



## Puget Sound Regional Council

### **Regional FTA Caucus Agenda**

**Date: Wednesday, May 11, 2022 from 10:30 a.m.-12:00 p.m.**

**Online Meeting Only: Use Zoom Connection Information Provided Below**

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**1. Welcome and Introductions (10:30)**

**2. Action: Approval of Meeting Summary – March 9, 2022\* (10:35)**

Approve summary for the Regional FTA Caucus meeting held March 9, 2022.

**3. Discussion / Action: Project Tracking Working Group Update\* (10:40)**

PSRC staff will provide an overview of the project tracking working group's proposed updates to PSRC project tracking policies and procedures for projects experiencing delays in obligating their regional FTA funds and/or "flexed" FHWA funds. The Caucus will review the proposed updates and potentially recommend them to the Transportation Operators Committee.

**4. Discussion: Update on 2022 FTA Annual Adjustments (11:10)**

PSRC staff will provide an update on the 2022 FTA annual adjustments process, including the draft process schedule and an overview of the funding apportionments received. The Caucus will discuss the draft schedule and FTA regional competitive funding distributions under the adjustments process.

**5. Discussion: Update on Recent FTA Program Changes (11:30)**

PSRC staff will provide an update on recent changes to FTA programs in accordance with amendments made by the Bipartisan Infrastructure Law.

**6. Roundtable (11:45)**

**7. Other Business (11:55)**

**8. Next Meeting: June 8, 2022: 10:30 a.m. – 12:00 p.m.**

**9. Adjourn (12:00 p.m.)**

\* Supporting materials attached.

For more information, contact Sarah Gutschow at (206) 587-4822 or [sgutschow@psrc.org](mailto:sgutschow@psrc.org).

## **Zoom Remote Connection Information:**

### **To join audio/video conference:**

<https://psrc-org.zoom.us/j/93353535601?pwd=WDRUVTh2SkxMMnBuM3VTUTNYTjNkQT09>

### **To join via cellphone (1-touch dial):**

8884754499,,93353535601#,,,,,0#,,895936# US Toll-free

8335480276,,93353535601#,,,,,0#,,895936# US Toll-free

### **To join via phone:**

Dial by your location

888 475 4499 US Toll-free

833 548 0276 US Toll-free

Meeting ID: 933 5353 5601

Passcode: 895936

## **Regional FTA Caucus Attendees:**

### **Please adhere to a few virtual meeting rules:**

- Please keep your microphone muted at all times when not speaking
- Use chat to ask about a system issue
- Use \*6 to mute/unmute phone
- Speakerphone is not recommended

### **Other Formats:**

- Sign language and communication material in alternate formats can be arranged given sufficient notice by calling (206) 464-7090 or TTY Relay 711.
- العربية | Arabic, 中文 | Chinese, Deutsch | German, Français | French, 한국어 | Korean, Русский | Russian, Español | Spanish, Tagalog, Tiếng việt | Vietnamese, visit <https://www.psrc.org/contact-center/language-assistance>



# Puget Sound Regional Council

## Regional FTA Caucus Meeting Summary

**Date:** March 9, 2022 from 10:30 a.m.-12:00 p.m.

**Location:** Online Meeting Only: Zoom Remote Meeting

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### Welcome and Introductions

Melissa Cauley, Chair and Community Transit, welcomed everyone at 10:30 a.m. She then took a roll call and confirmed the members and alternates present.

### Approval of Meeting Summary

The summary for the January 12, 2022 Regional FTA Caucus meeting was approved as presented.

### Action: King County Metro Redistribution Requests

Sarah Gutschow, PSRC, reviewed two King County Metro funding redistribution requests:

- Redistributing \$30,748,517 in 2022 5307 Earned Share funds and \$5,298,616 in 2022 5307 Preservation Set-aside funds between projects; and
- Redistributing \$7,581,876 in 2022 FTA 5337 HIMB funds between projects.

The Caucus voted unanimously to recommend the requests for approval by the Transportation Operators Committee (TOC).

*For more information, contact Sarah Gutschow at [sgutschow@psrc.org](mailto:sgutschow@psrc.org).*

### Action: King County Metro Funding Allocation Request

Sarah reviewed the King County Metro request to allocate \$9,501,611 in previously unprogrammed 2022 5337 HIFG funds to five projects. The Caucus voted unanimously to recommend the requests for approval by the TOC.

*For more information, contact Sarah Gutschow at [sgutschow@psrc.org](mailto:sgutschow@psrc.org).*

### Discussion: 2022 FTA Partial Apportionments

Sarah provided an update on the recently released 2022 FTA partial apportionments. She then reviewed some different options for distributing the partial apportionments. The Caucus discussed the options and came to a consensus to wait until the 2022 full year apportionments were released to conduct the annual adjustments process.

*For more information, contact Sarah Gutschow at [sgutschow@psrc.org](mailto:sgutschow@psrc.org).*

### Discussion: Project Tracking Working Group Update

Sarah provided an update on recent meetings of the Project Tracking Working Group, which was formed to review project tracking policies and procedures for projects experiencing

delays in obligating their regional FTA funds or “flexed” FHWA funds. She reported the group would be meeting again later in March to finalize its recommendations to the Caucus.

*For more information, contact Sarah Gutschow at [sgutschow@psrc.org](mailto:sgutschow@psrc.org).*

### **Discussion: 2022 Project Selection Update**

Sarah noted that PSRC had recently released the Call for Projects for the 2022 Project Selection process for FHWA funds. The project selection process for 2025-2026 FTA funds was on hold until after the Transportation Policy Board had discussed potential updates to the FTA project selection process at its upcoming meetings.

*For more information, contact Sarah Gutschow at [sgutschow@psrc.org](mailto:sgutschow@psrc.org).*

### **Roundtable**

During the roundtable, the committee received updates and announcements from the following attendees:

- Melinda Adams, Everett Transit
- John Bernhard, Washington State Ferries
- Melissa Cauley, Community Transit
- Peter Heffernan, King County Metro
- Dave Morrison, King County Metro
- Monica Overby, Sound Transit
- Benjamin Smith, City of Seattle
- Lisa Wolterink, Sound Transit

### **Other Business**

There was no other business.

### **Adjourn**

The meeting adjourned at 11:20 a.m.

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### **\*Members and Alternates Present**

See attached attendance roster for the member or alternate representing each agency at the meeting; additional alternates present are listed below.

### **\*Alternates, Interested Parties, and PSRC Staff Present**

Tyler Benson, Sound Transit; Nathan Groh, Everett Transit; Kirste Johnson, Sound Transit; Amanda Koerber, Everett Transit; Dave Morrison, King County Metro; Monica Overby, Sound Transit; Kathryn Rasmussen, Community Transit; Krish Aggarwal, Washington State Ferries; Kenneth Wilson, Sound Transit

PSRC: Monica Adkins, Gil Cerise, Sarah Gutschow, Kim Pearson

*\*All attendees were present via remote participation*

# Regional FTA Caucus Attendance Roster

(Members and Alternates represented)

Date: March 9, 2022 10:30am - 12:00pm

Online/Remote Meeting Only

Agency/Jurisdiction		Name
<b>Transit Agencies</b>		
Community Transit (1)	x	Melissa Cauley, Chair
		<i>Kathryn Rasmussen (Alt.)</i>
Everett Transit (1)	x	Melinda Adams
		<i>Nathan Groh (Alt.)</i>
King County Metro (1)	x	Peter Heffernan
		<i>David Morrison (Alt.)</i>
Kitsap Transit (1)		Steffani Lillie
	x	<i>Jeff Davidson (Alt.)</i>
Pierce County Ferries (1)		Clint Ritter, Vice Chair
		<i>Peter Lewis-Miller (Alt.)</i>
Pierce Transit (1)		Barb Hunter
		<i>Tina Lee (Alt.)</i>
Seattle DOT (1)	x	Benjamin Smith
		<i>Vacant (Alt.)</i>
Sound Transit (1)	x	Lisa Wolterink
		<i>Kirste Johnson (Alt.)</i>
		<i>Monica Overby (Alt.)</i>
<b>State</b>		
WSDOT - Washington State Ferries (1)	x	John Bernhard
		<i>Rick Singer (Alt. 1)</i>
		<i>Krishan Aggarwal (Alt. 2)</i>
		<i>Leslie Rifkin (Alt. 3)</i>
<b>Non-Voting Participants</b>		
Intercity Transit		Eric Phillips
		Jessica Gould
Skagit Transit		Marcia Smith

## PROJECT TRACKING WORKING GROUP RECOMMENDATIONS

**In Brief:** In January 2022, the Regional FTA Caucus formed a working group to review PSRC's policies and procedures for projects experiencing delays in obligating regional FTA funds and "flexed" FHWA funds. The working group developed a suite of recommendations with the goal of ensuring timely funding obligations. At its May 11th meeting, the Caucus will discuss and potentially recommend the proposed updates to the Transportation Operators Committee.

**Background:** In 2021, PSRC staff worked with the Regional FTA Caucus to review and update procedures for projects experiencing delays in obligating regional FTA (competitive and preservation set-aside) or "flexed" FHWA funds. Based on these discussions, the Caucus decided that staff would begin reaching out to sponsors if applications were not submitted six months after their creation for regional FTA funds, and three months after being flexed for FHWA funds. The purpose of the outreach would be to gather information on the reasons for delay and evaluate if additional follow-up was needed from PSRC and the Caucus.

Following this update, staff reached out to sponsors with projects meeting those criteria, and then presented a summary of the information gathered to the Caucus at its January 2022 meeting. Based on this information, the Caucus decided to form a working group to look at further modifications to PSRC's project tracking policies and procedures for projects with funds that have not yet obligated well after the point of meeting PSRC's initial obligation requirements.

The working group held three meetings in February and March 2022 to review potential policy and procedural updates. The resulting recommendations are detailed in the next section. The goals of these modifications are to ensure that both processes maintain consistency with the integrity of the competitive process, projects continue to stay on track and funds are used efficiently.

### Proposed Updates:

#### Evaluation of Reasons for Delay

The working group discussed potential reasons for delay that would be considered either reasonable or unreasonable. The primary consideration in determining whether a delay would be considered reasonable is whether the delay is due to factors outside of the sponsor's control. Regardless of the reason for delay, the sponsor is expected to demonstrate that they have been putting in effort to progress their application through the grant process in TrAMS, the FTA's grant management system. Examples of reasonable and unreasonable delays are outlined below.

Reasonable Delays	Unreasonable Delays
Processing delays by FTA or other resource agencies, e.g. NEPA approval	Significant changes to scope
New FTA requirements, expectations or interpretations	Shifting priorities within the agency
	Insufficient funding
	Work that was not begun in a reasonable time to meet the obligation deadline

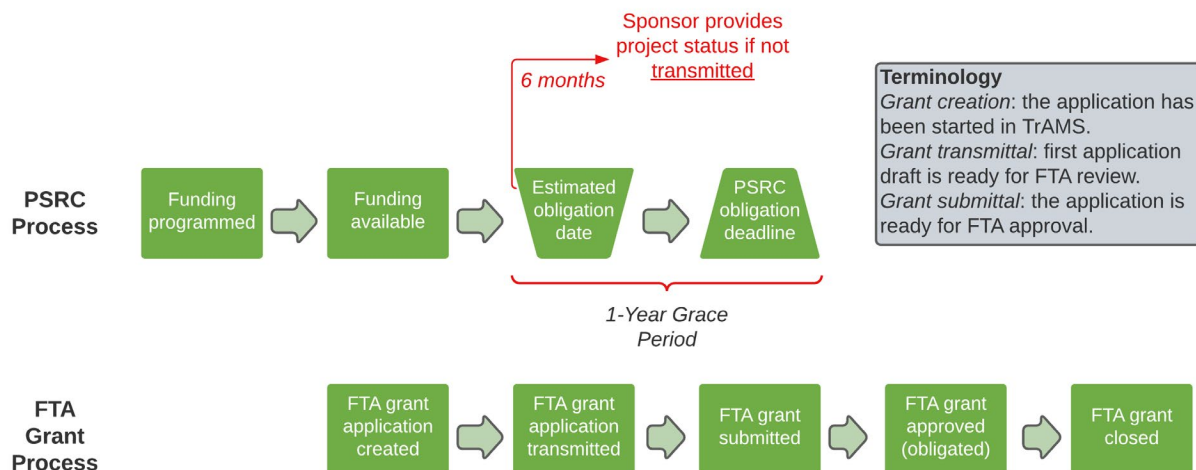
## Project Tracking Procedures

### Regional FTA – Proposed Procedural Update

**Current Policy:** FTA regional funds are allowed a one-year grace period beyond their estimated date to obligate funds. Funds are considered obligated once the sponsor has created a grant application in TrAMS.

**Proposed Update:** FTA regional funds will continue to be allowed a one-year grace period beyond their estimated obligation date to obligate funds. PSRC staff will check in with the sponsor five months after the estimated obligation date if the FTA grant application has not yet been transmitted.

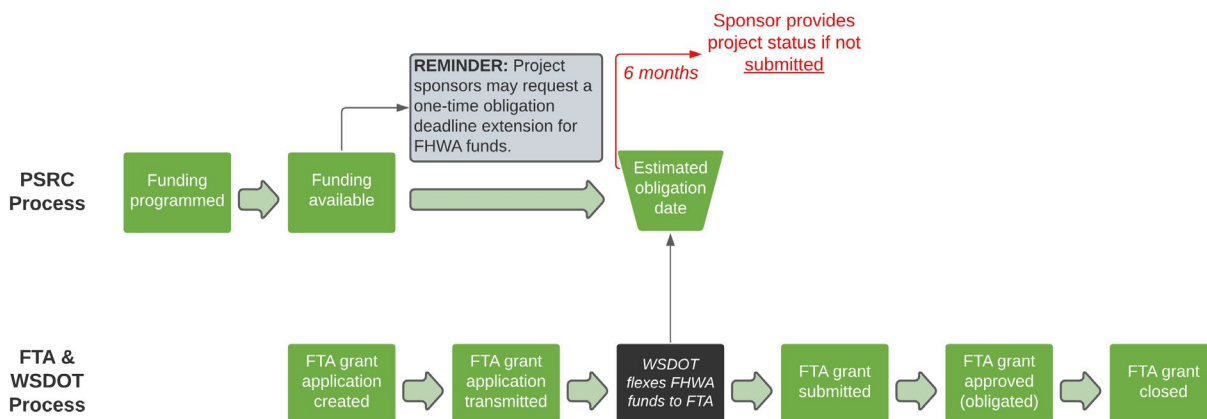
Within one month of the notification from PSRC, the project sponsor is expected to provide further information on the status of the project, any expected delays that would impact their ability to obligate within the one-year grace period, their work with FTA to progress the application and any project work already ongoing under pre-award authority. If the sponsor does not respond with this information by the deadline, the funds would then be at risk of being returned to the region.



PSRC and the Regional FTA Caucus would then review the information gathered to decide if the project is on track and, if not, review the reasons for the delay and determine if an extension is warranted. Based on this review:

- For *reasonable delays*, the Caucus would determine next steps on a case-by-case basis. Next steps could include setting a check-in date for the project and/or revising the obligation schedule for the funds and recommending a one-time obligation date extension. The revised deadline should fall within a reasonable time frame from the original deadline.
- For *unreasonable delays*, the obligation deadline and one-year grace period would still apply for transmitting the grant application. If the sponsor does not transmit the grant application by this deadline, the sponsor would be required to return the funds to the region.

### ***Flexed Regional FHWA – Proposed Procedural Update***



**Current Policy:** Transit agencies can “flex” their regional FHWA-funded projects to be managed by the FTA if approved by WSDOT. Sponsors have met PSRC’s FHWA obligation requirements when the funds have been flexed to FTA. It is expected that projects are ready to obligate once they have been flexed, and that once flexed they will still be accomplishing the project under the originally awarded scope and funding amount from the FHWA competitive process.

**Proposed Update:** Transit agencies will continue to be able to “flex” their regional FHWA-funded projects to be managed by the FTA if approved by WSDOT. PSRC staff will then check in with the sponsor five months after the original estimated obligation date if the grant application has not yet been submitted.

Within one month of the notification from PSRC, the project sponsor is expected to provide further information on the status of the project, the reasons for the delay, their work with the FTA on advancing the application and any project work already ongoing



under pre-award authority. If the sponsor does not respond with this information by the deadline, the funds would then be at risk of being returned to the region.

PSRC and the Caucus would then review the information gathered to decide if the project is on track. If the project is not on track, staff would work with the Caucus to review the reasons for the delay and determine if an extension is warranted. Based on this review:

- For *reasonable delays*, the Caucus would determine next steps on a case-by-case basis. Next steps could include setting the next check-in date for the project and/or revising the obligation schedule for the funds and recommending a one-time obligation date extension.
- For *unreasonable delays*, the Caucus would set a hard deadline for submitting the grant application, not to exceed one year after the original estimated obligation date. If the sponsor does not submit the grant application by this deadline, then they would be required to return the funds to the region.

### **Additional Proposed Updates**

The working group proposed some additional procedural updates and clarifications to help strengthen current project tracking procedures, including:

- PSRC will inform the relevant project sponsor once WSDOT sends notification that the FHWA funds have been flexed to FTA.
- Project sponsors are encouraged not to bundle multiple TIP projects into one TrAMS application, if possible, particularly if one or more projects is likely to experience obligation delays.
- PSRC will review and potentially make modifications to current progress report forms to better capture information on FTA-funded projects that are at risk for delay or are already experiencing obligation delays.
- Once applications have fulfilled PSRC's obligation requirements, the FTA would have primary responsibility for ensuring the funds progress through the grant process. PSRC would continue to monitor projects through its regular progress report and TIP amendment processes.

**Lead Staff:** For more information contact Sarah Gutschow, Senior Planner, at [sgutschow@psrc.org](mailto:sgutschow@psrc.org) or 206-587-4822.