other operations or maintenance expenses, including expenses to retain readiness for operations and maintenance activities, and fixed expenses such as rent?

A: Yes. Administrative leave is an eligible expense for operations and maintenance personnel whether those personnel are in-house or employed by contractors. Recipients may also modify contracts to pay for eligible operating/maintenance expenses required to retain readiness or eligible fixed operations/maintenance expenses such as rent, even if service is reduced.

CA17: If a transit worker must be put on administrative leave because of a presumptive or confirmed case of COVID-19, is the employee's pay during this time an eligible expense?

A: Yes. This may be categorized as an emergency protective measure taken to protect public health and safety. The employee must be in pay status to be an eligible expense. 2 CFR 200.305.

CA18: Can a transit provider temporarily suspend charging fares?

A: Yes. If a recipient operates fixed route service that is now fare-free, complementary ADA paratransit service also must be fare-free. 49 CFR 37.131(c).

CA19: What is the period of availability to obligate or spend CARES Act funding?

A: Funds are available until expended. There is no lapse date to obligate funds available under the CARES Act. Transit systems are encouraged to spend funds expeditiously to respond to local needs.

CA20: Is there a deadline by which funds must be used?

A: No, however grants for operating expenses may not be used for operating expenses incurred prior to January 20, 2020.

CA21: Does the requirement apply that states must use at least 15 percent of the Formula Grants for Rural Area Program (49 USC 5311) funding for intercity bus transportation, unless the Governor certifies, after consultation with affected intercity bus service providers, that the intercity bus service needs of the State are being met adequately?

A: Yes. All requirements for the Section 5311 program apply unless otherwise noted.

CA22: Do projects have to be in the Transportation Improvement Program (TIP) or the Statewide Transportation Improvement Program (STIP)?

A: It depends. CARES Act funds used to pay for operating expenses do not need to be included in the Transportation Improvement Program (TIP) or Statewide Transportation Improvement Program (STIP). CARES Act funds used to pay for capital expenses for emergency relief do not need to be included in the TIP/STIP unless the projects are for substantial functional, locational, or capacity changes. 23 CFR §§ 450.326(e)(5), 450.218(g)(5). Accordingly, capital projects to prevent, prepare for, and respond to COVID-19 that involve substantial functional, locational, or capacity changes must be included in the TIP/STIP.

CA23: Do CARES Act grants have to be sent to the Department of Labor (DOL) for certification?

A: Yes. The CARES Act requires that grants using funds made available under the CARES Act receive DOL certification consistent with current Section 5307 and 5311 procedures.

CA24: Does a new split letter need to be submitted by designated recipients of CARES Act funding?

A: Yes. Split and/or sub allocation letters must be updated to include funds made available under the CARES Act. Once suballocation letters for FY 2020 funding are finalized, they should be uploaded as part of the application into TrAMS. Recipients are encouraged to work expeditiously to agree upon the sub allocation of CARES Act funds.

CA25: Can I seek a waiver from requirements under the Emergency Relief docket for CARES Act funds?

A: Yes. The Emergency Relief docket remains open and available for requests for relief from FTA statutory and administrative requirements of Section 5307 and 5311 funding in states that have declared an emergency or the President has declared a disaster.

CA26: What supporting documentation does FTA need from operators to support a reimbursement request under the CARES Act?

A: No special documentation is required for CARES Act funding apart from the documentation that is normally required for expenses under the Urbanized Area Formula Grants (49 U.S.C. § 5307) and Formula Grants for Rural Areas (49 U.S.C. § 5311) programs. Grant recipients who have not been eligible for operating assistance in the past may ask their FTA Regional Office about required documentation, or refer to FTA Circular 9030.1E (Urbanized Area Formula Program: Program Guidance and Application Instructions) Appendix C (Operating Assistance) for information about calculating and documenting operating costs.

CA27: Can CARES Act funds be used to match other federal funds?

A: It depends. CARES Act funds generally may not be used to meet the local match requirement for other FTA or DOT grants (49 U.S.C. § 5307(d)(3)). However, if a federal program explicitly allows other federal funds to be used as match and the project meets all requirements of the participating federal agencies, then CARES Act funds may be eligible as match for such a program.

CA28: Does a state need to conduct a new consultation process for CARES Act funds if the state has previously held a consultation process and certified that the state's intercity bus service needs are met and less than 15 percent of their Formula Grants for Rural Areas (49 U.S.C. § 5311) funds will be allocated to intercity bus expenses?

A: Yes, a state that intends to allocate less than 15 percent of CARES Act funds for intercity bus expenses must undergo a new consultation process under federal public transportation law (49 U.S.C. § 5311(f)(2)) if the previous consultation process concluded prior to April 2, 2020, when FTA apportioned CARES Act funds. A state's intercity bus needs may have changed since the last consultation.

CA29: Does the CARES Act provide additional Rural Transportation Assistance Program (RTAP) funding?

A: No, the CARES Act does not provide additional funding for RTAP. Previously apportioned RTAP funds can be used to provide training and information related to the CARES Act.

Formula Funding Under Emergency Relief Program

ER1: Is funding available under FTA's Emergency Relief Program for public transportation expenses related to COVID-19?

A: Capital and operating activities undertaken in response to COVID-19 are eligible for reimbursement under the Urbanized Area Formula Program (49 U.S.C. 5307) and Formula Grants for Rural Areas Program (49 U.S.C. 5311). FTA Acting Administrator K. Jane Williams has issued a Notice of Concurrence with declarations of emergency issued by Governors that relate to COVID-19. Accordingly, for recipients in states in which the Governor has declared such an emergency (49 U.S.C. 5324), FTA will permit Urbanized Area Formula Program or Formula Grants for Rural Areas Program funding to be used for COVID-19-related public transportation capital or operating expenses at an 100-percent federal share, regardless of whether operating expenses generally are an eligible expense for a recipient.

Pursuant to FTA's Emergency Relief rule at 49 CFR part 602, eligible activities include emergency protective measures to eliminate or lessen threats to public health and safety, such as performing enhanced cleaning/sanitizing of rolling stock, stations, bus shelters, etc.; placing hand sanitizer dispensers in high-traffic areas; and providing personal protective equipment as appropriate.

ER2: How can FTA funding support transit agency response measures?

A: FTA grantees may use their Urbanized Area Formula Grants (Section 5307) and Formula Grants for Rural Areas (Section 5311) funds to take protective measures to protect health and safety, such as cleaning of rolling stock, which is considered preventive maintenance (a capital expense) and is eligible for an 100-percent federal match. Personal protective equipment (PPE) and other measures are eligible as either a maintenance or operating expense, whichever is appropriate.

ER3: Can Section 5311 Rural Transportation Assistance Program (RTAP) funds reimburse recipients for cancelled training?

A: Yes, if the training costs are explicit in the award document and the recipient cannot renegotiate or obtain a refund of the costs, Section 5311 RTAP funds may be used to pay the fees.

ER4: When will this emergency relief program eligibility be effective and for how long?

A: Recipients have pre-award authority effective on the date that the Governor or appropriate state official declared a state of emergency, or an earlier incident date if the declaration specifies one. If the President has also made a major disaster declaration for the state, pre-award authority is effective from the start of the earliest incident period. As of April 17, 2020, the President has declared a major disaster with an incident period start date of January 20, 2020 for all states and territories. The flexibility will remain in place for eligible expenses incurred for the duration of the relevant state of emergency. Recipients may use any currently apportioned Section 5307 or 5311 funding for these expenses including funds that may be currently obligated for other purposes but not expended.

ER5: What is the start date for Section 5311 subrecipients to incur expenses at a 100-percent federal share?

A: Recipients have pre-award authority effective on the date that the Governor or appropriate state official declared a state of emergency, or an earlier incident date if the declaration specifies one. If the President has also made a major disaster declaration for the state, pre-award authority is effective from the start of the earliest incident period. As of April 17, 2020, the President has declared a major disaster with an incident period start date of January 20, 2020 for all states and territories. The flexibility will remain in place for eligible expenses incurred for the duration of the relevant state of emergency.

ER6: Does the flexibility for formula funding include Section 5310?

A: No. By law, only the Urbanized Area Formula Program and the Rural Formula Program funds can be used under the provisions of FTA's Emergency Relief Program.

ER7: If a tribal government declared a State of Emergency before the state in which it is located, may the tribal transit provider use that earlier date?

A: Yes, a transit provider affiliated with the tribal government may use the earlier date.

ER8: Are all operating expenses eligible under the additional flexibilities for existing formula funds?

A: No. Only those expenses directly related to responding to COVID-19 are considered emergency relief and eligible for Section 5307 or Section 5311 funds under the FTA's Emergency Relief Program. See the Emergency Relief Manual (49 U.S.C. 5324). Examples of such expenses include:

- Removal of health and safety hazards, such as cleaning of vehicles and facilities
- Costs associated with shutting down or restarting service
- Materials such as hand sanitizer, gloves, soap, and cleaners
- Emergency protective gear relevant to the emergency
- Temporary service, that is not part of regular service, provided in response to the emergency

Section 5307 and section 5311 funds may be used to reimburse operating expenses not directly related to responding to COVID-19, including maintaining regular or reduced service, at the standard Federal share for those recipients that are normally eligible for operating assistance.

ER9: Do agencies have to amend the Statewide Transportation Improvement Program (STIP) and the Metropolitan Transportation Improvement Program (MTIP)) before applying for grants using this eligibility?

A: No. FTA planning regulations at 23 CFR 450.218(g)(5) and 450.326(e)(5) provide that emergency relief projects, such as those eligible under the expanded COVID-19 eligibility, are not required to be in the STIP or MTIP if they do not involve substantial changes to the function, location, or capacity of the asset(s) involved. Expenses related to cleaning vehicles, purchasing cleaning materials or personal protective equipment, and shutting down or restarting service do not need to be included in the STIP/MTIP.

ER10: Will the increased flexibilities have an impact on how Section 5307 formula funds are programmed in the grant application?

A: Yes, please work with your FTA Regional Office to determine the proper Transit Award Management System (TrAMS) code to use for COVID-19 related emergency response activities.

ER11: Does a State DOT need to amend all active operating grants in TrAMS and grant agreements with sub-recipients?

A: Yes, for grants in which the State DOT and/or its subrecipients will use the expanded flexibilities. Active grant award recipients, under programs Section 5307 and 5311, that would like the increased flexibility offered will need to complete an award amendment or submit a new application. Award recipients will need to realign funds provided to sub-recipients specifically for COVID-19 Response Activities to the "ER" Account Classification Code (ACC), which was set up by the recipient for the increased flexibility.

ER12: Will FTA waive the local match requirement of the Urbanized Area Formula Grants (Section 5307) and the Formula Grants for Rural Areas Program (Section 5311) funds under the flexibilities of FTA's Emergency Relief program to be consistent with the CARES Act?

A: Yes, FTA has waived the remaining local share requirement for the Section 5307 and Section 5311 programs used under the provisions of FTA's Emergency Relief program to respond to the COVID-19 public health emergency (49 CFR 602.9(c)). Note, this is only for expenses related to response to COVID-19, and not all uses of previously appropriated 5307/5311 funds.

ER13: Is administrative leave also eligible as an operating expense for the Urbanized Area Formula Grants Program (Section 5307) and the Formula Grants for Rural Areas Program (Section 5311) funds under the flexibilities of FTA's Emergency Relief program to be consistent with the CARES Act?

A: Yes.

ER14: If a recipient wants to make use of the added flexibility and increased Federal share for existing Urbanized Area Formula Grants (Section 5307) and the Formula Grants for Rural Areas Program (Section 5311) formula funds, must the recipient amend its grants in TrAMS prior to incurring costs?

A: No. Recipients have pre-award authority back to the date their Governors declared a state of emergency or, if in a State with a major disaster declaration, January 20, 2020. Recipients do not need to amend their grants in TrAMS prior to incurring costs related to COVID-19 response. 49 CFR 602.11.

ER15: Are the additional eligibilities and increased Federal share for existing Urbanized Area Formula Grants (Section 5307) and the Formula Grants for Rural Areas Program (Section 5311) funds used to respond to COVID-19 applicable to ferry service?

A: Yes. Operators of ferry service may use existing Section 5307 or Section 5311 formula funds with the same increased flexibilities as other Section 5307 or Section 5311 recipients. However, funds awarded competitively through the Passenger Ferry Grant Program (49 U.S.C. 5307(h)) are for specific capital projects, and the flexibilities for formula funding do not apply.

ER16: Does the increased Federal share and expanded eligibilities apply to all available Urbanized Area Formula Grants (Section 5307) and the Formula Grants for Rural Areas Program (Section 5311) funds?

A: Yes. Any Section 5307 and Section 5311 funding that has not already been disbursed by the recipient or passed its period of availability may be used for COVID-19 response at the increased Federal share of 100%. Recipients that have open Section 5307 or Section 5311 awards that are within their period of availability, and otherwise would be available to be amended or have the budget revised, may use those funds at the increased federal share for COVID-19 response. Grantees may also apply for new awards using the increased federal share, regardless of the funding account year.

ER17: How does the Formula Grants for Rural Areas Program (Section 5311) Federal share sliding scale apply to the increased Federal share for existing Section 5311 funds for COVID-19 related expenses?

A: Recipients previously approved to use a federal share sliding scale may use the larger Federal share.

CARES & ER Funding Requirements

CE1: What is meant by administrative leave?

A: Administrative leave is an administratively authorized absence from duty without loss of pay or reduction in an employee's available leave. In the context of the COVID-19 public health emergency, administrative leave could include, but is not limited to, leave for an employee who is not required to work due to a reduction in service or leave for a worker who is quarantined after potential exposure to an individual infected with COVID-19.

CE2: May CARES Act funds or Urbanized Area Formula Grants (Section 5307) and the Formula Grants for Rural Areas Program (Section 5311) funds administered under FTA's Emergency Relief program (49 USC 5324) be used to pay otherwise eligible operations or maintenance expenses for contracts entered into prior to January 20, 2020, regardless of whether those contracts met federal requirements when awarded?

A. Yes. Under the authority of the Emergency Relief program to set the necessary terms and conditions of a grant (49 USC 5324 (d)(1), FTA will permit funds to be used for operations and maintenance expenses incurred after January 20, 2020, even if the original contract did not meet all Federal requirements. Any new contracts would need to follow all federal requirements.

CE3: May recipients use FTA funds to pay employees who are isolating in stand-by status in order to work if another employee gets sick?

A: Yes. Stand-by status is an eligible operating expense.

CE4: Can CARES Act funds or Urbanized Area Formula Grants (Section 5307) and the Formula Grants for Rural Areas Program (Section 5311) funds administered under the provisions of the Emergency Relief program (49 USC 5324) be used for the operating costs of essential services such as meal delivery? (The period during which these operating expenses are eligible for reimbursement has been extended to January 20, 2021)

A: Yes. The use of transit vehicles is eligible as an incidental use if the delivery services do not conflict with the provision of transit services or result in a reduction of service to transit passengers. As part of Emergency Relief efforts authorized by 49 U.S.C. § 5324, FTA also will permit recipients to use Section 5307/5311 funds administered under the provisions of the Emergency Relief program or CARES Act funds until January 20, 2021, to pay for the operational costs of such services. In addition, this service is eligible for FEMA's Public Assistance program, and to maximize the funding available to them to respond to the COVID-19 public health emergency, FTA recommends that recipients check with their State Office of Emergency Services to determine whether those resources are available, or to seek reimbursement from the entity requesting the service. A recipient may charge only costs not covered by other entities to an FTA grant.

CE5: Is the operating portion of the capital cost of contracting eligible for reimbursement at the increased federal share?

A: Yes. For CARES Act funding, the operating portion of the capital cost of contracting would be eligible at a 100 percent Federal share for all expenses after January 20, 2020. For non-CARES Act Urbanized Area Formula Grants (Section 5307) and the Formula Grants for Rural Areas Program (Section 5311) funds with the increased emergency response flexibilities, the increased Federal share applies only for operating costs incurred for activities performed in response to COVID-19.

CE6: Are costs associated with shifting transit system administrative workers to work-from-home arrangements eligible for federal funding?

A: Yes. Purchases necessary to continue operations in the present emergency are allowed. Items such as laptops, remote secure access (RSA) keys, monitors, printers, etc. are eligible regardless of their relation to COVID-19 response when purchased using CARES Act funds for eligible transit purposes. When purchased using previously apportioned Urbanized Area Formula program (Section 5307) or Rural Areas Formula program (Section 5311) funds using expanded eligibilities under FTA's Emergency Relief program, the recipient must document the relationship of such purchases to COVID-19 response. (49 USC 5324(b)(2)).

CE7: Do the normal Urbanized Area Formula Program (49 USC 5307) and the Formula Grants for Rural Area Program (49 USC 5311) requirements apply to these funds?

A: Yes, all the normal Section 5307 and 5311 requirements apply to funds made available under the CARES Act, with the following exception:

- Transportation Improvement Program (TIP) or the Statewide Transportation Improvement Program (STIP): CARES Act funds used to pay for operating expenses do not need to be included in the TIP/STIP.
- CARES Act funds used to pay for capital expenses for emergency relief do not need to be included in the TIP/STIP unless the projects are for substantial functional, locational, or capacity changes. 23 CFR §§ 450.326 (e)(5), 450.218(g)(5).

Note: The Emergency Relief docket remains open and available for requests for relief from FTA statutory and administrative requirements of Section 5307 and 5311 funding in states that have declared an emergency or the President has declared a major disaster under Section 401 of the Stafford Act.

CE8: What is the federal share of a CARES Act grant?

A: The federal share for all grants awarded under the CARES Act is up to 100 percent, at the discretion of the recipient.

CE9: Has FTA waived any federal requirements?

A: FTA has established an Emergency Relief docket that allows recipients in states in which the Governor has declared an emergency related to COVID-19 to request temporary relief from federal requirements under 49 U.S.C. Chapter 53 as well as the provisions of any non-statutory FTA requirements. The ER docket should only be used to request a waiver of federal requirements. All other questions regarding COVID-19 should be directed to FTAresponse@dot.gov.

Some federal requirements include specific provisions related to emergencies, and therefore, no FTA waiver is necessary. For example, federal procurement standards established in 2 CFR part 220.317-326 permit the use of a noncompetitive (sole source) procurement when the circumstances of an emergency (or public exigency) would not permit a delay resulting from competitive solicitation.

CE10: Can public transportation assets, such as vehicles and facilities, acquired with FTA funds be used for non-transit activities in response to COVID-19?

A: Yes. FTA Circular 5010.1E provides that such use must not conflict with the approved purposes of the asset and must not interfere with the intended transit uses of the project property. An acceptable incidental use, such as meal or grocery delivery, does not affect a property's transit capacity. In cases where a recipient has reduced service levels in response to COVID-19, the recipient may utilize FTA funded assets for other emergency response activities as long as such use does not interfere with its remaining limited service.

CE11: May recipients add new routes to take schoolchildren to school or other sites for meals?

A: Yes. Recipients may establish new routes that serve critical community needs at any time. FTA's charter rule at 49 CFR 604.3(c)(1) defines charter service as the exclusive use of a bus or van for a negotiated price. If a recipient provides exclusive transportation for schoolchildren to meal sites, and the service is funded by a third-party, such service would be categorized as a charter service. Although normally prohibited under FTA formula funding, charter service is eligible for COVID-19 response for up to 45 days from the beginning of each state of emergency incident period. For charter services lasting longer than 45 days, the recipient should submit a request to the Emergency Relief Docket.

CE12: Can Urbanized Area Formula Grant (Section 5307) recipients program operating funding above what is stated in Table 3a of the FY2020 apportionment? Is it simply a shift in COVID-19 operating expenses to eligible capital line items?

A: Yes. Under FTA's emergency relief authority (49 U.S.C. 5324), recipients of Urbanized Area Formula Grants (5307) may use any of the Section 5307 funding currently allocated to the agency, including unexpended funds in obligated grants, for operations activities in response to COVID-19. Recipients may use as much of that for operating expenses as needed, beyond the maximum specified in the apportionment tables, as long as those expenses are in response to COVID-19. The project sponsor should first contact the FTA Regional Office to discuss the request.

CE13: If a grant recipient has already drawn down funds from an obligated grant, can the recipient return that funding and create a new grant using CARES Act or previously apportioned Urbanized Area Formula Grants (Section 5307) and Formula Grants for Rural Areas (Section 5311) funding?

A: No. Previous amounts that have been drawn down may not be returned and exchanged for funds from a different source.

CE14: May agencies pay a temporary bonus to operators who continue to work?

A: It depends. Under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, a federal award may be used for bonus or incentive compensation when the overall compensation is reasonable and paid or accrued based on an agreement entered into before the services were rendered (2 CFR § 200.430(f)). If a grant recipient does not have such an agreement in place, it may create one that would allow payment of bonus or incentive pay from that point forward, but it would not be able to pay a bonus for work performed prior to the agreement.

CE15: Will FTA waive National Environmental Policy Act (NEPA) requirements for projects implemented in response to the COVID-19 public health emergency?

A: NEPA continues to apply during the COVID-19 public health emergency. FTA anticipates that most projects completed in response to the COVID-19 public health emergency, such as operations and purchasing personal protective equipment, would fall within FTA's C-list NEPA categorical exclusions (CE), found at 23 CFR § 771.118(c). C-list CEs require the lowest level of NEPA review and typically can be approved by FTA within TrAMS, FTA's grant management system. If a project does not fall under a C-list CE, FTA recommends the grant recipient contact their FTA Regional Office to discuss NEPA compliance further.

CE16: Can our organization get reimbursed for costs incurred due to cancelled travel because of COVID-19?

A: Yes, consistent with OMB Memorandum M-20-17, FTA will allow nonrefundable travel expenses incurred for travel approved in the award to be charged to active awards. Documentation must be retained to substantiate the charging of any cancellation or other fees related to interruption of operations or services.

CE17: Are planning projects proposed to be funded with the CARES Act program funds required to be programmed in a Metropolitan Planning Organization (MPO) Unified Planning Work Program (UPWP)?

A: Yes. CARES Act funds used for planning activities are required to be listed in the UPWP. See 23 CFR § 450.308. There is no emergency relief exemption from this requirement.

Civil Rights

CR1: May a transit agency restrict Americans with Disabilities Act (ADA) complementary paratransit trips to essential medical trips?

A: No. The DOT ADA regulations at 49 CFR 37.131(d) expressly prohibit paratransit providers from imposing restrictions or priorities based on the trip purpose. Further, medical trips are not the only trips that may be essential to a passenger. An agency may send a request and encouragement to its paratransit customers asking them to cancel all nonessential trips. Transit agencies often use this approach, for example, in impending weather events. If a paratransit rider, however, wants to take a trip, the agency cannot deny the request due to the purpose of the trip.

The establishment of trip purpose restrictions or priorities is permitted under 49 CFR 37.133(c) only for subscription service. Further, because DOT ADA regulations do not require subscription service, it may also be suspended or cancelled.

CR2: Are Title VI equity analyses required for emergency service cuts and changes during COVID-19?

A: No. Under FTA's Title VI Circular 4702.1B, transit providers that operate 50-or-more fixed route vehicles in peak service and are located in an urbanized area (UZA) with a population of 200,000 or more, must perform a service equity analysis whenever they make a major service change. The service equity analysis evaluates the impacts of the proposed service changes on Title VI-protected populations and low-income populations. Temporary service changes in response to an emergency do not rise to the level of a major service change, so a service equity analysis is not required. Similarly, FTA exempts all temporary fare changes enacted as a result of an emergency from the fare equity analysis requirement. However, if a transit agency chooses to make permanent any changes made during an emergency, then the transit agency must perform a service or fare equity analysis.

FTA does expect that all transit agencies take reasonable measures to implement temporary service or fare changes equitably to prevent unintentional discrimination. FTA does not require a transit agency to document this process, get board approval prior to implementing changes, or share documentation on the changes with FTA, but FTA recommends that transit agencies document the rationale for specific service reductions, as well as steps taken to ensure equitable reductions in service, in the event someone files a complaint.

CR3: May a transit agency deny service to a transit rider with a disability who is exhibiting symptoms of COVID-19?

A: A transit agency should contact local and State public health officials, who generally coordinate information with the Centers for Disease Control and Prevention (CDC), to determine under what circumstances service may be denied to any transit rider, regardless of whether they have a disability. The Americans with Disabilities Act (ADA) does not require an agency to exempt riders with disabilities from this local determination. The DOT ADA regulations at 49 CFR 37.5(h) provide that an agency may deny service to a person with a disability who "represents a direct threat to the health or safety of others." A "direct threat" is defined, in part, by 49 CFR 37.3, as "a significant risk to the health or safety of others."

CR4: If a transit agency suspends fares temporarily on its fixed route service to limit interactions between operators and passengers or to limit public contact with fare equipment due to the COVID-19 public health emergency, does it also need to provide free fare on its complementary paratransit service?

A: Yes. Under the DOT ADA regulations at 49 CFR 37.131(c), the fare for an ADA paratransit trip may not exceed more than twice the fare for a similar trip made using the fixed route system, without regard to discounts. FTA has regarded promotional, occasional fare-free days on fixed route service as a form of a discount, and has not also required paratransit service to be free during the limited time of the promotion. In this case, however, if the fixed route system is fare-free to limit interactions between the passenger and the operator, it would not be a discount, and the transit agency must do the same for the paratransit system per 49 CFR 37.131(c).

CR5: If a transit agency closes the front door of its buses to boarding to support social distancing, may the agency refuse service to wheelchair users and other people with disabilities who would otherwise need to use the front door where the ramp is located?

A: No. Transit systems should have procedures in place such as rear-door entry to ensure that social distancing is being observed by the system and transit riders to protect transit operators and the public. See FTA Safety Advisory 20-01. Some exceptions to rear-door-only boarding policies, however, are necessary for ADA compliance. Under DOT ADA regulations at 49 CFR 37.5(a), no entity may discriminate against an individual with a disability in connection with the provision of transportation service; per 49 CFR 37.165(b), individuals using wheelchairs must be transported in the agency's vehicles.

Wheelchair users are not the only persons with disabilities who may require the use of the front door of the vehicle. Per 49 CFR 37.165(g), ambulatory persons with disabilities also must be permitted to use the lift or ramp on request, and persons who are blind, for example, may require the use of the route identification mechanism required under 49 CFR 37.167(c) to identify the correct bus to board. Not all waiting passengers with disabilities who need to enter at the front will have a visible disability or be using mobility aids such as canes or walkers; per the regulation, the agency must accommodate such individuals at the front door as well.

When implementing a rear-door-only boarding policy, a transit agency should take steps to minimize confusion for riders and personnel. This effort could include conducting outreach to the disability community through local media channels and social media, informing riders of the policy and what to do if they require the use of the ramp or lift, and development of procedures and instructions for personnel.

CR6: May a transit agency suspend its mandatory wheelchair securement policy to reduce the need for its operators to be in close proximity to a rider to lessen the potential for exposure to COVID-19?

A: Yes. The DOT ADA regulations do not explicitly require the use of the securement system; under 49 CFR 37.165(c)(3), an agency may determine for itself whether or not securement will be mandatory for its system. Agencies, therefore, are free to suspend any mandatory securement policy that they may have in place. However, even if an agency suspends a mandatory securement policy, 49 CFR 37.165(f) still requires that the operator assist with the use of the securement system should an individual passenger make a request.

CR7: To comply with stay-at-home directives designed to mitigate the spread of COVID-19, may a transit agency change its service from fixed route to demand-responsive for essential transportation only?

A: Yes. Local transit agencies determine the type of service they offer. While there are no Title VI or ADA concerns with a proposal to move from a fixed route to a demand-responsive service (FTA does not require a service or fare equity analysis for a temporary service or fare change as a result of an emergency), note that under DOT ADA regulations at 49 CFR 37.77, all vehicles used in demand-responsive service must be accessible to and usable by persons with disabilities, including wheelchair users, or equivalent service must be provided according to the specific criteria contained in 49 CFR 37.77(c). In addition, once the system completes its move to demand-responsive service, the obligation to provide ADA complementary paratransit no longer is applicable. For more information on ADA requirements for demand-responsive service, see Chapter 7 of FTA Circular 4710.1.

CR8: May a transit agency shut down its ADA paratransit operations while still operating fixed route services due to COVID-19 concerns?

A: No. So long as the fixed route system is operating, the DOT ADA regulations at 49 CFR 37.121 obligate the agency to continue operating complementary paratransit according to the service criteria contained in 49 CFR 37.131. If a transit agency makes adjustments to the fixed route system's routes or schedules to accommodate the COVID-19 public health emergency, or shuts down the fixed route service entirely, the agency may make similar adjustments to the paratransit system. Where an agency's ADA paratransit contractor is contemplating shutting down service when fixed route service continues, the agency should consult with its contracting office to determine appropriate steps to ensure that ADA paratransit service continues comparable to the fixed route service being provided.

CR9: May an agency suspend in-person assessments for ADA paratransit eligibility for the duration of the COVID-19 public health emergency? May an agency process applications remotely, or by paper only, or suspend eligibility determinations entirely during this time?

A: Transit systems are free to suspend in-person assessments and use a remote or paper process for eligibility determinations. The DOT ADA regulations at 49 CFR 37.125 do not require in-person assessments for paratransit eligibility, and in fact do not specify how the eligibility process should work. Because a paper or virtual process is not typically as effective in assessing functional ability accurately, a transit system also may decide to be overly broad in who they find eligible, and then reassess during regular recertification sometime in the future. Note that because applicants would be presumptively eligible after 21 days under 49 CFR 37.125(c) if their applications are not processed, a transit system may wish preemptively to offer presumptive eligibility for the duration of the COVID-19 public health emergency, subject to reevaluation once the public health emergency ends. Complete suspension of the eligibility process is not permitted, because 49 CFR 37.131(f)(2) specifically prohibits the use of wait lists to access the service.

CR10: Do transit agencies need to submit Title VI Programs during the COVID-19 public health emergency?

A: No. FTA is postponing the submission of all Title VI Programs with current or upcoming due dates until October 1, 2020. Recipients may use their current on-file Title VI Programs through November 30, 2020, unless a recipient voluntarily updates its program with a submission before that date. FTA is making adjustments in TrAMS to ensure no outstanding civil rights program requirements will hold up the awarding of grants.

CR11: Do transit agencies have an extension to submit their Disadvantaged Business Enterprise (DBE) triennial goals, due August 1, 2020, to FTA because of the COVID-19 public health emergency?

A: Yes. For those recipients with DBE goals due August 1, 2020, FTA is extending the due date to October 1, 2020, and will update TrAMS to reflect the extension. This extension is consistent with a DOT guidance memorandum issued April 1, 2020.

CR12: How should FTA recipients under the Disadvantaged Business Enterprise (DBE) program report and track multiple, ongoing purchases from a single vendor?

A: Recipients should make use of race-neutral measures, such as small business programs, technical and financial assistance, and unbundling of contracts to increase the ability and capacity of DBEs and other small businesses to perform contracts with CARES Act funding (49 CFR §§ 26.39, 26.51). Direct purchases by the recipient from a supplier or vendor (i.e., those contracts without subcontracting possibilities) always should be race-neutral (i.e., a contract-specific DBE goal is not applied to the purchase and DBE status is not a deciding factor in award or purchase). 49 CFR § 26.51(e)(1). FTA assumes most purchases of items, such as personal protective equipment, would be through direct procurement methods and therefore race-neutral.

The DOT DBE regulations (49 CFR § 26.37(b)) require recipients to have a mechanism to verify that the work committed to DBEs at contract award is actually performed by the DBEs. For the purposes of simplifying reporting and tracking, recipients may count multiple, ongoing purchases with a single vendor as a single contract awarded and completed on Uniform Reports (e.g. fuel, vehicle parts, vehicle servicing, or other purchase orders).

CR13: Due to COVID-19 social distancing guidelines, what options do FTA recipients have for conducting site visits for firms applying for Disadvantaged Business Enterprise (DBE) certification?

A: Recipients are not required to conduct in-person site visits for purposes of DBE certification in light of the COVID-19 public health emergency. On March 24, 2020, DOT issued a memorandum providing interim guidance on DBE certification procedures that are consistent with social distancing. The memorandum explains that on site visits may be conducted using computer, tablet, and mobile device technologies, and that recipients may photograph necessary items from within their vehicles. The memorandum also references the regulatory provision that allows recipients to rely on site visit reports produced by other DOT recipients. DOT issued a subsequent memorandum on April 1, 2020, that further addresses electronic review and submission of certification documents.

CR14: What guidance does FTA have for Title VI requirements regarding limited English proficient (LEP) populations when transit agencies provide information to riders on service changes and other important updates?

A: A recipient must follow its locally developed Title VI Program, which includes a Language Access Plan. The plan will describe how the recipient provides language assistance services by language to the LEP populations it serves, including during temporary service reductions. Per FTA Circular 4702.1B, Chapter III, Section 9, examples of vital documents that must be translated include a notice of a person's rights under Title VI and "other documents that provide access to essential services." Failure to translate vital information could result in a recipient denying an LEP person access to services and discrimination on the basis of national origin.

CR15: Are there Title VI concerns if a transit agency adopts a temporary cashless or cash-free fare media policy?

A: Yes. FTA cautions that changes in fare media policies—such as temporarily not accepting cash fares, e.g., only pre-purchased media (often referred to as a cashless or cash-free fare policy)—may discriminate against minority transit riders. Minority transit riders may be disproportionately unbanked, lack credit cards, or lack access to locations for purchasing fare media in advance of a trip. FTA expects all transit agencies to consider mitigating measures in this circumstance to ensure their fare media changes do not result in disparate impacts on the basis of race, color, or national origin, which are protected categories under Title VI of the Civil Rights Act of 1964. If a transit agency operating 50 or more fixed route vehicles in peak service and located in an urbanized area (UZA) with a population of 200,000 or more chooses to make permanent any fare media changes that are instituted during an emergency, then the transit agency must perform a fare equity analysis as described in Chapter IV of FTA's Title VI Circular 4702.1B.

CR16: Does a transit agency need to submit an updated Disadvantaged Business Enterprise (DBE) program and goal to FTA to receive CARES Act funds?

A: It depends, but in many cases agencies will not. The DOT DBE regulations at 49 CFR § 26.21 require FTA recipients to have a DBE program when receiving planning, capital, and/or operating assistance and will award more than $250,000 in FTA-funded contracts (excluding transit vehicle purchases) in a federal fiscal year. A new or updated

DBE program or goal is not required if CARES Act funds represent a temporary increase in the Federal share of already contracted operations expenses for the purposes of responding to COVID-19. Similarly, if CARES Act funds represent temporary adjustments to, or continuations of, existing operations contracts to respond to COVID-19, a new DBE program or goal is not required. A recipient with an existing DBE program should count CARES Act funds towards the DBE goal as it would all FTA funds.

For those recipients that do not already have a DBE program or goal, DOT envisions no added burden to increase the federal share of existing contracts and operating expenses. A recipient is encouraged to consult with FTA if it has specific questions regarding whether CARES Act funding is applicable to existing or new DBE programs or goal submissions. If a recipient needs to develop a new DBE program, it must be submitted to FTA by October 1, 2020. Please remember that, as a condition of receiving financial assistance, all FTA recipients ensure DBE compliance with Federal requirements by self-certification through the FTA Master Agreement. The most recent Master Agreement is dated October 1, 2019. See Section 12 for DBE requirements.

CR17: Will FTA penalize recipients that submit their Uniform Report of updated Disadvantaged Business Enterprise (DBE) Awards or Commitments and Payments Form after the June 1 due date?

A: No. FTA understands that recipients might need to submit their Uniform Reports after the June 1 deadline. During COVID-19, agencies may lack access to the files and information needed to complete the reports. Agencies must submit the reports in TrAMS as soon as practicably possible. FTA will review the report once a recipient is able to submit it and will not penalize agencies for reports received after June 1 as long as the agency's records document that the report was submitted as soon as practicably possible. See Uniform Reports Guidance at 49 CFR Part 26, Appendix B.

CR18: Due to the current public health emergency, may a transit agency hold paratransit eligibility hearings via telephone or video conference, or should it wait until restrictions are lifted so hearings can be held in person?

A: It depends. The DOT Americans with Disabilities Act (ADA) regulations at 49 CFR § 37.125(g) require transit agencies to establish an administrative appeal process through which individuals who are denied eligibility for ADA complementary paratransit can obtain review of the denial. Section 37.125(g)(2) specifically requires that this process include an opportunity for the individual to be heard and to present information and arguments; according to Appendix D to this section, there must be an opportunity to be heard "in person" as well as the chance to present written evidence and arguments.

When social distancing measures are in place locally, agencies may meet the in-person requirement through a virtual process, such as asking applicants to participate by telephone or video conferencing. The in-person requirement may be in addition to preparing written information. Whatever temporary process an agency adopts, however, must be sufficient to make an accurate determination of an individual's paratransit eligibility according to the criteria found in 49 CFR § 37.123, and must recognize that some individuals cannot effectively present arguments remotely because they may lack video conferencing capability or because their disabilities prevent effective appeals using the telephone. Each case must be assessed individually and the appeal policy modified as appropriate.

In cases where a remote appeal cannot effectively be performed, a transit agency may simply elect to allow the 30-day deadline for appeal determinations under 49 CFR § 37.125(g)(3) to expire, and confer eligibility to the individual appellants until such time as an in-person appeal can once again be heard.

Transit Agency Responses

TA1: May transit providers post signs requesting those who are sick or who have had contact with COVID-19 not to board the van?

A: Yes, transit providers may post such signs but they are not required to do so. Transit agencies should make decisions about health precautions and how best to implement them in collaboration with local health officials. These are local decisions.

TA2: How should a public transportation system determine whether it should suspend operations in an area with an outbreak?

A: FTA grantees should follow the direction of local and state public health and law enforcement agencies. This local and state information generally is coordinated with the Centers for Disease Control and Prevention (CDC) and the Department of Homeland Security and is the most accurate assessment of the situation locally. A transit agency also should notify FTA before suspending operations.

TA3: What are other transit agencies doing in response to COVID-19?

A: Many transit agencies are responding with safety alerts and documents, including:

- The New York Metropolitan Transportation Authority deployed health guidance in English, Chinese, Spanish, Russian, and Korean across the system on 3,600 subway screens, 2,000 bus screens, and at 84 subway station street entrances, and issued a press release.
- The Metropolitan Atlanta Rapid Transit Authority's Police Department issued an Emergency Preparedness Bulletin to employees.
- The Los Angeles County Metropolitan Transportation Authority issued an interoffice memo to its staff.
- Bay Area Rapid Transit is taking Emergency Preparedness actions, updated their website with messaging to the public, and is utilizing a Public Health Recommendations poster.
- King County Metro is performing daily cleaning of buses and water taxis, and has created an informational page on their website and sent an email to stakeholders.
- Sound Transit issued a blog post and Community Transit posted information on their website.

TA4: Transit workers are identified as essential critical infrastructure workers by the Cybersecurity and Infrastructure Security Agency (CISA), and FTA issued Safety Advisory 20-01 recommending that transit agencies develop procedures and implement them consistent with the Centers for Disease Control and Prevention (CDC) and Occupational Safety and Health Administration (OSHA) guidance to the maximum extent possible. Accordingly, will public transportation systems receive priority or assistance with accessing critical supplies such as cleaning supplies, personal protective equipment (PPE), and face coverings?

A: Requests for assistance with accessing critical supplies should be routed through emergency response efforts in local and county governments, which can seek state support if they cannot meet system needs. Any needs that a state cannot meet should then be coordinated with the FEMA regional office.

TA5: May a transit agency deny service to a transit rider who is exhibiting symptoms of COVID-19?

A: A transit agency should contact local and state public health officials, who generally coordinate information with the Centers for Disease Control and Prevention (CDC), to determine under what circumstances the agency may deny service to any transit rider.

Administrative Relief

AD1: Is FTA providing relief from the Public Transportation Agency Safety Plan (PTASP) regulation (49 CFR Part 673) July 20, 2020 compliance deadline?

A: Yes. The FTA has issued a Notice of Enforcement Discretion stating that, until December 31, 2020, in light of the extraordinary operational challenges presented by the COVID-19 public health emergency, FTA will refrain from taking enforcement action pursuant to 49 U.S.C. § 5329(g) and the FTA Master Agreement (26) (October 1, 2019) against any FTA recipient or subrecipient subject to the PTASP regulation that is unable to certify that it has established an Agency Safety Plan that complies with the regulation. This Notice will remain in effect until December 31, 2020. In effect, this Notice gives transit agencies affected by the emergency until December 31, 2020, to comply with and certify to the requirements in the PTASP regulation. Notwithstanding the Notice's exercise of enforcement discretion, FTA expects affected recipients and subrecipients to continue to work toward meeting the July 20, 2020, effective date to the extent practical under the current circumstances caused by the COVID-19 public health emergency. During this period, the PTASP Technical Assistance Center will remain available to meet the PTASP technical assistance needs of states and transit agencies.

AD2: May recipients postpone submission of Federal Financial Reports and/or Milestone Progress Reports currently due by April 30, 2020?

A: Yes. Recipients may delay submission by up to 90 days. A recipient's next report, therefore, would be for the quarter ending June 30, 2020, with the report due on July 30, 2020.

AD3: Does FTA plan to postpone any upcoming program oversight reviews or will they continue as scheduled?

A: FTA understands that the focus of our recipients is on addressing the critical challenges faced by their agencies and in their communities in response to the COVID-19 public health emergency. Accordingly, FTA has decided to postpone remaining fiscal year 2020 program oversight reviews (triennial, state management, etc.) until early in federal fiscal year 2021.

AD4: Can states and Metropolitan Planning Organizations (MPOs) hold virtual public hearings where the applicable public participation plan provides for "in person" participation?

A: The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are aware that some states and MPOs are looking to use virtual public involvement technologies and techniques for public participation activities related to metropolitan and statewide transportation planning under the applicable statutes (23 U.S.C. 134-135) as a way to satisfy the public meetings provisions. The agencies are currently evaluating the impacts of virtual public involvement instead of in-person participation where it is required under the public participation plan.

As FHWA and FTA undertake the evaluation, states and MPOs may revise their public involvement plans to employ virtual public involvement techniques. In the meantime, both FHWA and FTA staff are available to answer any questions.

This FAQ does not have the force and effect of law and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency regulations. This FAQ will remain in effect while the Department of Health and Human Services (HHS) determination that a public health emergency related to COVID-19[1] is in effect, unless sooner updated by the Federal Highway Administration and Federal Transit Administration prior to the end of the HHS determination.

AD5: Can project sponsors hold virtual public hearings to satisfy public involvement requirements during the National Environmental Policy Act (NEPA) process?

A: The Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and Federal Railroad Administration (FRA) are aware that scheduled or planned public hearings for projects currently in the NEPA process may be affected by facility closures or other restrictions. The agencies are currently reviewing whether the public hearing requirements under FHWA statute (23 USC 128) and the FHWA/FTA/FRA joint environmental regulations (23 CFR 771.111) can be met with a virtual public hearing and, if so, under what conditions. Please contact your applicable agency to answer any questions you may have.

AD6: Can I request an extension of the use of the current indirect cost rate or submission of indirect cost rate proposal?

A: Recipients may request an extension of a current indirect cost rate for one additional year without submission of an indirect cost rate proposal by submitting documentation with a revised date for the indirect cost rate to their FTA Regional Office for approval. OMB Memorandum M-20-17, Appendix A at 11.

AD7: What can I do if I need additional time to submit required final reports for the purpose of closing my award?

A: A recipient should submit a written notice to FTA regarding the reporting delay. This delay in submitting closeout reports may not exceed one year after the award expires. OMB Memorandum M-20-17, Appendix A at 12.

AD8: Will FTA's announcement that it will defer enforcement of the Public Transit Agency Safety Plan requirements apply to requirements for Metropolitan Planning Organizations (MPOs) and State Departments of Transportation to set public transit safety targets and reflect those targets in the transportation improvement program and metropolitan transportation plan?

A: No. Per 23 CFR § 450.306(d)(3), MPOs must establish performance targets no later than 180 days after the date on which the public transit provider establishes their Public Transportation Agency Safety Plan (PTASP) performance targets. MPOs still should set targets 180 days after receipt of PTASP targets and follow their cooperative agreements with transit providers for establishing safety targets. In accordance with 23 CFR § 450.340(e), after July 20, 2021, the Federal Highway Administration (FHWA)/FTA will only determine the conformity of, or approve as part of a Statewide Transportation Improvement Program (STIP), a Transportation Improvement Program (TIP) that is based on a Metropolitan Transportation Planning process that meets the Performance Based Planning requirements.

AD9: Will FTA and the Federal Highway Administration (FHWA) undertake certification reviews of Metropolitan Planning Organizations (MPOs) within transportation management areas during the COVID-19 public health emergency?

A: Yes, FTA and FHWA will continue oversight of the metropolitan and statewide planning processes as required by 23 CFR Part 450. The FTA and FHWA will work with the MPO to employ virtual public involvement techniques so that the public and stakeholders will have an opportunity to provide input on the metropolitan planning process.

AD10: Will an extension be granted to Metropolitan Planning Organizations (MPOs) or State Departments of Transportation (DOTs) to adopt a new Transportation Improvement Program (TIP), Statewide Transportation Improvement Program (STIP), Metropolitan Transportation Plan (MTP), or Statewide Long Range Transportation Plan (LRTP)?

A: No. There is no provision in the 23 CFR Part 450 that permits the Federal Highway Administration (FHWA)/FTA to extend the four-year timeframe for a new TIP, MTP, or Statewide LRTP. State DOTs, transit providers, and MPOs may continue to advance projects that were in prior planning products, but may not advance new projects until the new TIP, MTP or LRTP are adopted. MPOs and State DOTs may revise their public involvement plans to employ virtual public involvement techniques to obtain public and stakeholder input on planning products.

If a state demonstrates, in writing, that extenuating circumstances will delay the submittal of a new or amended STIP past its update deadline, FTA and FHWA will consider and take appropriate action on a request to extend the approval beyond 4 years for all or part of the STIP for a period not to exceed 180 calendar days. In these cases, priority consideration will be given to projects and strategies involving the operation and management of the multimodal transportation system. Where the request involves projects in a metropolitan planning area(s), the affected MPO(s) must concur in the request. If the delay was due to the development and approval of a metropolitan TIP(s), the affected MPO(s) must provide supporting information, in writing, for the request.

AD11: My agency reports Unlinked Passenger Trips (UPT) on a sampled basis in order to estimate ridership and we have had to adapt or alter our sampling procedures due to the public health emergency to ensure passenger and operator safety. What will FTA require for agencies that scale back UPT sampling due to safety concerns?

A: Effective March 25, 2020, agencies should suspend in-person ridership sampling activities for the National Transit Database (NTD). This includes all activities involving onboard data collectors, or "ride-checkers." In this method, data is recorded by one or more persons observing and recording passenger boardings and alightings while riding transit vehicles. This is in effect until further notice. If you report for a transit system that normally uses "ride-checkers" to sample UPT for monthly reports, please contact your assigned validation analyst to discuss alternatives. For agencies that implement a machine-collection method for ridership, such as a farebox meter, please continue to capture and log those rides for reporting as much as possible. In the case that ridership data is neither available through "ride-checkers" nor machine-collection methods, agencies are encouraged to contact their validation analyst to propose a "best available" policy for reporting ridership estimates in 2020.

AD12: My agency reports Passenger Miles Traveled (PMT) and samples for the average passenger trip length, and we have had to adapt or alter our sampling procedures due to the public health emergency to ensure passenger and operator safety. What will FTA require for agencies who scale back trip length data collection due to safety concerns?

A: Effective March 25, 2020 agencies should suspend in-person trip-length sampling activities for the National Transit Database (NTD). This includes all activities involving onboard data collectors, or "ride-checkers." 2020 is a Mandatory Sampling year for some agencies with a triennial sampling requirement (i.e., agencies sample for average passenger trip length once every three years) and for larger agencies with an annual sampling requirement. The FTA will waive the trip length sampling requirement for this year for those systems that had planned to use in-person sampling activities in 2020. In order to complete your 2020 NTD Annual Report, those systems may use the average passenger trip length from their most recent prior year sample, which in some cases will be from 2017. If your system completed at least six months of your 2020 sample, you may request to use average passenger trip lengths from the partial-year sample via your validation analyst. Updates for the upcoming triennial sampling cycle will be provided in the future.

AD13: Are transit agencies required to complete their National Transit Database (NTD) report?

A: Yes. Reporting to the NTD is required by law. However, if your agency's 2019 Fiscal Year ended between October 1, 2019, and December 31, 2019, the due date for your 2019 NTD annual report is extended from April 30, 2020 to June 30, 2020.

Monthly service report and monthly non-major safety report enforcement is now relaxed. This means that FTA will not contact transit agencies for missing reports and will limit the number of email reminders for upcoming deadlines. Major safety event reports are still due within 30 days of the event, but enforcement will also be relaxed, as described above.

AD14: What should transit agencies do if they cannot meet the extended 2019 National Transit Database (NTD) report deadline of June 30, 2020?

A: Transit agencies should contact their NTD validation analyst to request a waiver for this report year and exemption from this year's annual reporting requirement. If you receive a waiver, FTA will use your 2018 data in the upcoming Fiscal Year (FY) 2021 apportionment of formula grants in lieu of your 2019 data. Your 2018 data will also be used for the FY 2022 apportionment in lieu of your 2020 data, and possibly the FY 2023 apportionment as well.

AD15: Will the COVID-19 public health emergency affect my area's formula funding? What is the impact on my Fiscal Year (FY) 2021, FY 2022, and FY 2023 apportionments?

A: Funds apportioned during the Federal FY 2021 (beginning October 1, 2020) are based on 2019 data reported to the National Transit Database (NTD). Service during 2019 was not affected by COVID-19.

For the FY 2022 formula apportionment, FTA will automatically use either your 2019 or 2020 data, whichever is higher. For the FY 2023 formula apportionment, FTA will automatically use either your 2019 or your 2021 data, whichever is higher. You do not need to submit a disaster waiver request to FTA to receive this benefit as it will be automatically applied to every NTD Report.

FTA emphasizes that federal law still requires submission of a complete NTD report and self-certification each year. FTA's use of prior year data for the apportionment is contingent upon your actual NTD report being accepted for each year, or receiving a valid report waiver for each year.

AD16: My transit system has implemented rear-door boarding and is no longer collecting ridership data from the registering farebox or automatic passenger counters at the front doors of our vehicles. Who should I contact regarding changes in my sampling procedures or data collection methods?

A: Please contact your assigned National Transit Database (NTD) analyst to discuss these data collection issues. Your analyst's contact information appears in your agency's profile in the NTD online reporting system. If you cannot access the reporting system, please contact the NTD Help Desk at NTDHelp@dot.gov.

AD17: Will FTA waive the "Levels of Service" requirement for Capital Investment Grant projects?

A: Yes, FTA will waive the "Levels of Service" requirement for Capital Investment Grant (CIG) projects that have been opened for service for less than five years and all projects that will be opening for service before June 20, 2021, provided that any reduction in service for the FTA-funded project is commensurate with other service reductions across the system associated with the COVID-19 public health emergency.

FTA Drug and Alcohol Testing Requirements

DA1: For FTA-covered employers, what is the effect of a declaration of a national, state, or local emergency on FTA testing requirements?

A: The declaration of a national, state, or local emergency does not exempt FTA-regulated employers from the applicable FTA testing requirements. As an FTA-regulated employer, you must comply with the drug and alcohol testing requirements found in 49 CFR Parts 40 and 655.

DA2: What are options for FTA-covered employers if the collection sites in their area are closed or program resources are unavailable due to COVID-19?

A: As an FTA-regulated employer, you are required to comply with the applicable FTA testing requirements. However, FTA recognizes that compliance may not be possible in certain areas, due to the unavailability of program resources, such as collection sites, laboratories, and service agents. If you are unable to conduct FTA drug or alcohol testing due to COVID-19-related supply shortages, facility closures, State or locally-imposed quarantine requirements, or other impediments, you will need to continue to comply with applicable FTA requirements to document why a test was not completed.

Further, FTA regulations require recipients to maintain other records. These include documentation of delays in post-accident testing and records relating to the collection process, including documents relating to the random selection process. If an FTA recipient's random testing programs and/or processes change due to COVID-19, these changes should be documented and retained according to the requirements of Parts 40 and 655.

DA3: Must FTA-covered employers meet FTA's minimum random testing rates while a declaration of a National Emergency exists?

A: 49 CFR § 655.45 requires FTA recipients to randomly test a certain percentage of their employees according to the published testing rate. Section 655.45(f) requires employers to "randomly select a sufficient number of covered employees for testing during each calendar year to equal an annual rate not less than the minimum annual percentage rates for random drug and alcohol testing determined by the Administrator." The Calendar Year (CY) 2020 random testing rates for drugs is 50% and 10% for alcohol.

To comply with Section 655.45(f), FTA recipients' random testing rate must meet or exceed the rate set by the Administrator at the end of each calendar year.

If, due to disruptions caused by the COVID-19 public health emergency, you are unable to perform random tests during the current testing period, you should make up the tests by the end of the calendar year to achieve the required minimum 50% rate for drug testing and 10% for alcohol testing for CY 2020. You should document in writing the specific reasons why you were unable to conduct tests on employees who were selected.

DA4: For FTA-covered employers, may a new employee or an employee returning from furlough begin work in a safety sensitive position, even if pre-employment or other testing is unavailable?

A: If employers are unable to conduct FTA drug and alcohol testing due to the unavailability of testing resources, the underlying modal regulations continue to apply. For example, if pre-employment testing is not conducted, the prospective employee must not be permitted to perform any safety-sensitive functions until testing is accomplished and a Medical Review Official (MRO) verified negative result is received.

If you furlough an employee and remove the employee from the random testing pool for 90 or more consecutive days, you are required under 49 CFR § 655.41 to conduct a pre-employment drug test of the employee prior to returning the employee to the random pool and safety-sensitive functions.

DA5: Should FTA-covered employers continue to conduct post-accident and reasonable-suspicion testing?

A: You are required to send covered employees for drug and alcohol testing as soon as practicable following an accident as required by 49 CFR § 655.44 and following a reasonable-suspicion event as required by 49 CFR § 655.43. However, as the regulations state, if you are unable to administer an alcohol test within 8 hours following the accident or event, or a drug test within 32 hours following the accident, you must document in writing the specific reasons why the test could not be conducted.

DA6: May an employee resume safety-sensitive work after a violation if FTA-covered employers are unable to conduct return-to-duty or other testing?

A: No. In accordance with 49 CFR § 655.46, you must not allow a safety-sensitive employee to return to perform any safety-sensitive functions, as defined in 49 CFR § 655.4, until return-to-duty testing is conducted following the procedures outlined in 49 CFR Part 40.

DA7: For FTA-covered employers, how does furlough affect follow-up testing?

A: If follow-up drug or alcohol testing cannot be completed in accordance with 49 CFR § 655.47 due to an employee being furloughed, his or her follow-up testing plan stops during the extended absence, as required by 49 CFR § 40.307(e). The testing plan must resume once the employee returns to the performance of safety-sensitive functions.

DA8: For FTA-covered employers, can their employees refuse to go for testing due to concerns about collection site contamination and possible exposure to COVID-19?

A: FTA is aware that some employees have expressed concern about potential public health risks associated with the testing process in the current environment. Please follow the Department of Transportation (DOT) Office of Drug and Alcohol Policy Compliance (ODAPC) guidance, which states: It is the employer's responsibility to evaluate the circumstances of the employee's refusal to test, which may include evaluating the collection facility's preparations and procedures (e.g., maintaining safe social distances) as well as the circumstances of the individual employee (e.g., whether the employee is in a high-risk category or has family members who are), to determine whether or not the event should be considered a refusal per 49 CFR § 40.355(i). However, as COVID-19 is a novel public health risk, DOT asks employers to be sensitive to employees who indicate they are not comfortable or afraid to go to clinics/collection sites.

DA9: What should transit employees do if they are experiencing COVID-19 related symptoms?

A: Please follow the Department of Transportation (DOT) Office of Drug and Alcohol Policy Compliance (ODAPC) guidance, which states: If you are experiencing COVID-19-related symptoms or have tested positive, you should contact your medical provider and let your employer know about your availability to perform work.

DA10: For transit employees concerned about the risks associated with testing during the public health emergency, may the employer require employees to submit to a test?

A: Please follow the Department of Transportation (DOT) Office of Drug and Alcohol Policy Compliance (ODAPC) guidance, which states: If you have COVID-19-related concerns about testing, you should discuss them with your employer.

As a reminder, it is the employer's responsibility to evaluate the circumstances of the employee's refusal to test and determine whether or not the employee's actions should be considered a refusal per 49 CFR § 40.355(i).

CDC Recommendations for Workplace Preparedness & Protection

The following were prepared by the CDC for posting by FTA:

CDC1: What is FTA's position on the transit workforce having the necessary protections, including personal protective equipment (PPE) such as masks and required social distancing practices?

A: Under the CARES Act, $25 billion was allocated to transit agencies across the country with no local match required. These funds are available for transit agencies to provide PPE for transit workers. Consistent with the CARES Act, FTA expects that agencies use available funding to purchase PPE for the transit workforce consistent with CDC and OSHA guidance to the maximum extent possible.

Current CDC guidance includes recommendations for cloth face coverings and social distancing. Transit systems should have appropriate PPE for frontline workers and procedures in place such as rear-door entry to ensure that social distancing is being observed by the system and transit riders to protect transit operators and the public. FTA will continue to monitor COVID-19 related guidance and will update this FAQ if CDC or OSHA guidance changes.

OSHA requirements that may apply to preventing occupational exposure to COVID-19, include OSHA's PPE standards (29 CFR 1910 subpart I) and the General Duty Clause, section 5(a)(1), of the Occupational Safety and Health (OSH) Act of 1970. See OSHA's Guidance on Preparing Workplaces for COVID-19 and OSHA's COVID-19 webpage.

CDC2: (CDC) How can transit agencies and operators best begin a constructive dialogue about COVID-19 with public health officials in their local community?

A: Transit agencies are encouraged to reach out to local public health officials to establish ongoing communications to facilitate access to relevant information before and during an outbreak.

CDC3: (CDC) What transit interior surfaces require the most attention and what cleaning solutions are the most effective against the virus? How frequently should cleaning occur?

A: High-touch surfaces should be cleaned and disinfected at least once a day.

- High-touch surfaces include kiosks, turnstiles, benches, railings, handrails, garbage cans, door handles, payphones, restroom surfaces (faucets, toilets, counters), poles, handrails, seats, benches, grab bars, and exit buttons.
- If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection.
- Products registered with EPA for use against novel coronavirus SARS-CoV-2 (the cause of COVID-19) are expected to be effective against COVID-19 based on data for harder to kill viruses. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, etc.). See this list of products registered with EPA for use against novel coronavirus SARS-CoV-2.
- For soft or porous surfaces such as carpeted floor, rugs, and drapes, remove visible contamination if present and clean with appropriate cleaners indicated for use on these surfaces.
- Staff should wear PPE in accordance with the disinfectant manufacturer's instructions. After removing PPE, staff should wash their hands with soap and water for at least 20 seconds.

CDC4: What actions can transit agencies take to increase COVID-19 preparedness for potential outbreaks in their service areas?

A: CDC has developed interim guidance for businesses that includes planning considerations and recommendations for developing an infectious disease outbreak response plan.

CDC5: What personal protective equipment should we provide to our employees?A: The Occupational Safety and Health Administration (OSHA) hosts a webpage summarizing OSHA standards and directives and other related information that may apply to worker exposure to COVID-19. In addition, monitor OSHA's COVID-19 webpage for any potential updates or recommendations.

Other Funding Sources

OF1: Are FEMA resources available to respond to COVID-19?

A: FEMA Public Assistance funding may be available to purchase personal protective equipment for operations personnel, to sanitize public facilities, and to assist with grocery and meal delivery. Recipients should check with their State Office of Emergency Services to determine whether those resources are available to maximize the funding available to them to respond to COVID-19.

Last updated: Monday, July 20, 2020

U.S. DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

1200 NEW JERSEY AVENUE, SE

WASHINGTON, DC 20590

202-366-4043

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Submit Feedback >

County/Region: Siskiyou County District: 2
Original Submission Date: 8/13/20 Revision No. ______ Revision Submission Date: ______

FEDERAL FISCAL YEAR 2020 CARES ACT

Section 5311 Program of Projects (POP)

(A) Available Funding:

Estimated Apportionment [CARES ACT]:	(+)	546,202
(A) TOTAL FUNDS AVAILABLE:	=	546,202

(B) Programming (POP): Complete Parts I and II

		Federal Share 100%
Part I. Operating Assistance - Total:	(+)	546,202
Part II. Capital - Total:	(+)	0.0
(B) Total:	(=)	546,202

Regional Apportionment Funds ONLY for CARES Act:

- **Please Note -**
  - **Funds may not need to be programmed unless Capital beyond COVID-19 Response**
  - **Final approval to be determined by the Department**
  - **There will be NO carryover allowed as you will have several years to expend CARES Act funds**

FUNDING SUMMARY

		Federal Share
(B) Regional Apportioned - Total:	(+)	546,202
GRAND TOTAL:	**(=)**	546,202

Contact Person/Title: Angie Stumbaugh, Department Fiscal Officer Date: 8/13/20
Phone Number: 530-842-8220

CALTRANS – DRMT REGIONAL PROGRAM OF PROJECTS – CARES ACT Phase 2 – FTA 5311
Statewide Transportation Improvement Program (STIP) – **Not Required for Operating Assistance Under CARES Act**

Metropolitan Planning Organizations (MPOs) are responsible for sub-allocating projects within their jurisdiction
For further guidance see the Department's Division of Transportation Programming website:

PART I. Regional Apportionment - Operating Assistance
For all Operating Projects - a complete application MUST be submitted with this POP.

Subrecipient	Project Description	Federal Share 100% (CARES Act Funds)	Net Project Cost
County of Siskiyou	Operating Assistance	$546,202.00	$546,202.00
	Operating Assistance Funds Total	$546,202.00	$546,202.00

CALTRANS – DRMT REGIONAL PROGRAM OF PROJECTS – CARES ACT Phase 2 – FTA 5311

PART II. Regional Apportionment – Capital
For all Capital Projects - a complete application MUST be submitted with this POP.

Subrecipient	Project Description	Federal Share 100% (CARES Act Funds)	Net Project Cost
	Capital Assistance Funds Total		

INSTRUCTIONS

PART I – Operating Assistance

- Do not list previously approved projects (i.e. projects listed in a prior grant).
- Funding split: None Federal Share 100%
- Third Party Contract Requirement – all third-party contracts must contain federal clauses required under FTA Circular 4220.1F and approved by the State prior to bid release.
- Net project cost does not include ineligible cost (i.e. farebox, other revenues, etc.).

PART II – Capital (Vehicles, Construction, Preventive Maintenance and Planning)

- **All** vehicles procured with Section 5311 program funds must be ADA accessible regardless of service type (fixed route or demand-response service).
- Capital projects must contain a full description of project: A PRELIMINARY ENVIRONMENTAL SURVEY (PES) is required for Capital projects other than vehicle procurement. (i.e. facility or shelter - include specifics, planning studies, preventative maintenance). The PES does not satisfy the requirements for environmental review and approval. When the agency prepares the documentation for a categorical exclusion, the Environmental Justice Analysis must be included.
- Funding Federal Share – 100% Federal Share if related to COVID-19
- Procurement Contract Requirement – all documents used for procuring capital projects must contain federal clauses required under FTA Circular 4220.1F and approved by DRMT prior to bid release.

Project Descriptions
State of California - FTA Section 5311
CARES Act Phase 2 Application

Applicant: County of Siskiyou

Do projects have to be in the Transportation Improvement Program (TIP) or the Statewide Transportation Improvement Program (STIP)?

It depends. CARES Act funds used to pay for operating expenses do not need to be included in the Transportation Improvement Program (TIP) or Statewide Transportation Improvement Program (STIP). CARES Act funds used to pay for capital expenses for emergency relief do not need to be included in the TIP/STIP unless the projects are for substantial functional, locational, or capacity changes. 23 CFR §§ 450.326(e)(5), 450.218(g)(5). Accordingly, capital projects to prevent, prepare for, and respond to COVID-19 that involve substantial functional, locational, or capacity changes must be included in the TIP/STIP.

Please find the sections of this form listed below along with their instructions.

General Project Description - All applicants **must** complete this section **once.**

Please select Project Types below for which your agency is applying and complete the relevant section/s of this form.

1. ☒Operating Assistance Request Details – Applicants who are requesting Operating Assistance funds must complete Section 1.

2. ☐Capital Vehicle/Equipment Request Details – Applicants who are requesting Capital Assistance funds to purchase vehicles and/or equipment must complete Section 2.

3. ☐Capital Construction/Real Estate Request Details – Applicants who are requesting Capital Construction and/or Real Estate funds must complete Section 3.

4. ☐Planning Assistance Request Details – Applicants who are requesting Planning Assistance funds must complete Section 4.

5. ☐Preventative Maintenance Request Details – Applicants who are requesting Preventative Maintenance funds must complete Section 5.

General Project Description

State of California
FTA Section 5311

Answer the following questions regarding the project descriptions:

1. Indicate the type(s) of public transportation service for the proposed project/s funded by FTA Section 5311. (Check all that apply.)

   List all cities and counties served by your project/s:
   Siskiyou County, city of Yreka, Etna, Fort Jones, Weed, Mt Shasta, Dunsmuir, McCloud and Montague

   ☐**Fixed Route -** Vehicles will travel on specific roads and stop at pre-designated locations according to a schedule.

   ☐**Demand Response** - Vehicles will pick people up when they need a ride (Must be open to the general public).

   ☒**Deviated Fixed Route** - Vehicles will travel from point A to point B but go out of the way to pick up or drop off passengers if necessary (Deviations must be open to the general public).

   ☐**Blended Paratransit** - Complementary Paratransit Provided on the Same Vehicle as the Fixed Route Service. Please upload your Blended Paratransit Plan in your Organization's Profile under the Important Documents Section.

   ☐**ADA Paratransit Service** - Please upload your ADA Paratransit Service Plan in your Organization's Profile under the Important Documents Section.

   ☐**Commuter Service** - Fixed route bus service characterized by service predominantly in one direction during peak periods, and with limited stops and routes of extended length, usually between the central business district and outlying suburbs.

   ☐**University Service** - An institution of higher education has a formal arrangement with the transit operator to provide university transportation service.

   ☐**Charter Service**

2. Please fill out the following:

   At a minimum, transportation service shall be provided between:

   AM 6:43am to PM 9:19pm from Monday to Friday

3. For the FY you are applying for, did your agency receive any other FTA funds that would be utilized on this project/s? (Check all that apply and provide standard agreement #s and dollar amount.) For 5307, the term "receive" means funds have been obligated.

   ☒No

   ☐Yes (which program(s) were utilized)

   ☐5307 (Urbanized Area Formula Program) $

   ☐5310 (Elderly and Disabled Specialized Transit Program)

   Standard Agreement# $

   ☐5311(f) (Intercity Bus Program)

   Standard Agreement# $

   ☒Other FTA funds

   Specify: 5311 #64B019-00963 $257,216

4. Have you changed fares in the last year?

☒Yes ☐No

5. How did you notify the public of the fare change?

☒Agency Website ☐Newspaper ☐Radio ☒Flyers

☐Public Hearing ☐TV/Cable ☒Other (Specify) Facebook

6. Was an analysis done on the impact of the low income?

☐Yes ☒No

If yes, what was the result of the analysis? Please provide a copy of the analysis.

7. Which one of the following describes the project/s for which you are applying?

☐Add new service ☐Expand existing service to additional areas, if expanding, why?

☒Maintain service at current level

8. How is your project/s service marketed? (Check all that apply.)

☒Agency Website ☐Newspaper ☐Radio ☒Flyers

☐Public Hearing ☐TV/Cable ☒Other (Specify) Facebook

9. Does your agency receive more than $750,000 in federal funds?

☒Yes ☐No

If yes, has your agency submitted the annual Single Audit Report to the State Controller's Office (SCO)? The report is due to the SCO on March 31st of each fiscal year.

☒Yes ☐No

Your agency must submit a pdf copy of the Single Audit Report along with this application stored in the agency profile on the BlackCat Grant Management System.

10. Does your agency employ between 50-99 transit-related employees, and; requests or receives capital or operating assistance in excess of $1 million in the previous Federal fiscal year, or requests or receives planning assistance in excess of $250,000 in the previous Federal fiscal year?

☐Yes ☒No

If yes, your agency must submit its abbreviated EEO plan along with this application stored in the agency profile on the BlackCat Grant Management System.

11. Does your agency employ 100 or more transit-related employees, and; requests or receives capital or operating assistance in excess of $1 million in the previous Federal fiscal year, or requests or receives planning assistance in excess of $250,000 in the previous Federal fiscal year?

☐Yes ☒No

If yes, your agency must submit its EEO plan along with this application stored in the agency profile on the BlackCat Grant Management System.

12. Has your agency updated the inventory in BlackCat under your Organizations tab?

☒Yes ☐No

If no, when do you plan on updating your organization's inventory in BlackCat?

13. Has your agency updated the organization's profile in BlackCat under your Organizations tab?

☒Yes ☐No

If no, when do you plan on updating your organization's profile in BlackCat?

14. Does your agency use General Transit Feed Specification GTFS?

☐Yes ☒No

I. Operating Assistance Request Details
(Complete only if applying for Operating Assistance)

1. Please describe the **Operating** service: Siskiyou County Stage is a Directly Operated Bus Service for Siskiyou County and is a single entity servicing approximately 45,000 for the county of Siskiyou

2. What is the **Operating Period** for this project? (CARES Act funds do not expires so please consider how long it will take your agency to expend the funds when determining your operating dates.)

   8/14/2020 to 6/30/2024

3. Is your **Operating Service** directly operated by your agency in-house?
   ☐No.
   ☒Yes.

4. Does your agency anticipate implementing a third-party contract or intergovernmental agreement (IGA) for Operating Service within the next 24 months?
   ☐Yes, implementing third-party contract.
   ☐If yes, attach the PDF copy of the solicitation (RFP/IFB) documents. If these documents are not available, please provide an estimate of when they would be available.

   Estimated date: Click here to enter a date.

   ☐Yes, implementing IGA.
   ☐If yes, attach the PDF copy of the IGA. If the IGA is not available, please provide an estimate of when they would be available.

   Estimated date: Click here to enter a date.

   Contracting and IGA activities that have not received prior DRMT approval may not be eligible for federal reimbursement.

   ☒No, operating service will continue to be directly operated in-house.

5. Is your **Operating Service** performed through a third-party contract or IGA that *has been reviewed and approved by Caltrans DRMT*?
   ☒No (skip to next question).
   ☐Yes.
   ☐If yes, your agency must upload a PDF copy of Caltrans DRMT Federal Procurement Management Branch's approval letter stored in the agency profile on the BlackCat Grant Management System.

   What is the base period of the operating service third-party contract or IGA?

   Click here to enter a date. to Click here to enter a date.

6. Have any third-party contracts been amended, modified, and/or optional period of performance

been exercised? Is there an option to extend beyond the base years?
☐Yes – What is the final option year?
☒No, no option years.

7. Have you received DRMT approval for all IGAs, current third-party contracts, amendments, modifications, and/or the exercise of option periods supported with FTA funding?
   ☐Yes
   ☐No
   ☐If no, please identify the third-party contracts/IGAs and provide a copy of the executed amendment, modification, and/or exercise of optional period of performance with your application.

   When is the next contract amendment, modifications, or option years memo estimated to begin local agency development/routing?

   Estimated date development/routing will begin: Click here to enter a date.

   Attach a pdf copy of the draft amendment, modification, or option years memo. If these documents are not available, please provide an estimate of when they would be available. Click here to enter a date.
   ☒N/A

8. Is your **Operating Service** performed through a third-party contract or IGA that has *not* been reviewed and approved by Caltrans DRMT?
   ☐Yes. NO we do not have any Third-party contract or IGAs.
   ☐If yes, your agency must attach the PDF copy of the IGA or bid related documents/vendor selection and executed third-party contract. If these documents are not available, please provide an estimate of when they would be available.

   Estimated date when documents will be available: Click here to enter a date.

9. Identify current IGAs/third-party contracts, contractors, expiration dates for the base term, and optional periods of performance:

Contract Service/Good	Contractor	Base Period	Optional Period(s)
Example: *Operating Assistance*	*We Operate, Inc.*	*7/1/2015-6/30/2020*	*Yr. 1: 7/1/2020-6/30/2021 Yr. 2: 7/1/2021-6/30/2022*
N/A	N/A	N/A	N/A

2. Capital Vehicle/Equipment Request Details
(Complete only if purchasing vehicles and/or equipment)

For CARES Act if you are making substantial changes to your bus expansion you will be required to have project included in the Transportation Improvement Program (TIP) or Statewide Transportation Improvement Program (STIP).

1. The proposed **Capital** purchase is for:

☐Vehicle(s)

Identify the procurement contract or method:

☐State Vehicle Contract (DGS contract 1-15-23-19).

☐CalACT/MBTA Joint Procurement.

Please note: CalACT requires a vehicle quote and floorplan to approve contract utilization. Do not submit final Purchase Orders to vendors or CalACT prior to **formal** Caltrans procurement authorization.

The information provided below in conjunction with the execution of the Standard Agreement (DOT-213A) is **not** procurement authorization. Vehicle purchases must receive **formal** DRMT procurement authorization.

Pre-award authority is strictly forbidden for rollingstock.

☐Piggyback—Specify the contract the piggyback assignment will be requested from and the year the contract was awarded.
Piggyback procurement will not be authorized from contracts awarded prior to October 1, 2015.

☐Other local procurement, specify:

☐Information Technology (IT)/Intelligent Transportation Systems (ITS) Equipment (i.e. Hardware, Software, Fareboxes, GPS, AVL, Smart Cards, Security Cameras, and Vehicle Maintenance System. (Fill out ITS Compliance Form section of this application for Caltrans review and approval).

Attach a PDF of the independent cost estimate (ICE) of the equipment with this application. ICE guidance is available on the DRMT Procurement webpage.

If a single source will be solicited for this purchase, complete the Non-Competitive Procurement Justification form available on the DRMT Procurement webpage and attach with this application.

☐Non- ITS Equipment

Attach a PDF of the independent cost estimate (ICE) of the equipment with this application. ICE guidance is available on the DRMT Procurement webpage.

If a single source will be solicited for this purchase, complete the Non-Competitive Procurement Justification form available on the DRMT Procurement webpage and attach with this application.

☐Capital Cost of Contracting (Skip to Question 8)

2. Indicate the proposed vehicle purchase:
   ☐Vehicle Replacement
   ☐Service Expansion

   List the current vehicle(s) that will be replaced:

Vehicle Year	Make/Model or Vehicle Description	Fuel type	Length	Passenger Capacity	Full VIN#	Actual Mileage	Date Placed in Revenue Service	Date Taken Out of Revenue Service	Total Federal Share Spent on Original Purchase

3. List the **vehicle(s)** your agency proposes to **purchase***:

Please note: The information provided below in conjunction with the execution of the Standard Agreement (DOT-213A) is **not** procurement authorization. Vehicle purchases must receive **formal** DRMT procurement authorization. **Pre-award authority is strictly forbidden for rollingstock.**

Quantity	Vehicle (bus, minivan, trolley, etc.)	Chassis Type (Ford E-450, GM4500, etc.)	Fuel Type	Length	Passenger Capacity	Useful Life in Years	Useful Life in Miles	Unit Price	Total Price

*Manufactured vehicles shall not exceed the Original Equipment Manufacturers Gross Vehicle Weight Rating.

4. How does your agency intend to meet federal **rollingstock (vehicle)** requirements to certify post-delivery compliance for Buy-America, Purchaser's Requirements, and FMVSS:
   ☐Qualified in-house inspector.
   ☐Third-party inspector.
   ☐Other, specify: _____.

5. List the **equipment** your agency proposes to **purchase:**

Quantity	Description of the equipment (Fareboxes, AVL, GPS, etc.)	Unit Price*	Total Price

*Unit price must correspond to the competitive range that is determined in the ICE.

6. What is the need for this vehicle(s)/equipment? How did you select the project?
   a. Describe what service improvements would be addressed by acquiring the equipment and/or vehicles?

      _____

   b. If your agency is requesting vehicle(s) replacement, explain why the vehicle(s) needs replacement.

      _____

   c. If the request for vehicle(s)/equipment is for service expansion, how was the need for the expansion determined?

      _____

   d. If funding for this project is approved, how will the surrounding community benefit?

      _____

7. Do you intend to lease this 5311 funded vehicle(s)/equipment?
   ☐Yes ☐No

8. Complete the proposed procurement schedule:

Procurement Schedule	**Date**
Bid Package to Caltrans	Click here to enter a date.
Issue Purchase Order to Vendor	Click here to enter a date.
Delivery/Installation	Click here to enter a date.
Place Into Service	Click here to enter a date.

9. If you are requesting reimbursement for Capital Cost of Contracting, please indicate the type of contract below (Contract must have been reviewed and approved by Caltrans DRMT Federal Procurement Management Branch's staff).

   ☐Service Contract (contractor provides maintenance and transit service; subrecipient provides vehicles)

   ☐Service Contract (contractor provides transit service only; subrecipient provides vehicles and maintenance)

   ☐Vehicle Maintenance Contract (contractor provides maintenance; subrecipient provides vehicles and transit service)

   ☐Vehicle Lease Contract (contractor provides vehicles; subrecipient provides maintenance and transit service)*

   ☐Maintenance/Lease Contract (contractor provides vehicles and maintenance; subrecipient provides transit service)*

   ☐Turnkey Contract (contractor provides vehicles, maintenance, and transit service)*

   ☐Vehicle/Service Contract (contractor provides vehicles and transit service; subrecipient provides maintenance)*

*Please note that the types of contracts are based on the assumption that contractor provides the assets.

10. Is any FTA funded equipment (vehicles, fare boxes, AVL, radios, computers, cameras, etc.) operated by your agency under warranty? If yes, your agency must submit the warranty form along with this application stored in the BlackCat Grant Management System.

    ☐Yes ☐No

11. If yes, what is the system for recovering warranty claims?

12. Are claims pursued satisfactorily?

    ☐Yes ☐No

3. Capital Construction/Real Estate Request Details
(Complete only if Project includes a Capital Construction/Real Estate Request)

1. Indicate the type of **Construction/Real Estate** Acquisition for the proposed project

   ☐Bicycle Facility
   ☐Construction of a transit related facility
   ☐Acquisition of Real Property (if the appraisal is more than $500,000, submit the appraisal to Caltrans' DRMT)
   ☐Improvement of a transit related facility
   ☐Expansion of a transit related facility
   ☐Purchase and installation of transit related equipment (i.e. bus shelters, benches, and signage)
   ☐Other (Specify): _____

Describe your **Construction/Real Estate** acquisition for the activities in great detail and include project implementation plan:

_____

2. Is the project shovel ready?
   ☐Yes. ☐No.

3. What is the need for this project and did you select the project?

   _____

   a. Describe what service improvements would be addressed by constructing/expanding/improving the facility or acquiring the real property?

      _____

   b. If funding for this project is approved, how will the surrounding community benefit?

      _____

4. Please identify the stakeholders (e.g. Low-income and minority community, Native American Tribal governments, other underrepresented groups, community-based organizations, and businesses) affected by the grant work.

5. Does your agency have the experience, and staffing level to administer and implement the project, and to submit required reports correctly and on time?
   ☐Yes ☐No

6. Does your agency have the resources to bring about successful completion of the project?
   ☐Yes ☐No

7. Do you intent to lease this property/facility for incidental use?
   ☐Yes ☐No

8. What is the proposed procurement method for the **Construction/Real Estate** acquisition project?
   ☐Formal Solicitation (Procurement of $150,000.00 or more. Attach Independent Cost Estimate and RFP/RFQ/IFB to this application if available).
   ☐Small Purchase (Procurement between $3,500.00 and $150,000.00. Attach Independent Cost Estimate to this application).
   ☐Micro Purchase (Procurement below $3,500.00).
   ☐Piggyback. Specify the contract the piggyback assignment will be requested from and the year the contract was awarded: _____.
   ☐Non-Competitive Award—a/k/a Sole Source (Attach to this application a completed Non-Competitive Award Justification, items 8 and 8a on the DRMT Procurement Webpage).
   ☐Other local procurement, specify: _____.

9. Fill out the proposed project schedule:

Purchase and Installation of Capital Construction/Real Estate Purchase	Date
Bid Package to Caltrans	Click here to enter a date.
Issue Purchase Order to Vendor	Click here to enter a date.
Delivery/Installation	Click here to enter a date.
Place Into Service	Click here to enter a date.

Or

Real Estate Acquisition	Date
Appraisal of Real Estate	Click here to enter a date.
Appraisal Review of Real Estate	Click here to enter a date.
Appraisal Concurrence	Click here to enter a date.
Establish Market Value	Click here to enter a date.
Making an Offer	Click here to enter a date.
Uneconomic Remnant (If applicable)	Click here to enter a date.
Filing Condemnation (If applicable)	Click here to enter a date.
Administrative Settlements (If applicable)	Click here to enter a date.
Settlement Concurrence Process (If applicable)	Click here to enter a date.
Relocation Assistance (If applicable)	Click here to enter a date.
Purchase	Click here to enter a date.

10. Is your agency planning on using your own labor force to carry out the proposed project?
    ☐Yes ☐No

11. Is the total cost of your project $100,000 or more, and include your own labor?
    ☐Yes (Attach your agency's force account plan to this application. If there is no force account plan in place, your agency **must develop a plan before** the project can be included in the grant application to FTA).
    ☐No.

Note: At all times while the PROJECT property is in the possession or control of the subrecipient, the subrecipient shall be the registered owner and STATE shall be the legal owner or lien holder. The subrecipient shall not transfer ownership of the PROJECT property at any time while the standard agreement is in effect. As the lien holder, the STATE may take possession of the PROJECT property, as a result of the subrecipient's non-compliance with contract terms or by mutual agreement between the STATE and the subrecipient. The STATE shall retain the original Certificate of Title until such time that disposition of the PROJECT property is released by the STATE to the subrecipient or other appropriate party as outlined in Exhibit D, Paragraph 4 of the standard agreement.

4. Planning Assistance Request Details

(Complete only if applying for Planning Assistance)

**Please be aware that Caltrans' Division of Transportation Planning administers FTA 5304 Planning Grant Opportunities for transit related projects as well.*

http://www.dot.ca.gov/hq/tpp/grants.html

1. Please briefly summarize the proposed **Planning Assistance** project?

2. What is the need for this **Planning Assistance** project?

3. How did you select the project?

4. Describe what service improvements would be addressed by the proposed **Planning Assistance** project?

5. If funding for this project is approved, how will the surrounding community benefit?

6. Will the proposed **Planning Assistance** project be completed by your agency in-house?
   ☐No (skip to next question).
   ☐Yes.

   Does your agency anticipate implementing the use of a third-party contract for the **Planning Assistance** project within the next 24 months?
   ☐Yes, implementing.
   ☐If yes, attach a PDF copy of the solicitation (RFP/IFB) documents. If these documents are not available, please provide an estimate of when they would be available.
   Estimated date when documents will be available: Click here to enter a date.

   Contracting activities that have not received prior DRMT approval may not be eligible for federal reimbursement.

   ☐No, the **Planning Assistance** project will continue to be performed in-house.

7. Is the **Planning Assistance** project performed through a third-party contract that *has been approved by Caltrans DRMT?*
   ☐No (skip to next question).
   ☐Yes.
   ☐If yes, your agency must upload a PDF copy of Caltrans DRMT Federal Procurement Management Branch's approval letter stored in the agency profile on the BlackCat Grant Management System.

What is the operating base period of the **Planning Assistance** third-party contract?
Click here to enter a date. to Click here to enter a date.

Is there an option to extend beyond the base years?
☐Yes – What is the final option year? _____
☐No, no option years.

8. Is the **Planning Assistance** project performed through a third-party contract that has *not* been approved by Caltrans DRMT?
☐Yes.
☐Attach the PDF copy of the bid related documents/vendor selection process. If these documents are not available, please provide an estimate of when they would be available).
Estimated Date when documents will be available: Click here to enter a date.

9. Please identify the stakeholders (e.g. Low-income, minority community, Native American Tribal governments, other underrepresented groups, community-based organizations, and businesses) affected by the grant work.

10. Describe the outreach and engagement methods that will be used to reach and gather input from stakeholders. Per FTA Circular 9040.1F IV, 3; FTA Circular 9050.1 ChapterVIII-2, & Title 49 USC 5323(b), subrecipient must hold public hearing to receive comments from the public on the proposed planning project.

11. Please check applicable below and upload the documents into the "Public Hearing Documentation" form section of the online BlackCat application.
☐Municipal Letter of Resolution of Support
☐Electronic Copy of Published Public Hearing Notice
☐Affidavit of Public Hearing Notice
☐Minutes of Public Hearing, Copies of Exhibits, and Written Statements

12. Please provide the project scope of work and project Implementation plan.

5. Preventative Maintenance Request Details
(Complete <u>only</u> if applying for Preventative Maintenance)

1. Please indicate the type of **Preventative Maintenance** for the proposed project. (Check all that apply):
   ☐Inspections
   ☐Repairs or Replacements
   ☐Overhauls/Refurbish
   ☐Other; Specify: _____

2. Please describe the **Preventative Maintenance** activities:_____

3. Will the proposed **Preventative Maintenance** project be completed by your agency in-house?
   ☐No (skip to next question).
   ☐Yes.

   Does your agency anticipate implementing the use of a third-party contract for the **Preventative Maintenance** project within the next 24 months?
   ☐Yes, implementing.
   ☐If yes, attach a PDF copy of the solicitation (RFP/IFB) documents. If these documents are not available, please provide an estimate of when they would be available.
   Estimated date when documents will be available: Click here to enter a date.

   Contracting activities that have not received prior DRMT approval may not be eligible for federal reimbursement.

   ☐No, the **Preventative Maintenance** project will continue to be performed in-house.

4. Is the **Preventative Maintenance** project performed through a third-party contract that *<u>has been approved by Caltrans DRMT</u>*?
   ☐No (skip to next question).
   ☐Yes.
   ☐If yes, your agency must upload a PDF copy of Caltrans DRMT Federal Procurement Management Branch's approval letter stored in the agency profile on the BlackCat Grant Management System.

   What is the base period of the **Preventative Maintenance** third-party contract?
   Click here to enter a date. to Click here to enter a date.

   Is there an option to extend beyond the base years?
   ☐Yes – What is the final option year? _____
   ☐No, no option years.

5. Is the **Preventative Maintenance** project performed through a third-party contract that has *<u>not</u>* been approved by Caltrans DRMT?
   ☐Yes.
   ☐Attach the PDF copy of the bid related documents/vendor selection process. If these

documents are not available, please provide an estimate of when they would be available). Estimated date when documents will be available: Click here to enter a date.

COUNTY OF SISKIYOU
STAGE FUND

BASIC FINANCIAL STATEMENTS

June 30, 2019

Table of Contents

INDEPENDENT AUDITORS' REPORT

To the Board of Supervisors
County of Siskiyou
Yreka, California

I have audited the accompanying financial statements of the STAGE Fund (STAGE) of the County of Siskiyou, California, as of and for the year ended June 30, 2019, and the related notes to the financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, I express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinions.

Opinion

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the STAGE Fund of County of Siskiyou, California, as of June 30, 2019, and the changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1, the financial statements present only the STAGE Fund and do not purport to, and do not, present fairly the financial position of the County of Siskiyou, California as of June 30, 2019, the changes in its financial position, or where applicable, its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America. My opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that *Management's Discussion and Analysis* (not presented) be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Management has omitted *Management's Discussion and Analysis* (MD&A). My opinion is not changed due to this omitted information.

Other Information

My audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise STAGE's financial statements. The schedule of operating expenses is presented for purposes of additional analysis and is not a required part of the basic financial statements.

The schedule of operating expenses is the responsibility of management and was derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In my opinion, the schedule of operating expenses is fairly stated in all material respects in relation to the financial statements as a whole.

Other Reporting Required by *Government Auditing Standards* and the *Transportation Development Act*

In accordance with *Government Auditing Standards* and the *Transportation Development Act*, I have also issued my report dated March 13, 2020, on my consideration of the STAGE's internal control over financial reporting and on my tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of my testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering STAGE's internal control over financial reporting and compliance.

Charles W Pillon, CPA

Charles W Pillon, CPA
Anderson, California

March 13, 2020

BASIC FINANCIAL STATEMENTS

County of Siskiyou
STAGE Fund
Statement of Net Position
June 30, 2019

ASSETS	
Current assets:	
Cash and investments	$ 1,056,749
Restricted cash	39,950
Accounts receivable	587
Due from other governments	175,835
Due from other County funds	44,886
Interest receivable	3,300
Inventory	113,499
Total current assets	1,434,806
Capital assets:	
Capital assets not being depreciated	227,803
Capital assets being depreciated, net	3,778,536
Total capital assets	4,006,339
Total assets	5,441,145
DEFERRED OUTFLOWS OF RESOURCES	
Pension related deferred outflows	226,253
OPEB related deferred outflows	43,295
Total deferred outflows of resources	269,548
LIABILITIES	
Current liabilities:	
Accounts payable	6,403
Accrued payroll	42,390
Due to other County funds	33,347
Advances from grantors	120,648
Compensated absences payable, current	24,200
Total current liabilities	226,988
Long-term liabilities:	
Compensated absences payable	39,575
OPEB liability	1,094,927
Net pension liability	1,856,165
Total long-term liabilities	2,990,667
Total liabilities	3,217,655
DEFERRED INFLOWS OF RESOURCES	
Pension related deferred inflows	36,129
OPEB related deferred inflows	163,836
Total deferred inflows of resources	199,965
NET POSITION	
Investment in capital assets	4,006,339
Restricted	39,950
Unrestricted	(1,753,216)
Total net position	$ 2,293,073

See accompanying notes to the financial statements.

County of Siskiyou
STAGE Fund
Statement of Revenues, Expenses and Changes in Net Position
For the Year Ended June 30, 2019

Operating Revenues	
Fare revenues	$ 155,068
Other revenues	138
Total operating revenues	155,206
Operating Expenses	
Personnel	1,545,229
Services and supplies	635,125
Depreciation	370,609
Total operating expenses	2,550,963
Operating (loss)	(2,395,757)
Non-operating Revenues (Expenses)	
Local Transportation funds	1,075,000
State Transit Assistance funds	382,725
Other governmental grants	362,669
Administrative reimbursement	71,989
Other	10,322
Gain on disposition of assets	2,580
Interest income	33,813
Total non-operating revenues (expenses)	1,939,098
Change in net position	(456,659)
Net Position	
Beginning of year	2,749,732
End of year	$ 2,293,073

See accompanying notes to
the financial statements.

County of Siskiyou
STAGE Fund
Statement of Cash Flows
For the Year Ended June 30, 2019

Cash Flows From Operating Activities	
Receipts from customers and users	$ 154,921
Payments to suppliers	(680,625)
Payments to employees	(1,266,018)
Net cash (used) by operating activities	(1,791,722)
Cash Flows From Investing Activities	
Interest received	35,824
Net cash provided by investing activities	35,824
Cash Flows From Capital and Related Financing Activities	
Purchases of capital assets	(197,689)
Net cash (used) by capital and related financing activities	(197,689)
Cash Flows From Non-Capital Financing Activities	
Local transportation funds received	1,075,000
State transit assistance funds received	377,184
Other governmental grants	376,615
Other	84,885
Net cash provided by non-capital financing activities	1,913,684
Net (decrease) in cash and cash equivalents	(39,903)
Cash and Cash Equivalents	
Beginning of year	1,136,602
End of year	$ 1,096,699
Comprised of:	
Cash and investments	$ 1,056,749
Restricted cash	39,950
Total cash and investments	$ 1,096,699
Reconciliation of Operating Income (Loss) to Net Cash (used) by Operating Activities	
Operating (loss)	$ (2,395,757)
Adjustments to reconcile net operating (loss) to net cash (used) by operating activities:	
Depreciation	370,609
(Increase) decrease in:	
Accounts receivable	(285)
Inventory	(14,172)
Due from other County funds	(21,700)
Pension, OPEB related deferred outflows	97,292
Increase (decrease) in:	
Accounts payable	(830)
Accrued payroll	(3,699)
Due to other County funds	(8,799)
Compensated absences	3,075
OPEB liability	96,651
Net pension liability	32,164
Pension, OPEB related deferred inflows	53,729
Net cash (used) by operating activities	$ (1,791,722)

See accompanying notes to
the financial statements.

Note 1 – Description and Significant Account Policies

A. Description of the Reporting Entity

These financial statements present the activities of the STAGE Fund of the County of Siskiyou only.

The County of Siskiyou STAGE Fund (STAGE) was formed to provide transit service within the County of the Siskiyou.

The accounting methods and procedures adopted by STAGE conform to accounting principals generally accepted in the United States of America as applied to governmental entities. These financial statements present the STAGE's financial position, results of operations and its cash flows.

B. Method and Basis of Accounting

The accounts of STAGE are organized on the basis of funds, each of which is considered a separate entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, net position, revenues, and expenses. Government resources are allocated to, and accounted for, in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

Enterprise funds are used to account for operations (a) that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis are financed or recovered primarily through user charges; and (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

Enterprise funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with an enterprise fund's principle ongoing operations. The principle operating revenues of STAGE are charges to customers for transportation services. Operating expenses for STAGE include cost of personnel, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

STAGE's financial statements are prepared in accordance with generally accepted accounting principles (GAAP). The Governmental Accounting Standards Board is responsible for establishing GAAP for state and local governments through its pronouncements (Statements and Interpretations). The more significant accounting polices established for GAAP and used by STAGE are discussed below.

C. Budgetary Control

Budget integration is employed as a management control device. Budgets are formally adopted by the Board in June and take effect the following July 1.

D. Use of Estimates

The preparation of basic financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Note 1 – Description and Significant Account Policies (Continued)

E. Cash and Cash Equivalents

For purposes of the statement of cash flows, all highly liquid investments (including restricted assets) with a maturity of three months or less when purchased, to be equivalent to cash.

F. Inventory

Inventory is valued at cost using the first-in, first-out method. Inventory consists of expendable supplies held for consumption.

G. Capital Assets

Capital assets (including infrastructure) are recorded at cost where historical records are available and at an estimated original cost when no historical records exist. Contributed capital assets are valued at their estimated fair value at the date of the contribution. The STAGE fund defines capital assets as assets with an initial, individual cost of $5,000 or more and an estimated useful life in excess of two years.

Capital assets used in operations are depreciated over their estimated useful lives using the straight-line method. Depreciation is charged as an expense against operations and accumulated depreciation is reported on the statement of net assets. The estimated useful lives of equipment are three to fifteen years, and fifty years for the buildings.

H. Compensated Absences

STAGE employees have a vested interest in accrued vacation time. All vacation hours will eventually be either used by employees or paid off by STAGE. Employees earn vacation hours on a monthly basis. The normal situation is that employees earn and use their current vacation hours with a small portion being unused each year. As this occurs, STAGE incurs a future obligation to pay for these unused hours and accrues a liability for such accumulated and unpaid vacation.

I. Other Post-Employment Benefits (OPEB) Liability

The County provides a post-employment health care benefit to employees who retire from County service, provided certain requirements are met. The amount recorded in the STAGE fund is the fund's portion of the County-wide liability. See the County of Siskiyou basic financial statements for more information regarding the OPEB liability. The STAGE Fund recognized OPEB expense for the year ended June 30, 2019 in the amount of $143,835.

J. Pensions

For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Local Government of Example's California Public Employees' Retirement System (CalPERS) plans (Plans) and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by CalPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. The amount recorded in the STAGE fund is the fund's portion of the County-wide liability. See the County of Siskiyou basic financial statements for more information regarding pensions. The STAGE Fund recognized pension expense for the year ended June 30, 2019 in the amount of $136,001.

Note 1 – Description and Significant Account Policies (Continued)

K. Net Position

The financial statements utilize a net position presentation. The STAGE Fund would typically use restricted net position first, as appropriate opportunities arise, but reserves the right to selectively spend unrestricted resources first to defer the use of these other classified funds. Net position is categorized as follows:

Investment in Capital Assets: This category groups all capital assets, including infrastructure, into one component of net position. Accumulated depreciation reduces the balance in this category.

Restricted Net Position: This category presents external restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments, and restrictions imposed by law through constitutional provisions or enabling legislation.

Unrestricted Net Position: This category represents net position not restricted.

L. Interfund Receivables and Payables

During the course of operations, numerous transactions occur between individual funds in the County that may result in amounts owed between funds. These may include amounts relating to goods and services type transactions.

NOTE 2 - CASH AND INVESTMENTS

Cash and investments at June 30, 2019 consisted of the following:

Cash on hand	$ 50
Cash and investments with the County Treasurer	1,056,699
Restricted cash with the County Treasurer	39,950
Total	$ 1,096,699

Cash with the County Treasurer is held in accordance with State statutes. The County maintains a cash and investment pool and allocates interest to various funds based upon the average monthly balances. Information regarding categorization of investments can be found in the County of Siskiyou financial statements. At June 30, 2019, the cost and fair value of cash held with the County Treasurer were approximately the same.

Information regarding custodial credit risk can be obtained from the County of Siskiyou's basic financial statements.

NOTE 3 – CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2019 was as follows:

	Balance 6/30/2018	Additions and Transfers	Deletions and Transfers	Balance 6/30/2019
Capital assets not being depreciated:				
Land	$ 209,512	$ -	$ -	$ 209,512
Intangibles	18,291	-	-	18,291
	227,803	-	-	227,803
Capital assets being depreciated:				
Structures	2,451,478	-	-	2,451,478
Equipment	3,845,818	133,329	-	3,979,147
Total	6,297,296	133,329	-	6,430,625
Less: accumulated depreciation	(2,265,591)	(386,498)	-	(2,652,089)
Net depreciable capital assets	4,031,705	(253,169)	-	3,778,536
Capital assets, net	$ 4,259,508	$ (253,169)	$ -	$ 4,006,339

Depreciation expense for the year ended June 30, 2019 was $370,609.

NOTE 4 – COMMITMENTS

The Siskiyou County STAGE Fund had no significant commitments outstanding at June 30, 2019. The activity for the year ended June 30, 2019 was as follows:

	Balance 6/30/2018	Additions	Deletions	Balance 6/30/2019
STAGE for Bus Equipment	$ 79,470	$ -	$ (79,470)	$ -
Total Commitments	$ 79,470	$ -	$ (79,470)	$ -

NOTE 5 – DUE TO / FROM OTHER COUNTY FUNDS AND TRANSFERS IN / (OUT)

The Siskiyou County STAGE Fund has received operating services and supplies from various funds within the County and has a balance at June 30, 2019 in the amount of $33,347 "due to" other County funds. The STAGE Fund has also supplied services and supplies to various funds within the County and has a balance at June 30, 2019 in the amount of $44,886 "due from" other County funds.

OTHER SUPPLEMENTAL INFORMATION

County of Siskiyou
STAGE Fund
Schedule of Operating Expenses
For the Year Ended June 30, 2019

Personnel	$ 1,545,229
Communications	5,873
Household	21,060
Insurance	155,456
Maintenance	93,364
Office expenses	7,623
Memberships	2,417
Other	4,972
Professional services	21,907
Administration	8,379
Contributions to other agencies	14,218
Data processing	15,646
Rent	1,435
Small tools/ instruments	326
Special department expenses	8,792
Travel and training	3,207
Gas and diesel	187,920
Towing	6,737
Utilities	15,641
Cost allocation plan - county administrative charges	60,152
Depreciation	370,609
Total operating expenses	$ 2,550,963

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Board of Supervisors
County of Siskiyou
Yreka, California

I have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the County of Siskiyou STAGE Fund (STAGE Fund), as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise the STAGE Fund's financial statements, and have issued my report thereon dated March 13, 2020.

Internal Control Over Financial Reporting

In planning and performing my audit of the financial statements, I considered STAGE Fund's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing my opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the STAGE Fund's internal control. Accordingly, I do not express an opinion on the effectiveness of the STAGE Fund's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

My consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during my audit I did not identify any deficiencies in internal control that I consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the STAGE Fund's financial statements are free from material misstatement, I performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of my audit, and accordingly, I do not express such an opinion. The results of my tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards.*

As part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, I performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, including the *Transportation Development Act* as prescribed in §6666 and §6667 of Title 21, Chapter 3, Subchapter 2, Article 5.5 of the California Code of Regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with these provisions was not an objective of my audit, and accordingly, I do not express such an opinion. The results of my tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards.*

Purpose of this Report

The purpose of this report is solely to describe the scope of my testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Charles W Pillon, CPA
Anderson, California

March 13, 2020

Caltrans

Charter Bus
State of California
DRMT Federal Programs
Application

Applicant: County of Siskiyou (STAGE)

1. **Does your agency provide charter services? If yes, go to question #2 through #4**

   ☒ Yes ☐ No

2. **Is charter service using FTA funded or maintained vehicles provided under one of the exceptions? If no, skip this section. If yes, check the exception that best describes the charter service:**

   ☒ Government officials on official government business

   ☐ Qualified Human Service Organization (QHSOs)

   ☐ Leasing FTA funded equipment and drivers

   ☐ When no registered charter provider responds to notice from an agency

   ☐ Agreement with registered Charter providers

   ☐ Petitions to the Administrator

3. **Did the transit agency provide notice to all registered charter providers prior to providing the requested charter service?**

   ☐ Yes ☒ No

4. **Was all charter service reporting timely?**

   ☒ Yes ☐ No

Reporting schedule is as follows:

Quarter	ReportDeadline
January 1 – March 31	April 30
April 1 – June 30	July 30
July 1 – September 30	October 30
October 1- December 31	January 30

The following is a link to FTA's Charter Bus Service Quarterly Reports. Your agency must submit a pdf copy of the Charter Bus Service Quarterly Report along with this application stored in the agency profile on the BlackCat Grant Management System.

https://www.transit.dot.gov/regulations-and-guidance/access/charter-bus-service/charter-bus-service-quarterly-reports

Civil Rights
State of California
DRMT Federal Programs
Application

Applicant: County of Siskiyou (STAGE)

1. Are or were there any Title VI related lawsuits/complaints filed within the past year? If yes, does the review of lawsuits/complaints denote a pattern of discrimination?

☐ Yes ☒ No

Please provide the following information to Caltrans DRMT:
- The date the lawsuit/complaint was filed
- The name and address of the complainant
- A summary of the allegation

2. Are complaints documented and listed? ☒ Yes ☐ No

3. Has a federal (FTA) civil rights compliance review been performed within the past year?

☐ Yes ☒ No

If yes, attach PDF copy of the following information:

- The name of the agency or organization conducting the review
- A summary of findings and recommendations
- The status or disposition of the recommendations

****Special requirements for <u>first-time</u> applicants**

If first time applicants have previously received funding from another Federal agency, the applicant must provide information regarding Title VI compliance history. Please provide the following information to Caltrans DRMT a summary of compliance review activities conducted in the past three (3) years.

1. The purpose or reason for the review

2. Name of agency that performed the review

3. Summary of findings and recommendations of the review

4. Status and/or disposition of such findings and recommendations.

5. A brief description of any pending applications for Federal funding

6. Did any Federal agency find the applicant to be in noncompliance with any civil rights requirement?

☐ Yes ☐ No

Description of Efforts to Coordinate Services with Social Service Agencies
State of California
DRMT Federal Programs
Application

Applicant: Siskiyou County (STAGE)

Please answer the following questions regarding the description of efforts to coordinate services with social service agencies:

1. What human service agencies, employment/training programs, or other transportation providers does your agency coordinate with?

   We coordinate with Probation, Human Services, Behavioral Health Services, Senior centers, STEP/Workforce Connection, Juivenile Hall, Greyhound, Amtrak, Siskiyou Opportunity Center, the Karuk Tribe, and other local cities and recreation districts.

2. In your agency's coordination efforts with social service agencies, check all that apply:

	Current Practice	Would Consider
Drivers attend safety/sensitivity training	☒	☐
Sharing vehicles with other agencies	☐	☐
Providing information to riders/patrons on other available services	☒	☐
Working with CTSA or other agencies to coordinate trips	☒	☐
Utilize pre-paid fare media with other agencies	☒	☐
Coordinate with Medical, CalWorks or Employment Programs	☒	☐

   Other:

3. Describe your agency's role in the human service-public transportation coordination planning efforts?

   We work with the Human Services agencies to provide services to their locations. We also participate in their outreach forums to identify unmet needs around the County as it relates to transportation.

4. Will this service funded by FTA funds address gaps and/or barriers identified in the regional public transportation coordination plan or maintain the existing service?

☒ Yes ☐ No

5. Has your agency made any efforts to provide information about your agency's service to human service agencies, the Work Force Center, or other activity centers?

☒ Yes ☐ No

Disadvantage Business Enterprise (DBE)
State of California
DRMT Federal Programs
Application

Applicant: Siskiyou County STAGE

1. Please provide the name and contact information for your agency's Disadvantaged Business Enterprise Liaison Officer (DBELO). Angie Stumbaugh, astumbaugh@co.siskiyou.ca, 530-842-8220

   Has the DBELO changed?

   Yes ☒ No ☐

   Is the DBE Implementation Agreement signed by your agency's CEO?

   Yes ☒ No ☐

   a. If yes, please provide a copy of the signed DBE Implementation Agreement.

   b. If no, please provide us a signed agreement within 30 days.

2. Has your agency submitted to Caltrans the required semi-annual reporting forms (Uniform Report and ADM-3069) for periods April 1 – September 30 and October 1 – March 31, within 10 business days after the end of each reporting period?

   Yes ☒ No ☐

   a. If yes, please provide the last semi-annual reporting forms that were submitted to Caltrans and review the report with the agency's representative.

   b. If no, your agency is non-compliant with the terms and conditions of the standard agreement.

3. What enforcement mechanisms does the subrecipient use for DBE requirements? Please explain.

At this time, we have never had any DBE participation. There are no DBE businesses in our area. We have sent RFP bids to DBE participates close to our area, but none have ever responded.

4. Does the subrecipient require contractors to obtain approval from its DBELO prior to substituting a DBE firm after contract award?

Yes ☒ No ☐ N/A ☐

5. Does the subrecipient monitor prime contractors to ensure that DBEs are actually performing applicable work on federally funded projects?

Yes ☒ No ☐ N/A ☐

6. Did the subrecipient receive any complaints or procurement protests alleging that it did not comply with the DBE regulations for federally funded projects?

Yes ☐ (Go to question #6) No ☒

7. What are the subrecipients' processes for handling protests? Please explain.
Contractor Complaint Process:
If a proposer is selected and an agreement finally negotiated with the proposer, County shall issue to each proposer that submitted a proposal a written notice advising them of County's internet to award the agreement to the selected proposer ("Notice of Intent to Award". County shall consider any protest or objection to the award of the agreement pursuant to this RFP, provide that it is submitted in writing and received by County's contract person at the address listed in this RFP within 10 calendar days of the date stated on the Notice of Intent to Award. The protest shall identify all bases on which the protest is based. Any protest or objection will be considered by the Public Works Director or his designee, whose decision regarding the protest or objection shall be final and conclusive.

8. Do the complaints indicate any problems with the DBE program?

Yes ☐ No ☒

*The following is a link to FTA's DBE program, "Section 26.37 Monitoring and Enforcement Mechanisms" this section gives examples of monitoring and enforcement mechanisms that ensure compliance. https://www.transit.dot.gov/dbe

UNIFORM REPORT OF DBE COMMITMENTS/AWARDS AND PAYMENTS

FTA Section

Please refer to the instruction sheet for directions on filling out this form

1	Submitted to (check only one)	[ ] FHWA	[ ] FAA	[X] FTA - Recipient :D Number
2	Grant Number(s) (FTA Recipients):			
3	Federal Fiscal year in which reporting period falls:	2019-2020	4. Date This Report Submitted:	4/3/2020
5	Reporting Period:	[x] Report due for period Oct 1-Mar 31	[ ] Report due for period April 1-Sep 30	[ ] FAA annual report due Dec 1
6	Name and address of Recipient:	Siskiyou County - 190 Greenhorn Road Yreka, CA 96097		
7	Annual DBE Goal(s):	Race Conscious Projection: 1.1%	Race Neutral Projection: 3.7%	OVERALL Goal: 4.8%

Awards/Commitments this Reporting Period

A	AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD (Total contracts and subcontracts committed during this reporting period)	A Total Federal Share Dollars	B Total Number	C Total to DBEs (dollars)	D Total to DBEs (number)	E Total to DBEs/Race Conscious (dollars)	F Total to DBEs/Race Conscious (number)	G Total to DBEs/Race Neutral (dollars)	H Total to DBEs/Race Neutral (number)	I Percentage of total dollars to DBEs
8	Prime contracts awarded this period (Standard Agreements)									#DIV/0!
9	Subcontracts awarded/committed this period (3rd Party Contracts)									#DIV/0!
10	TOTAL									#DIV/0!

B	BREAKDOWN BY ETHNICITY & GENDER	A Total to DBE (dollar amount) Women	B Men	C Total	D Total to DBE (number) Women	E Men	F Total
11	Black American						
12	Hispanic American						
13	Native American						
14	Asian-Pacific American						
15	Subcontinent Asian Americans						
17	Non-Minority						
17	TOTAL	$ -	$ -	$ -	0	0	0

Payments Made this Reporting Period

C	PAYMENTS ON ONGOING CONTRACTS	A Total Number of Contracts	B Total Dollars Paid	C Total Number of Contracts with DBEs	D Total Payments to DBE firms	E Total Number of DBE firms Paid	F Percent to DBEs
18	Prime and subcontracts currently in progress	-	$ 5,131.45	0			0.00%

D	TOTAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	A Number of Contracts Completed	B Total Dollar Value of Contracts Completed	C DBE Participation Needed to Meet Goal (Dollars)	D Total DBE Participation (Dollars)	E Percent to DBEs
19	Race Conscious					#DIV/0!
20	Race Neutral					#DIV/0!
21	Totals	0	$		$ -	#DIV/0!

22	Submitted by: Scott Waite	23. Signature:	24. Phone Number: 530-842-8220

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						5133.45

2020 Certifications and Assurances of the Regional Agency/Transportation Planning Agency
State of California - FTA Section 5311 – CARES Act Phase 2

Regional Agency/TPA: 2

Contact Person: Angie Stumbaugh

Contact Email: astumbaugh@co.siskiyou.ca.us

Contact Phone: 530-842-8220

Name of Subrecipient: County of Siskiyou

Project Description: Cares Act – Operating Assistance

Project Amount and Fund Type

Regional Apportionment 5311 or 5311(f)	***Total Project Cost***
$546,202	$546,202

Federal Transportation Improvement Program - Metropolitan Planning Organizations/Regional Transportation Planning Agency		
Document (or Amendment) Number	Document (or Amendment) Year	FHWA/FTA Federally Approved TIP (Date)

Check all that apply:

☐ Some combination of state, local, or private funding sources have been or will be committed to provide the required local share.

☒ The subrecipient has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service.

☒ The amount requested does not exceed the Federal funds provided to this agency in the approved Federal TIP/Federal Statewide TIP(FSTIP)

☒ The regional agency/TPA has approved, by resolution, the programming of funds for this Project and Project has met all Statewide Transportation Improvement Program (STIP) requirements.

CertifyingRepresentative:

By signing below, I have read and acknowledge that my agency is in compliance with certifications and assurances as stated above.

Name: Michael N. Kobseff Title: Chair, SCLTC

Signature: ______________________________ Date: Click here to enter a date.

Signature in BLUE ink

CALIFORNIA DEPARTMENT OF TRANSPORTATION

DIVISION OF RAIL AND MASS TRANSPORTATION

DISADVANTAGED BUSINESS ENTERPRISE
COMBINATION RACE-NEUTRAL/RACE-CONSCIOUS
IMPLEMENTATION AGREEMENT

FOR

FEDERAL TRANSIT GRANT
ADMINISTRATION SUBRECIPIENTS

2020

DISADVANTAGED BUSINESS ENTERPRISE COMBINATION RACE-NEUTRAL/RACE CONSCIOUS IMPLEMENTATION AGREEMENT for County of Siskiyou ; hereinafter referred to as "SUBRECIPIENT".

I Definition of Terms

The terms used in this agreement have the meanings defined in 49 CFR § 26.5.

II Objective/Policy Statement (§26/1. 26/23)

The SUBRECIPIENT intends to receive federal financial assistance from the U. S. Department of Transportation (DOT) through the California Department of Transportation (Caltrans), and as a condition of receiving this assistance, the SUBRECIPIENT will sign the California Department of Transportation's Disadvantaged Business Enterprise Implementation Agreement (hereinafter referred to as Agreement). The SUBRECIPIENT agrees to implement the *State of California, Department of Transportation Disadvantaged Business Enterprise (DBE) Program Plan* (hereinafter referred to as the DBE Program Plan) as it pertains to local agencies. The DBE Program Plan is based on U.S. Department of Transportation (DOT), 49 CFR, Part 26 requirements.

The SUBRECIPIENT must implement a policy to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also their policy:

- To ensure nondiscrimination in the award and administration of DOT-assisted procurement and contracts of products and services contracts.
- To create a level playing field on which DBE's can compete fairly for DOT-assisted procurement and contracts of products and services contracts.
- To ensure that their annual overall DBE participation percentage is narrowly tailored, in accordance with applicable law.
- To ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs.
- To help remove barriers to the participation of DBEs in DOT-assisted procurement and contracts of products and services contracts.
- To assist the development of firms that can compete successfully in the market place outside the DBE Program.

III Nondiscrimination (§26.7)

SUBRECIPIENT will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR, Part 26 on the basis of race, color, sex, or national origin. In administering the local agency components of the DBE Program Plan, the SUBRECIPIENT will not, directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program Plan with respect to individuals of a particular race, color, sex, or national origin.

IV Race-Neutral Means of Meeting the Annual DBE Goal (§26.51)

SUBRECIPIENT will assist Caltrans to achieve its Overall Statewide DBE Goal by a combination race-neutral/race-conscious means of facilitating DBE participation. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures, is awarded a subcontract on a prime contract that does not carry a DBE goal, or even if there is a DBE goal, wins a subcontract from a prime contractor that did not consider its DBE status in making the award (e.g., a prime contractor that uses a strict low-bid system to award subcontracts).

Race-neutral means include, but are not limited to, the following:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing);
3. Providing technical assistance and other services;
4. Carrying out information and communication programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has been historically low;
8. Ensuring distribution of your DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors; and
9. Assisting DBEs, and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

V Race Conscious Means of Meeting the Overall Statewide Annual DBE Goal (§26.51(d))

SUBRECIPIENT must establish contract goals for Disadvantaged Business Enterprises to meet any portion of your annual anticipated DBE participation level you do not project being able to meet using race neutral means. DBEs are limited to these certified DBEs that are owned and controlled by African Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian Americans, and non-minority women.

VI Quotas (§26.43)

SUBRECIPIENT will not use quotas or set-asides in any way in the administration of the local agency component of the DBE Program Plan.

VII DBE Liaison Officer (DBELO) (§26.25)

SUBRECIPIENT must designate a DBE Liaison Officer. The DBELO is responsible for implementing the DBE Program Plan, as it pertains to the SUBRECIPIENT and Verifies that the SUBRECIPIENT is fully and properly advised concerning DBE Program Plan matters.

The name, address, telephone number, electronic mail address, and an organization chart displaying the DBELO's position in the organization are found in Attachment A to this agreement.

The DBELO is responsible for developing, implementing, and monitoring the SUBRECIPIENT's requirements of the DBE Program Plan in coordination with other appropriate officials. Duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to determine projected annual anticipated DBE participation level.
4. Verifies that bid notices and requests for proposals are made available to DBEs in a timely manner.
5. Analyzes DBE participation and identifies ways to encourage participation through race-neutral means.
6. Participates in pre-bid meetings.
7. Advises the CEO/governing body on DBE matters and DBE race-neutral issues.
8. Provides DBEs with information and recommends sources to assist in preparing bids, obtaining bonding and insurance.
9. Plans and participates in DBE training seminars.
10. Provides outreach to DBEs and community organizations to fully advise them of contracting opportunities.

VIII Federal Financial Assistance Agreement Assurance (§26.13)

The SUBRECIPIENT will sign the following assurance, applicable to and to be included in all DOT-assisted procurement and contracts of products and services contracts and their administration, as part of the program supplement agreement for each project.
The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract, or in the administration of its DBE

Program, or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR, Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE Program, as required by 49 CFR, Part 26 as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.). [Note – this language is to be used verbatim, as it is stated in §26.13(a).]

IX DBE Financial Institutions (§26.27)

It is the policy of the SUBRECIPIENT to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

Information on the availability of such institutions can be obtained from the Caltrans' Disadvantaged Business Enterprise Program DBELO.

X Directory (§26.31)

SUBRECIPIENT will refer interested persons to the Unified Certification Program DBE directory available from the Caltrans Disadvantaged Business Enterprise Program's website at www.dot.ca.gov/hq/bep.

XI Required Contract Clauses (§§26.13, 26.29)

SUBRECIPIENT will include in each DOT-assisted prime contract and subcontracts the following contract assurance and prompt payment and return of retainage clauses:

DBE Contract Assurance

The CONTRACTOR, or SUBCONTRACTOR shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The CONTRACTOR or SUBCONTRACTOR shall carry out applicable requirement of 49 CFR Part 26 in the award and administration of [Federal] DOT-assisted contracts. Failure by the CONTRACTOR or SUBCONTRACTOR to carry out these requirements is a material breach of this contract, which may result in the termination of the Standard Agreement between the STATE and the Awarding Agency, the termination of this contract by the Awarding Agency, or such other remedy the STATE or Awarding Agency deems appropriate, which may include, but is not limited to:

(1) Withholding monthly progress payments;
(2) Assessing sanctions;
(3) Liquidated damages; and/or
(4) Disqualifying the CONTRACTOR from future bidding as non-responsive.

Awarding Agency shall notify the DBELO in the event the Awarding Agency finds the CONTRACTOR or SUBCONTRACTOR is in violation of 49 CFR Part 26 within five (5) business days the finding is made.

DBE Participation Goal
This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. The contract goal for participation of Disadvantaged Business Enterprises (DBE) for this contract is 4.8%

Offerors are required to document sufficient DBE participation to meet the contract goals or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53 (3)(i)(A). Award of this contract is conditioned on submission of the following:

1. If the offer meets the DBE contract goal the offeror must include with the offer a completed ADM-0227F form.
2. If the offer cannot meet the DBE contract goal the offeror must include with the offer a completed ADM-0312F form that documents the offeror's good faith efforts (GFE) and ADM-0227F form.

The CONTRACTOR shall not terminate the DBE subcontractors listed on ADM-0227F without the Awarding Agency's prior written consent and concurrence from the DBELO. The Awarding Agency may provide such written consent only if the CONTRACTOR has good cause to terminate the DBE firm. Before transmitting a request to terminate, the CONTRACTOR shall give notice in writing to the DBE SUBCONTRACTOR of its intent to terminate and the reason for the request. The CONTRACTOR shall give the DBE five (5) days to respond to the notice and advise of the reasons why it objects to the proposed termination. When a DBE subcontractor is terminated or fails to complete its work on the contract for any reason, the CONTRACTOR shall make good faith efforts (GFE) to find another DBE subcontractor to substitute for the original DBE and immediately notify the Awarding Agency in writing of its efforts to replace the original DBE. These good faith efforts shall be directed at finding another DBE to perform at least the same amount of work under the Contract as the DBE that was terminated, to the extent needed to meet the Contract goal established for this procurement.

Continued Compliance
The Awarding Agency shall monitor the CONTRACTOR'S DBE compliance during the life of this contract and submit to the STATE a completed ADM-0369 form in each their request for reimbursement (RFR) packet.

Prompt Payment and Return of Retainage

A. The Awarding Agency shall comply with 49 CFR Part 26.29 and ensure the CONTRACTOR pay its subcontractors performing work satisfactorily completed related to this contract no later than thirty (30) days after the CONTRACTOR's receipt of payment for that work from the Awarding Agency.
B. Unless the approved project is for Construction, the CONTRACTOR shall not hold retainage (withhold retention) from any subcontractor. The STATE shall not hold retainage (i.e. withhold retention) from any CONTRACTOR.
C. If a dispute arises regarding Construction projects only, the CONTRACTOR may exercise its rights under California Public Contract Code (PCC) Sections 10262 and 10262.5 or California Business and Professions Code (BPC) Section 7108.5, as applicable.
D. The CONTRACTOR is required to pay its subcontractors for satisfactory performance of work related to this Agreement no later than 30 days after the CONTRACTOR's receipt of payment for that work from the STATE. In addition, the CONTRACTOR is required to return any retainage (retention) payment to any subcontractor within 30 days after the subcontractor's work related to

this Agreement is satisfactorily completed.

XII Good Faith Effort (§§26.53)

The SUBRECIPIENT must provide proof of Good Faith Effort if the contract DBE Goal is not met as outlined in Appendix A to Part 26.

XIII FTA Transit Vehicle Manufacturer (TVM) Program (§§26.49)

Pre-award
The SUBRECIPIENT will follow DBE requirements for rollingstock procurements including requiring each transit vehicle manufacture, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, certify that it has complied with the requirements of Section 26.49. The STATE, as part of its oversight responsibilities, will verify certification prior to expenditure authorization.

Post-award
SUBRECIPIENT is required to submit a copy of the final purchase order to the DRMT grant program liaison within fifteen (15) days of issuance. The DRMT grant program liaison will report to the FTA the award for rollingstock in the manner prescribed by the FTA grant agreement with DRMT. If this requirement is not met, the rollingstock reimbursement request may be denied.

XIII Bidders List (§26.11)

The SUBRECIPIENT will create and maintain a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on its DOT-assisted procurement and contracts of products and services contracts. The bidders list will include the name, address, DBE/non-DBE status, age, and annual gross receipts of the firms.

XIV Reporting

SUBRECIPIENT will report bidder DBE information to the Division of Rail and Mass Transportation Procurement Management office prior to execution of contract award.

SUBRECIPIENT will submit the Disadvantaged Business Enterprise Awards-Commitments and Actual Payments form twice yearly to the District Transit Representative; Report due **April 10** of each year for the period of October 1st to March 31st and Report due **October 10** of each year for the period of April 1st to September 30th. Instructions and forms can be found on the DRMT DBE Program Website (http://www.dot.ca.gov/drmt/feddbe.html)

XV Certification (§26.83(a))

SUBRECIPIENT Verifies that only DBE firms currently certified by the California Unified Certification Program will participate as DBEs on DOT-assisted procurement and contracts of products and services contracts.

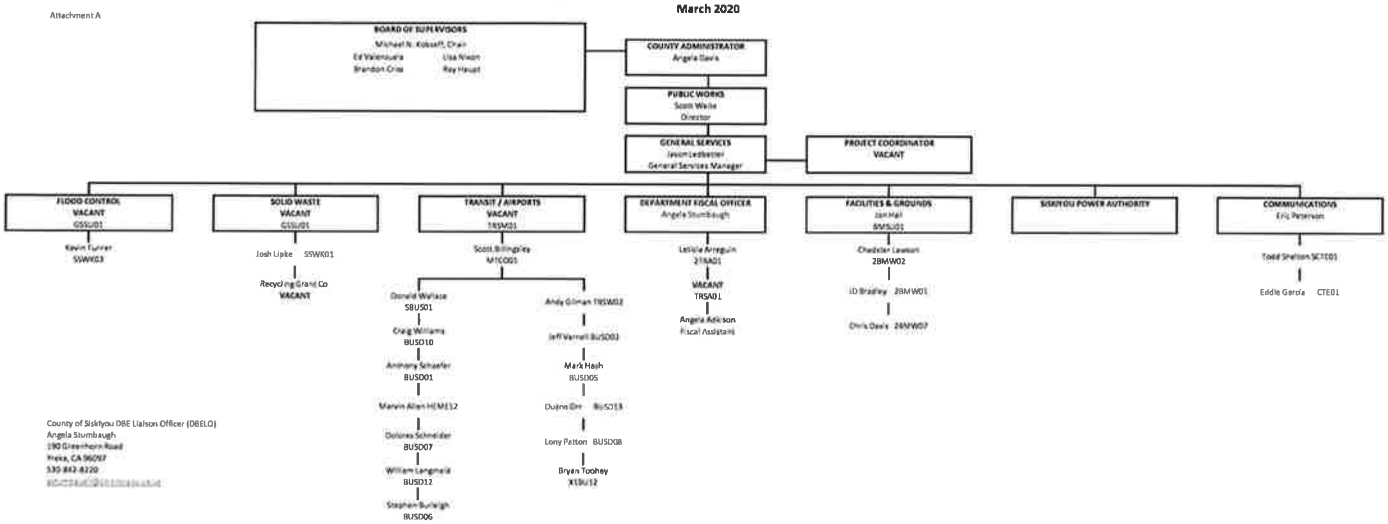
XV Confidentiality

SUBRECIPIENT will safeguard from disclosure to third parties, information that may reasonably be regarded as confidential business information consistent with federal, state, and local laws.

[Signature of Agency's Chief Executive Officer]		Date:	08/13/2020
Angela Davis, County Administrator		Phone Number:	530-842-8005

Attachment A

Siskiyou County Department of Public Works
Flood Control-Solid Waste-Transit/Airports-Power of Authority
March 2020



County of Siskiyou DBE Liaison Officer (DBELO)
Angela Stumbaugh
190 Greenhorn Road
Yreka, CA 96097
530 842-8220