

AGENDA

TRANSIT PROVIDERS MEETING

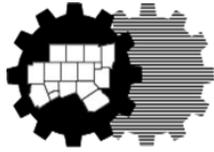
North Central Texas Council of Governments

Transportation Council Room

616 Six Flags Drive, Arlington, TX 76011

Tuesday, February 11, 2020: 8:30 AM – Meet and Greet; 9:00 AM – Meeting

1. Meet and Greet..... All
2. Welcome and Introductions..... Shannon Stevenson
3. NCTCOG Mobility Management Team Overview.....Gypsy Gavia
4. Fast Facts.....Robby Sprosty
 - a. FY2019 Triennial Review Update
 - b. Cooperative Vehicle Procurement
 - c. Quarterly and Biannual Meetings
5. Fiscal Year 2020 Apportionment of Funding/FTA Items.....Edgar Hernandez
6. Oversight and Compliance Discussion.....Shawn Dintino
7. Break
8. Disadvantaged Business Enterprise Program.....Emily Beckham
Allysha Mason
9. Title VI and Transit.....Kate Zielke
Taylor Benjamin
10. Questions & Answers.....All



North Central Texas
Council of Governments

DISADVANTAGED BUSINESS ENTERPRISE

EMILY BECKHAM, GRANTS AND CONTRACTS MANAGER

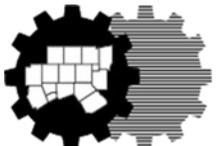
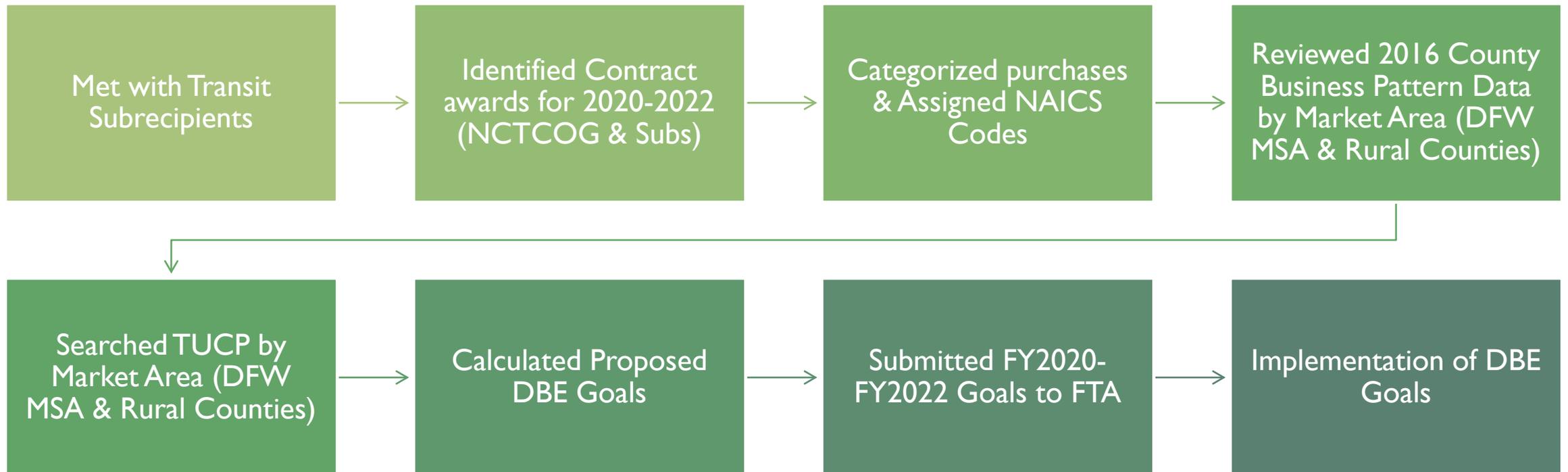
ALLYSHA MASON, TRANSPORTATION PLANNER III

HISTORICAL APPROACH

- NCTCOG DBE Program and Goal developed without Transit Subrecipient procurement expectations
- NCTCOG reports Subrecipient procurements and purchases in DBE Semi-Annual reports
- Results in Shortfall in NCTCOG's DBE goal attainment
- Triennial Review Findings related to DBE
 - Shortfall Analysis and Corrective Action
 - Prompt Payment



FY2020-FY2022 DBE GOAL UPDATE



FY2020-2022 DBE GOAL UPDATE POTENTIAL CONTRACTS AWARDS (FTA – NCTCOG & SUBS)

Procurement Type	Potential Awards (in \$1,000s) FTA
Building Construction	\$275
Marketing, Advertising, and Public Relations	\$268
Office Supplies & Equipment (Rental & Purchase)	\$587
Operational Administrative, Communications, Support Services	\$2,476
Planning/Engineering	\$6,830
Software and Ancillary Information Technology Professional Services	\$383
Vehicle Maintenance and Operations Support	\$4,998
TOTAL	\$15,796

FY2020-2022 DBE GOAL UPDATE DBE AVAILABILITY ANALYSIS (FTA FUNDING – NCTCOG & SUBS)

Procurement Type	Potential Awards (in \$1,000s)	DBE Firms	Total Firms	DBE Goal
Building Construction	\$275	235	791	29.7%
Marketing, Advertising, and Public Relations	\$268	261	1734	15.1%
Office Supplies & Equipment (Rental & Purchase)	\$587	29	997	2.9%
Operational Administrative, Communications, Support Services	\$2,476	406	8205	4.9%
Planning/Engineering	\$6,830	524	1673	31.3%
Software and Ancillary Information Technology Professional Services	\$383	219	2635	8.3%
Vehicle Maintenance and Operations Support	\$4,998	30	2569	1.2%
TOTAL	\$15,796	1,712	18,708	9.2%
Total Weighted Summary				15.8%

FY2020-2022 DBE GOAL UPDATE DBE AVAILABILITY ANALYSIS (FTA – SUBS ONLY)

Procurement Type	Potential Awards (in \$1,000s)	DBE Goal	Total Anticipated DBE Contract Value
Building Construction	\$275	29.7%	\$81,700
Marketing, Advertising, and Public Relations	\$218	5.7%	\$12,460
Office Supplies & Equipment (Rental & Purchase)	\$537	1.0%	\$5,636
Operational Administrative, Communications, Support Services	\$2,476	4.9%	\$122,502
Planning/Engineering	\$80	26.7%	\$21,399
Software and Ancillary Information Technology Professional Services	\$213	1.6%	\$3,432
Vehicle Maintenance and Operations Support	\$4,998	1.2%	\$58,129
TOTAL	\$8,776	7.9%	
Total Weighted Summary		3.2%	

FY2020-FY2020 DBE GOAL IMPLEMENTATION



Notify NCTCOG of Adoption of DBE Program & FY2020-2022 Goal



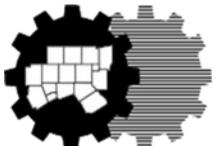
Procurement Review and Confirmation of DBE Goals



Ongoing Reporting



Documentation of good faith efforts



IMPLEMENTATION BY PROCUREMENT TYPE

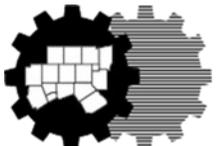
MICRO-PURCHASES & QUOTES

Micro-Purchases

- Subrecipients should maximize purchases at DBEs, where feasible
- Subrecipients can confirm if a company is a DBE through the Texas Unified Certification Program (TUCP)

Quotes

- Subrecipients should sent Request for Quotes to DBEs, where feasible
- Subrecipients can look for DBE firms through the TUCP and/or request DBE vendors from NCTCOG vendor database



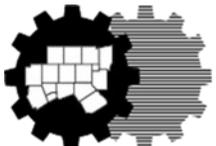
IMPLEMENTATION BY PROCUREMENT TYPE

COMPETITIVE PURCHASE

- Subrecipients should identify if subcontracting opportunities are available
- If subcontracting opportunities are available, appropriate DBE contract goal should be established in Invitation to/for Bid and/or Request for Proposal
- Subrecipient should search the TUCP and/or request for DBE list from NCTCOG vendor database for applicable project type
 - Include in notification of solicitation
 - Include list in solicitation documentation to alert Prime Contractors for teaming opportunities

Example procurement language:

The Disadvantaged Business Enterprise participation goal must meet the XX percentage goal identified for this type of procurement. Failure on the part of the majority contractor to meet this goal or demonstrate meaningful good faith efforts may be grounds for finding the proposal nonresponsive.



TEXAS UNIFORM CERTIFICATION PROGRAM

- Subrecipients can access the TUCP here:

<https://www.txdot.gov/business/partnerships/tucp.html>

- Entities who have a valid Certification as a DBE will be included in the TUCP DBE Directory

Resources

- [TUCP DBE Directory](#)
- [Amended TUCP Standard Operating Procedures](#)
- [TUCP Standard Operating Procedures](#)
- [TUCP Memorandum of Agreement \(MOA\)](#)
- [DBE Application](#)
- [Personal Net Worth Statement \(PNW\)](#)
- [DBE Annual Update Affidavit](#)

Search by Certification Type

Certifications

- Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)
- Disadvantaged Business Enterprise (DBE)
- Small Business Enterprise (SBE)

Search by Business Name or DBA

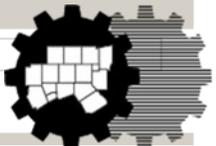
Business Name/DBA

Tip: Try just a few letters of the firm's name.

Search by Business Description

Business Description

Tip: Try just a few letters of a keyword.



DBE REPORTING REQUIREMENTS

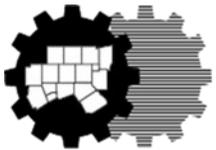
- DBE reports are required for submission semi-annually:
 - Purchases between Oct. 1st and March 31st submitted through Period 1 reporting
 - Purchases between April 1st and September 30th submitted through Period 2 reporting
- FTA funding programs: 5307, 5310, JARC, New Freedom
- Report all purchases incurred using FTA funds passed-through NCTCOG from October 1st, 2019 – March 30th, 2020.





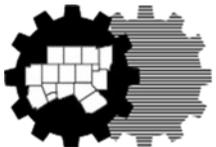
DBE REPORTING REQUIREMENTS CONT'D

- Period I Due Dates:
 - Project Managers will communicate with subrecipients the due dates for drafts and final DBE report submission
 - i.e., 1st draft may be due second week of April
 - Final report may be due no later than 1st week of May
- **Note:** Attach “raw” data (general ledger or other detailed financial statement) in Excel form.

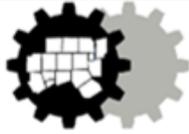


CHANGES TO THE REPORT FORM

- Signature has been moved to the “Instructions” tab
 - Subrecipient and Project Manager signatures
- Included an Urban Split tab
- Submittal Form has been extended, additional column



DBE REPORTING FORM-URBAN SPLIT



North Central Texas Council of Governments (NCTCOG) subrecipients that receive Federal Transit Administration (FTA) grant funding through NCTCOG must comply with Disadvantaged Business Enterprise (DBE) requirements found within 49 CFR 26, the NCTCOG-FTA Master Agreement, and executed interlocal agreements.

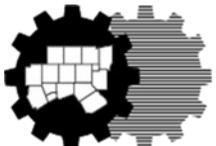
Please provide your agency's monthly urban split percentage in the table below. (Note: This percentage split is different from the "Federal Reimbursement Rate" on the Submittal Form tab.) The urban split percentage should match the urban percentage requested for reimbursement on your agency's monthly invoice.

<u>Month</u>	<u>Urban Split (%)</u>
October	34%
November	37%
December	36%
January	42%
February	41%
March	35%

Please be sure to input the correct months for the reporting period.

Report Period 1: October 1st to March 31st

Report Period 2: April 1st to September 30th



DBE REPORTING FORM-SUBMITTAL FORM

 <p>North Central Texas Council of Governments (NCTCOG) subrecipients that receive Federal Transit Administration (FTA) grant funding through NCTCOG must comply with Disadvantaged Business Enterprise (DBE) requirements found within 49 CFR 26, the NCTCOG-FTA Master Agreement, and executed interlocal agreements.</p>											
AGENCY INFORMATION											
Transit Agency: Safety First Transportation						Report Period 1: <input checked="" type="checkbox"/> Oct 1st to March 31st					
Date: 4/17/2020						Report Period 2: <input type="checkbox"/> Apr 1st to Sep 30th					
Current FY DBE Goal: 10%											
Funding Program	Procurement Type	Description of Procurement	DBE Goal	Award Date	Award Completed Date	Total Award Amount	Total DBE Expenditure	Total Procurement Expenditure	Federal Clauses Included	Federal Reimbursement Rate	Urban Split (%)
5307	Micropurchase	Vehicle Maintenance	0%	10/30/2019	10/30/2019	\$ 1,568.00	\$ -	\$ 1,568.00	No	100%	34%
5307	Micropurchase	Tire Purchase	0%	1/27/2020	1/27/2020	\$ 1,127.64	\$ -	\$ 1,127.64	No	100%	42%
						\$ -	\$ -	\$ -			
						\$ -	\$ -	\$ -			



CONTACT INFORMATION

Emily Beckham

Grants and Contracts Manager

Legal Services

ebeckham@nctcog.org

817-608-2308

Allysha Mason

Transportation Planner III

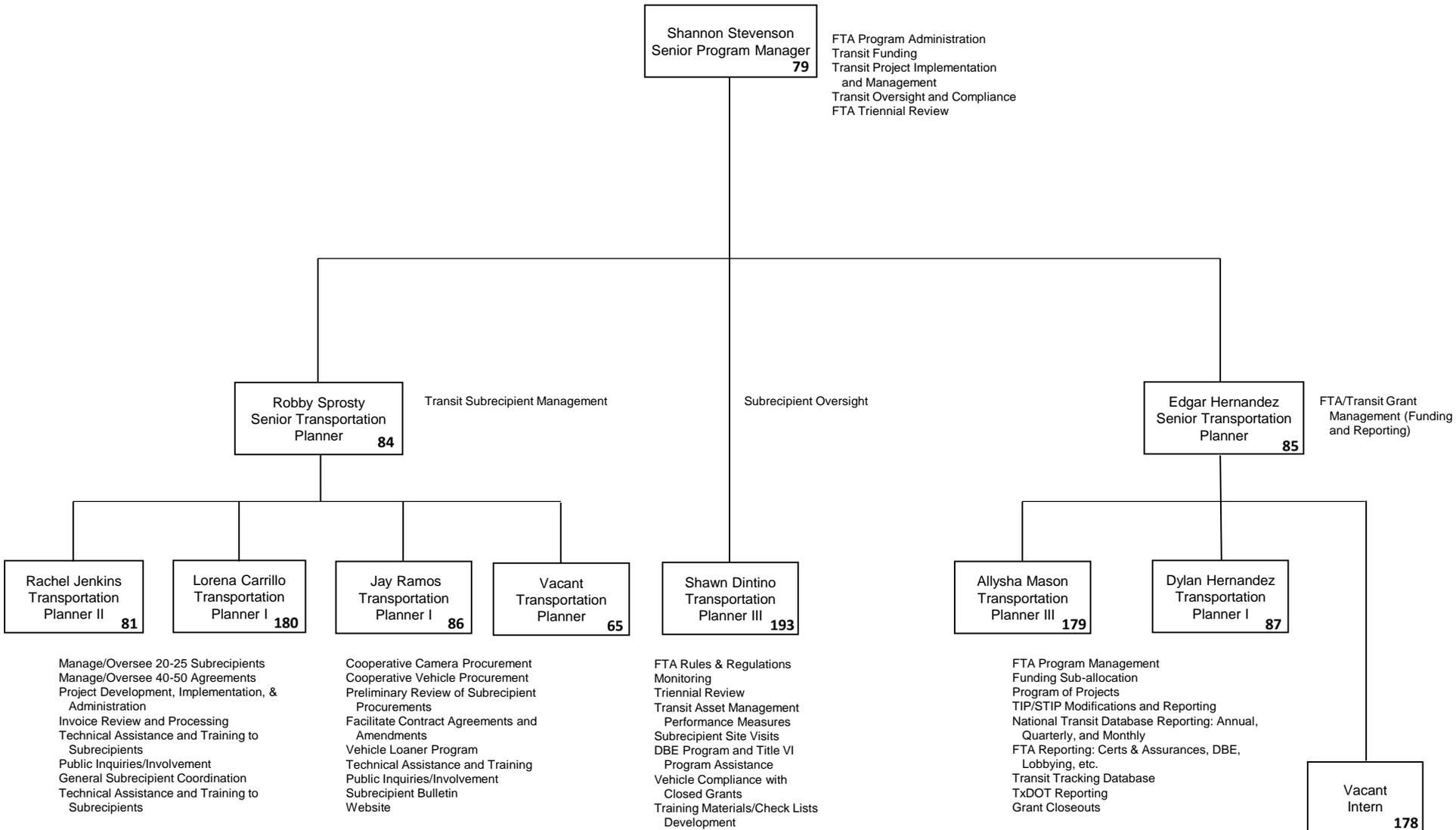
Transit Management and Planning

amason@nctcog.org

682-433-0441

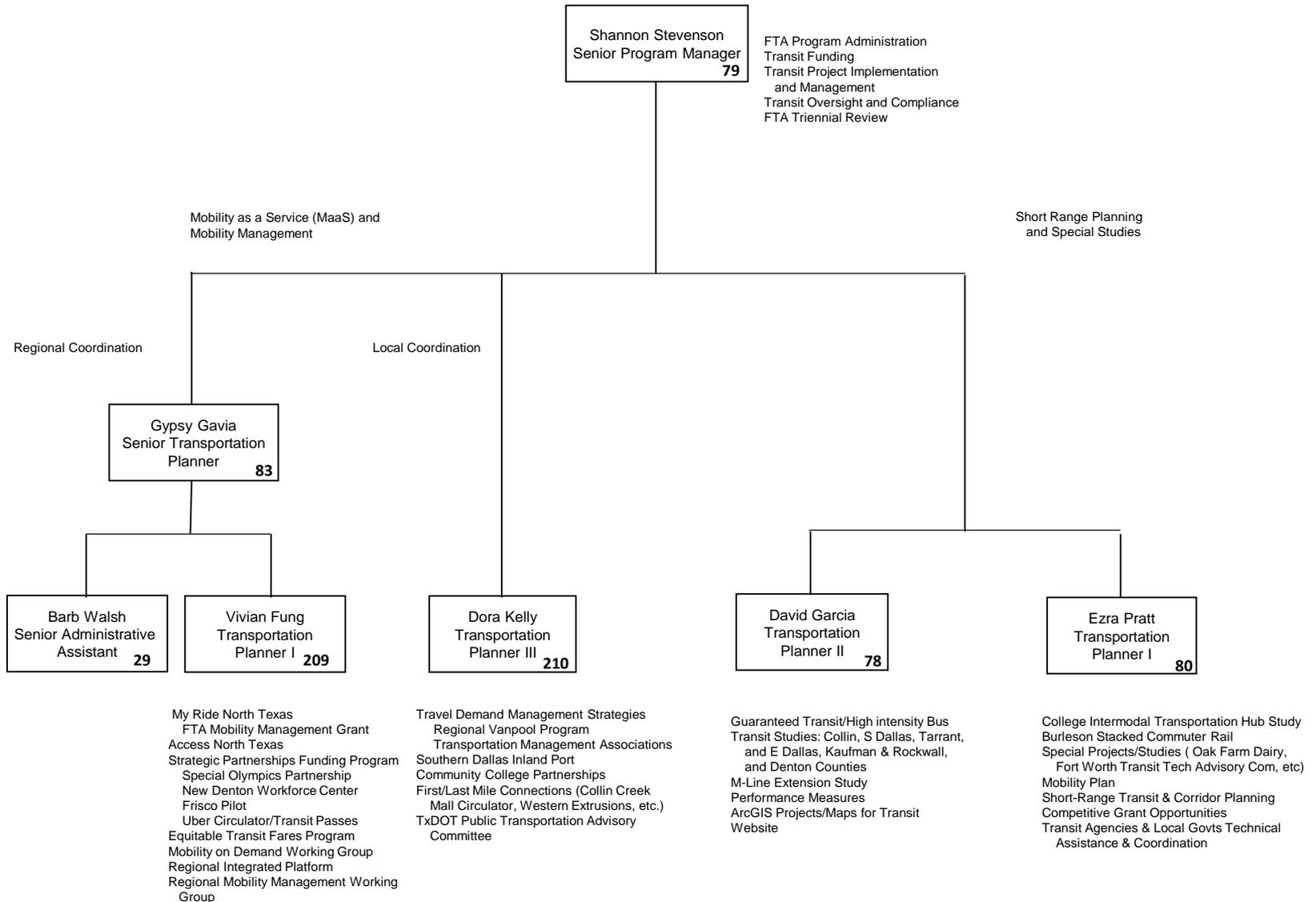
TRANSIT MANAGEMENT AND PLANNING

(Page 1 of 2)



TRANSIT MANAGEMENT AND PLANNING

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TRANSIT TEAMS CONNECTIONS

MPO Role

MPO Role & Designated Recipient Role

Designated Recipient Role

Transit Modeling: Long-Range

Mobility Management & MaaS

Subrecipient Implementation & Management

Transit Planning: Short-Range & Special Studies

Program Award Management & Reporting

Subrecipient Oversight & Compliance

Metropolitan Transportation Plan

Transit Management & Planning

Mobility Management Team Overview

Gypsy Gavia, Senior Transportation Planner
Transit Management & Planning

North Central Texas Council of Governments

MOBILITY MANAGEMENT

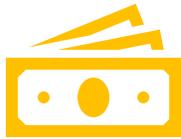
AS DESCRIBED
BY THE
FEDERAL TRANSIT
ADMINISTRATION (FTA)

“Mobility Management is an innovative **approach for managing and delivering coordinated transportation services** to customers, including older adults, people with disabilities, and individuals with lower incomes. Mobility management **focuses on meeting individual customer needs** through a wide range of transportation options and service providers. It also focuses on coordinating these services and providers to achieve a more efficient transportation service delivery system.”

Identify Gaps



Coordinate Resources



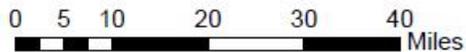
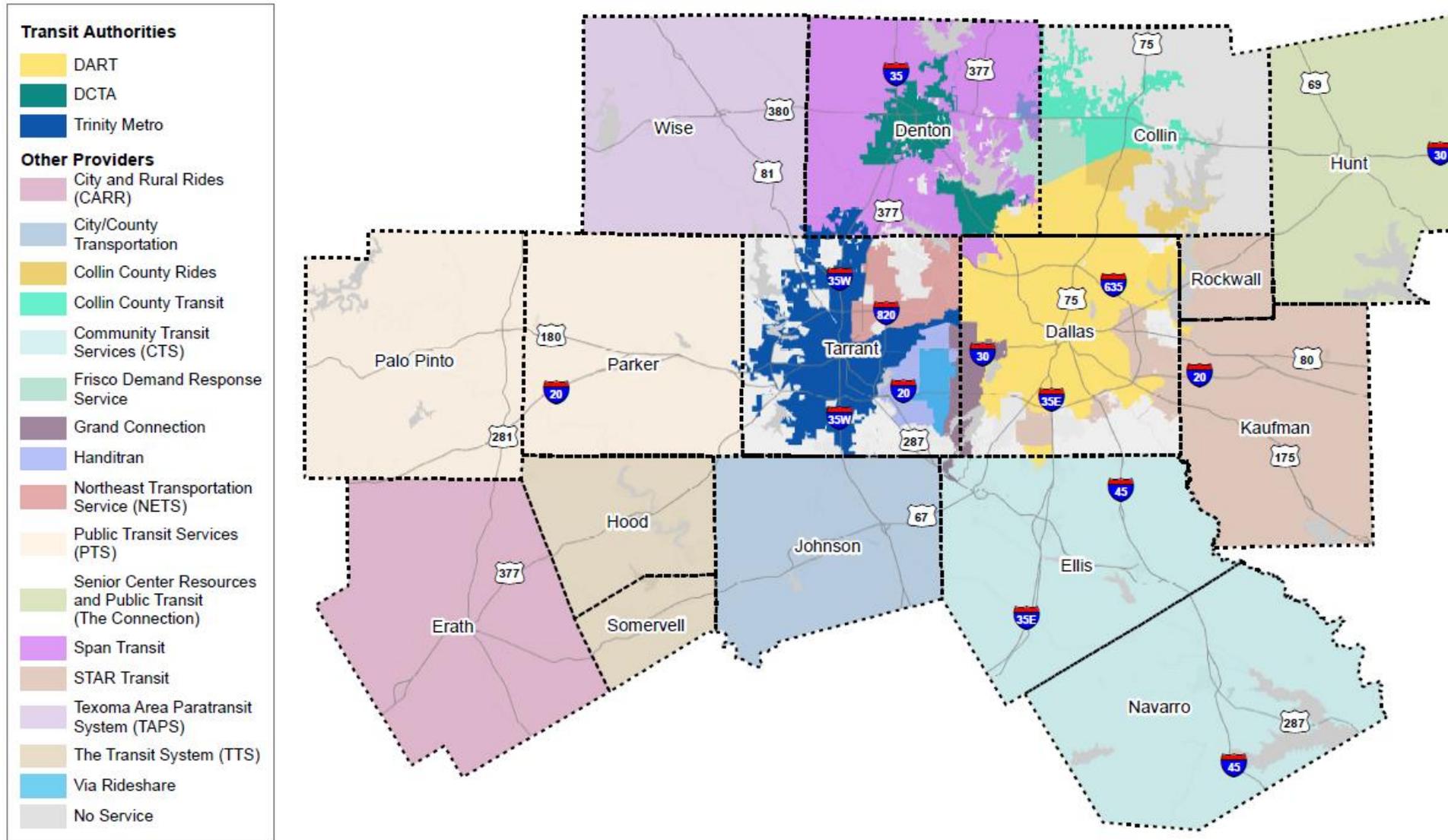
Promote Partnerships



To identify transit gaps, coordinate regional resources, and promote partnerships with governments, transit providers, and stakeholders in order to serve the transportation needs of the region including disadvantaged populations.

OUR VISION
FOR
MOBILITY
MANAGEMENT

Public Transportation Provider Service Areas



THEMES FOR MOBILITY MANAGEMENT



My Ride North Texas 2.0 (*Spring 2020*)

- Received FY19 Access and Mobility Grant to implement a regional mobility management program
- Project has two main goals:
 1. Implement regional call center to provide travel counseling for 16-county region
 2. Coordinate with transit partners and stakeholders to improve services and share resources
- Transit partners will be invited to participate to roundtable meetings. Anticipate first meeting in March/April 2020

Strategic Partnerships vs. Traditional Calls For Projects

Traditional Calls for Projects

- May Not Address Access North Texas Priorities
- Trust Gaps in Service are Proposed
- Responsive to *Requests* Every Two Years
- Limited Opportunities to Leverage Funding
- Reactive

Strategic Partnerships

- Address Access North Texas Priorities
- Identify Gaps in Service
- Responsive to Immediate *Needs*
- Leverage Funding when it's Available
- Proactive

Funding Programs

Job Access/Reverse Commute Program (§5307)

Supports low income individuals to/from employment

Eligible Expenses

- Capital, Operating, Planning

Eligible Applicants

- Non-Profits
- Non-Traditional Transportation Providers
- State/Local Governments
- Public Transit Operators

Enhanced Mobility of Seniors and Individuals with Disabilities Program (§5310)

Serve seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable

Eligible Expenses

- Capital, Operating

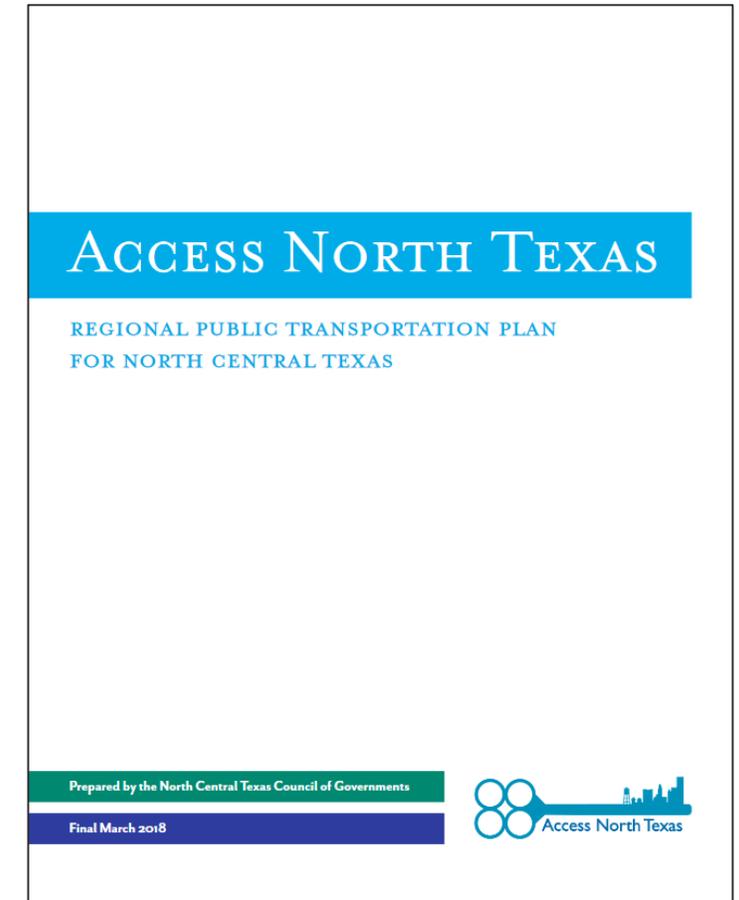
Eligible Applicants

- Non-Profits
- Non-Traditional Transportation Providers
- State/Local Governments
- Public Transit Operators

Access North Texas

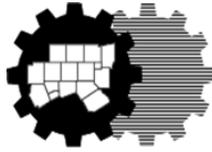
Our Regional Public Transportation Coordination Plan

- The Access North Texas Plan
 - Identifies public transportation needs of low-income individuals, older individuals, and those with disabilities
 - Notes specific strategies to address needs and current challenges.
 - Avoids duplication of transit services
 - Eliminates gaps in service
 - Meets Federal and State requirements for regional transit coordination
 - Encourages non-traditional transit solutions
- Access North Texas Does Not
 - Provide feasibility studies
 - Provide funding
 - Provide service



Contact

Gypsy Gavia
Senior Transportation Planner
Transit Management and Planning
ggavia@nctcog.org
817- 695-9134



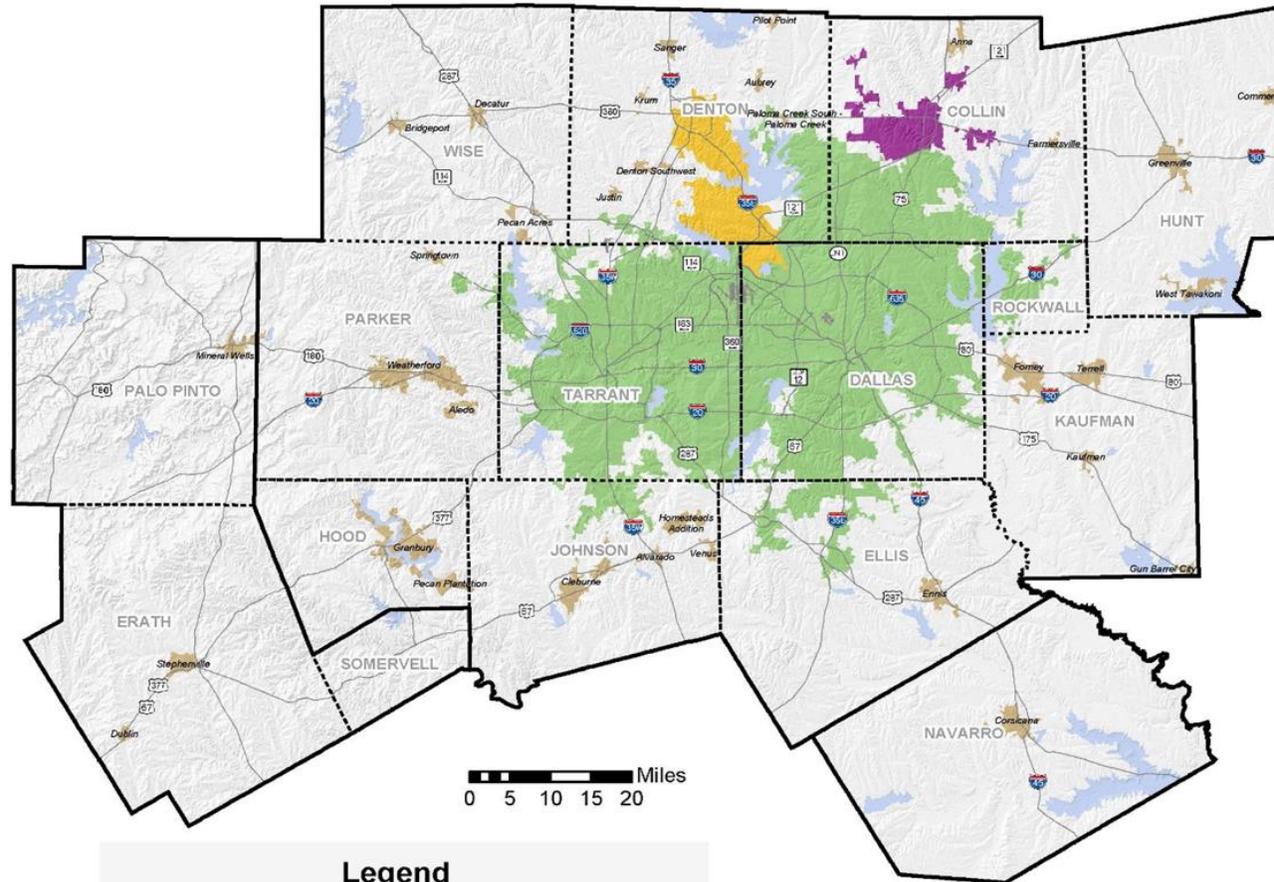
**North Central Texas
Council of Governments**

2020 APPORTIONMENT FUNDING AND PROGRAM OF PROJECTS DEVELOPMENT

EDGAR HERNANDEZ, SENIOR TRANSPORTATION PLANNER

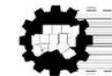
DYLAN HERNANDEZ, TRANSPORTATION PLANNER

U.S. Census Bureau Urbanized Areas and Urban Clusters (2010)



Legend

- Dallas-Fort Worth-Arlington Urbanized Area
- Denton-Lewisville Urbanized Area
- McKinney Urbanized Area
- Urban Clusters



North Central Texas
Council of Governments
Transportation
March 2012

APPROPRIATION OF FUNDS

Authorization Act passed (FAST Act); Apportionments authorized annually

Authorization Act signed; Annual apportionments signed

Apportionment funds distributed to Department of Transportation
Funding appropriated through federal formula process

Funding to urbanized areas distributed using Census data, transit service metrics (NTD), and agency need

North Central Texas Urbanized Areas

Congress

President

Department of Transportation

Federal Transit Administration

North Central Texas Council
of Governments

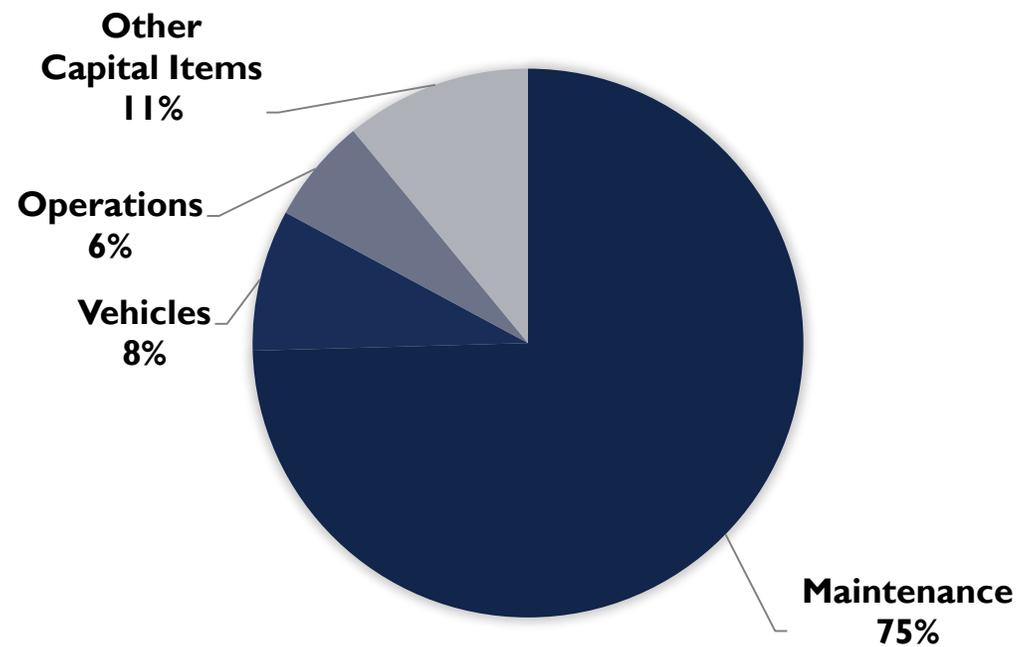
Dallas-Fort Worth-
Arlington Urbanized Area

Denton-Lewisville
Urbanized Area

McKinney Urbanized Area

A LOOK BACK: 2019 APPORTIONMENT DISTRIBUTION

DISTRIBUTION BY PROJECT TYPE



A LOOK BACK: FEDERAL TRANSIT ADMINISTRATION (FTA) 2019 APPORTIONMENT FUNDING

Summary of Available 2019 Formula Funds			
Program	Dallas-Fort Worth-Arlington	Denton-Lewisville	McKinney
Urbanized Area Formula (Section 5307)	\$79.8M	\$6.3M	\$3.3M
Enhanced Mobility (Section 5310)	\$3.2M	\$205K	TxDOT Award
State of Good Repair (Section 5337)	\$31.7M	\$2.2M	N/A
Bus and Bus Facilities (Section 5339)	\$7.2M	\$531K	TxDOT Award

FTA 2020 APPORTIONMENT FUNDING

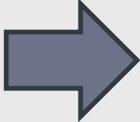
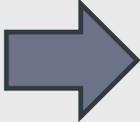
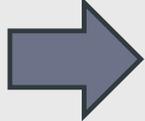
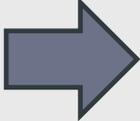
(PUBLISHED ON FEBRUARY 3RD, 2020)

Summary of Available 2020 Formula Funds

Program	Dallas-Fort Worth-Arlington	Denton-Lewisville	McKinney
Urbanized Area Formula (Section 5307)	\$80M*	\$6.1M*	\$3.1M
Enhanced Mobility (Section 5310)	\$3.4M*	\$217K*	TxDOT Award
State of Good Repair (Section 5337)	\$30.1M	\$1.9M	N/A
Bus and Bus Facilities (Section 5339)	\$7.6M	\$538K	TxDOT Award

*Amounts listed do not include funds set-aside for Strategic Partnerships, to be awarded to eligible Job Access/Reverse Commute and Enhanced Mobility projects

FTA 2020 APPORTIONMENT FUNDING

Funding Level Changes from 2019			
Program	Dallas-Fort Worth-Arlington	Denton-Lewisville	McKinney
Urbanized Area Formula (Section 5307)			
Enhanced Mobility (Section 5310)			TxDOT Awards
State of Good Repair (Section 5337)			N/A
Bus and Bus Facilities (Section 5339)			TxDOT Awards

PROGRAM OF PROJECTS (POP) DEVELOPMENT

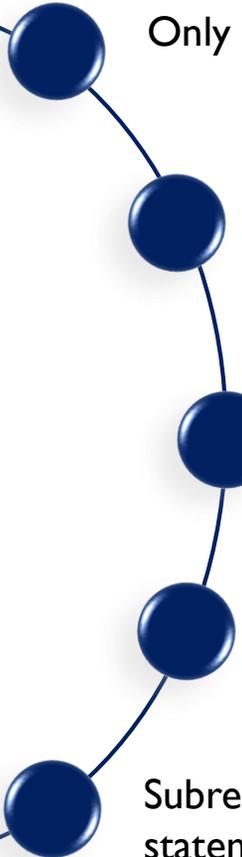
- What is POP Development?
 - Process by which traditional transit providers work with NCTCOG to determine funding needs based on current funding levels once the FTA apportionment is released
 - Traditional Transit Providers – agencies providing public transportation services and recognized by the state as rural or urban transit districts
 - NCTCOG staff review funding requests and work with providers to accommodate those requests within the confines of the current year apportionment in accordance with applicable regulations
- Per NCTCOG's Regional Transportation Council policy, small provider urbanized needs will continue to be met first with the transit authorities receiving the remainder of the funds
- Awarded funding will be communicated through the Split Letter sent out by NCTCOG
 - Split Letter – establishes the allocation of apportionment funds

POP DEVELOPMENT SCHEDULE

Activity	Timeframe/Deadline
2020 Full Apportionment Published	February 3, 2020
Prepare Sub-Allocation Tables and Matrices	February – March 2020
2020 POP Development	April 2020
Submit Proposed POPs	April 17, 2020
POP Review	April 20 – July 10, 2020
November TIP Cycle Due Date	July 31, 2020
Public Meeting	Week of September 7, 2020
RTC Action of November TIP Cycle	October 8, 2020
Executive Board (Action Item)	October 22, 2020
2020 Apportionment: 1st Split Letter*	April 2020
2020 Apportionment: 2nd Split Letter	October 2020

*1st Split Letter will address 2020 POP placeholders submitted through the May 2020 TIP modification cycle

KEYS TO POP DEVELOPMENT



Only expenses attributable to the urbanized area will be eligible for reimbursement

Two Split Letter Process

Subrecipients: 2020 Apportionment will account for capital expenditures through June 2022

Subrecipients: List of anticipated procurements will need to be submitted before award if requesting funding for project administration and capital projects

Subrecipients: Procurement timelines, 3-5 year Capital Improvement Plans, Cost Allocation Plans, and Architectural statements for Intelligent Transportation Systems projects

KEYS TO FORMULA FUNDS

- Focus on National Transit Database reporting
 - More service provided and reported in the urbanized area = More urban funds for the region
- Plan ahead on how formula funds will be used for urban services
 - Ensure financial resources are proportionate to the federal funding requested
 - Ensure a local match is in place for the federal funding requested
- NCTCOG requirements to continue receiving formula funds
 - Work with your Project Managers to develop your Program of Projects
 - Submission of annual audits
 - Adequate financial controls carried out by qualified personnel with checks and balances in place
- FTA requirements must be met to continue receiving formula funds
 - FTA's Certifications and Assurances
 - Direct recipients can reach out to their FTA planner for further information



RESOURCES

- [FTA Grant Program Information](#)
- [2 CFR 200](#)
- [TIP Webpage](#)
- [TIP Modification Cycle Schedule](#)
- [TrAMS Guidance and Training](#)
- [Scope and Activity Line Item Codes](#)
- NCTCOG Staff
- FTA Staff

REPORT YEAR 2019 REPORTING UPDATES

NCTCOG has submitted an Annual NTD Report for The City of Cleburne Transportation, Public Transit Services, SPAN Inc., and STAR Transit to the National Transit Database (NTD), meeting the reporting deadline of January 30th for agencies with a fiscal year ending in August or September.

- CTS' Report Year 2019 NTD report will be submitted on or before April 30th

What to expect after the initial submission of your NTD report

- NCTCOG will request each of our subrecipients submit the final audit for all federal grant programs once available. This audit will be reviewed and the financial data for each NTD report will be updated accordingly.
 - NCTCOG will work diligently to close out each NTD report upon receipt and subsequent review of the final audit. Upon closeout, each transit agency will be provided with a copy of their NTD report closeout letter confirming the report was officially accepted by the FTA.

INDEPENDENT AUDITOR STATEMENT FOR FINANCIAL DATA

- Beginning in Report Year 2018, all recipients of FTA funding are required to submit an IAS-FD once every 10 years.
- What is the Independent Auditor Statement for Financial Data?
 - The Independent Auditor Statement for Financial Data (IAS-FD) is a written statement provided by an independent firm which states all financial data presented in the NTD report is compliant with the Uniform System of Accounts (USOA) and as such, conforms to the accrual basis of accounting per FTA's USOA Section 1.4
 - Agency's will be required to renew their IAS-FD if their accounting system undergoes **major changes** prior to the decennial benchmark.
 - Major changes to an accounting system would include any deviation from the following NTD requirements,
 - The reporting agency records revenues and expenses using the accrual basis of accounting, per USOA Policy Manual
 - The reporting agency has followed the accounting guidance specified throughout the USOA Policy Manual
 - The reporting agency has cross-walked its chart of accounts to the object classes employed in the USOA and has adequately documented this crosswalk
 - This requirement is **not** retroactive. As such, any agency that submitted a waiver for this requirement in Report Year 2018 will be required to submit an IAS-FD with their Annual NTD Report in Report Year 2019 and will still be required to renew their IAS-FD in Report Year 2028.

INDEPENDENT AUDITOR STATEMENT FOR FINANCIAL DATA

- City of Cleburne Transportation, Public Transit Services, and SPAN Inc. , submitted an IAS-FD with their Report Year 2018 NTD Report. Each agency will be required to renew their IAS-FD in Report Year 2028.
- As a full reporter, STAR Transit has continued to comply with NTD reporting requirements and most recently submitted an IAS-FD for Report Year 2011. STAR will be required to renew their IAS-FD in Report Year 2021.
- CTS was granted a small systems waiver for the IAS-FD requirement in Report Year 2018. CTS will submit their IAS-FD in Report Year 2019. CTS will be required to renew their IAS-FD in Report Year 2028.

REPORT YEAR 2020 REPORTING

Tentative Schedule

Plan Activity	Time period	Status
Small Systems Review and Reporting Period	October 30, 2020 – May 2021	
Submit revised monthly ridership data and number of unlinked passenger trips provided to rural and urban areas	October 30, 2020	
Submit completed Contractual Relationship form (B-30) and Asset Inventory forms (A-10, A-30)	November 13, 2020	
Submit completed Financial Form (W-30)	December 4, 2020	
Submit completed Performance Measures (2019-2020) form	December 16, 2020	
NCTCOG reviews and corresponds with subs	December 23 - January 15, 2021	
NCTCOG submits report to NTD	January 22, 2021	
Correct data and address issues identified by FTA	February – May 2021	
Receive closeout notification	June 2021	
Full System Review and Reporting Period	October 30, 2020 – May 2021	
Submit revised monthly ridership data, number of unlinked passenger trips provided to rural and urban areas, and completed Service forms (S-10 DR/CB/FR)	October 30, 2020	
Submit completed Contractual Relationship form (B-30) and Asset Inventory forms (A-10, A-30)	November 13, 2020	
Submit completed Resource forms (R-10 DR/CB/FR, R-20, R-30)	December 4, 2020	
Submit Financial forms (F-10, F-20, F-30 DR/CB/FR, F-40)	December 4, 2020	
Submit completed Performance Measures (2019-2020) form	December 16, 2020	
NCTCOG reviews and corresponds with subs	December 21-January 15, 2021	
NCTCOG submits report to NTD	January 22, 2021	
Correct data and address issues identified by FTA	February – May 2021	
Receive closeout notification	June 2021	

- Beginning with Annual Reports to be submitted for Report Year 2020, NCTCOG will request supporting documentation for funds earned and expended on operations and capital projects be submitted in conjunction with your financial data. This would include items such as *Request-for-Reimbursement* forms submitted to TxDOT, and documentation regarding TDCs used in lieu of local match
 - All supporting documentation submitted should detail the federal, state, and local match
 - Draft Audits have become a necessary component of our initial review. When available, this documentation should be submitted with all other supporting documents pertaining to the financial data being reported by your agency
 - NCTCOG will request a copy of the final audit prior to submitting the final version of your NTD report.
- Annual Reporting will kick-off in October to allow subrecipients and NCTCOG more time to meet reporting deadlines
- Communication/Responsiveness

CONTACTS

Edgar Hernandez

Senior Transportation Planner

Transit Management and Planning

ehernandez@nctcog.org

817-704-5640

Dylan Hernandez

Transportation Planner II

Transit Management and Planning

dhernandez@nctcog.org

817-704-5641

OVERSIGHT AND COMPLIANCE UPDATE

Shawn Dintino

Transportation Planner III

North Central Texas Council of Governments

FY 2019 TRIENNIAL REVIEW OVERSIGHT

- Subrecipient oversight performed in Fall 2019 for both ADA-General and Complementary Paratransit
- Subrecipients are meeting most ADA requirements
- January 31, 2020 corrective action deadline

OVERSIGHT AND COMPLIANCE PROGRAM

- Covers all 21 Triennial Review subject areas in 2020 and 2021

Year	Review Areas
2020	11
2021	10

- Cycle starts over in 2022
- Covers all 21 areas over a three-year period

Year	Review Areas
2022	7
2023	7
2024	7

COMPLIANCE PROGRAM SCHEDULE

2020

Legal
Financial Management and Capacity
Technical Capacity-Award Management
Technical Capacity-Program Management
Technical Capacity-Project Management
Transit Asset Management
Satisfactory Continuing Control
Maintenance
Procurement
ADA-General
ADA-Complementary Paratransit

2021

Disadvantaged Business Enterprise
Title VI
Equal Employment Opportunity
School Bus
Charter Bus
Drug Free Workplace Act
Drug and Alcohol Program
Section 5307 Program Requirement
Section 5310 Program Requirements
PTASP (Coming soon)

COMPREHENSIVE REVIEW GUIDE

- Essential compliance reference tool
- Each review area is a separate chapter with a series of Review Area Questions
 - Focus on the Explanation for Recipient and Indicators of Compliance under each Review Area Question
- Link: <https://www.transit.dot.gov/fy19-comprehensive-review-guide>



PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP)

- Transit operators must implement Agency Safety Plans, including safety performance targets, by **July 20, 2020**
- Applies to providers who receive funding through an open Section 5307 grant
- Larger transit providers must draft and implement their own plan
- Smaller transit providers may draft their own plan or join Texas Department of Transportation plan
 - Transit provider is responsible for plan implementation

PTASP SAFETY PERFORMANCE TARGETS

- Plans require development of seven performance targets in four measures
- Coordinate with NCTCOG in development of provider performance targets
- Coordinate with NCTCOG in development of MPO performance targets

MEASURE	TARGET
Fatalities	<u>Total number</u> of reportable fatalities <u>Rate</u> per total vehicle revenue miles by mode
Injuries	<u>Total number</u> of reportable injuries <u>Rate</u> per total vehicle revenue miles by mode
Safety Events	<u>Total number</u> of reportable events <u>Rate</u> per total vehicle revenue miles by mode
System Reliability	Mean distance between major mechanical failures by mode

PTASP RESOURCES AND NEXT STEPS

- PTASP Technical Assistance Center: <https://www.transit.dot.gov/PTASP-TAC>
- FTA offers two PTASP Workshops in Fort Worth March 17 and March 18, 2020
 - Registration: https://www.planitnow.com/FTA_FY20_PTASP_Workshops.php
- NCTCOG will host PTASP performance target coordination meeting in March, details forthcoming

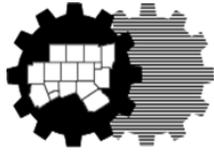
QUESTIONS?

Shawn Dintino

Transportation Planner III

sdintino@nctcog.org

(817) 704-5605



North Central Texas
Council of Governments

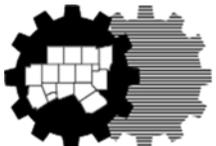
DISADVANTAGED BUSINESS ENTERPRISE

EMILY BECKHAM, GRANTS AND CONTRACTS MANAGER

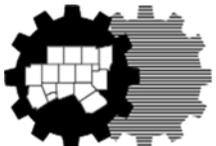
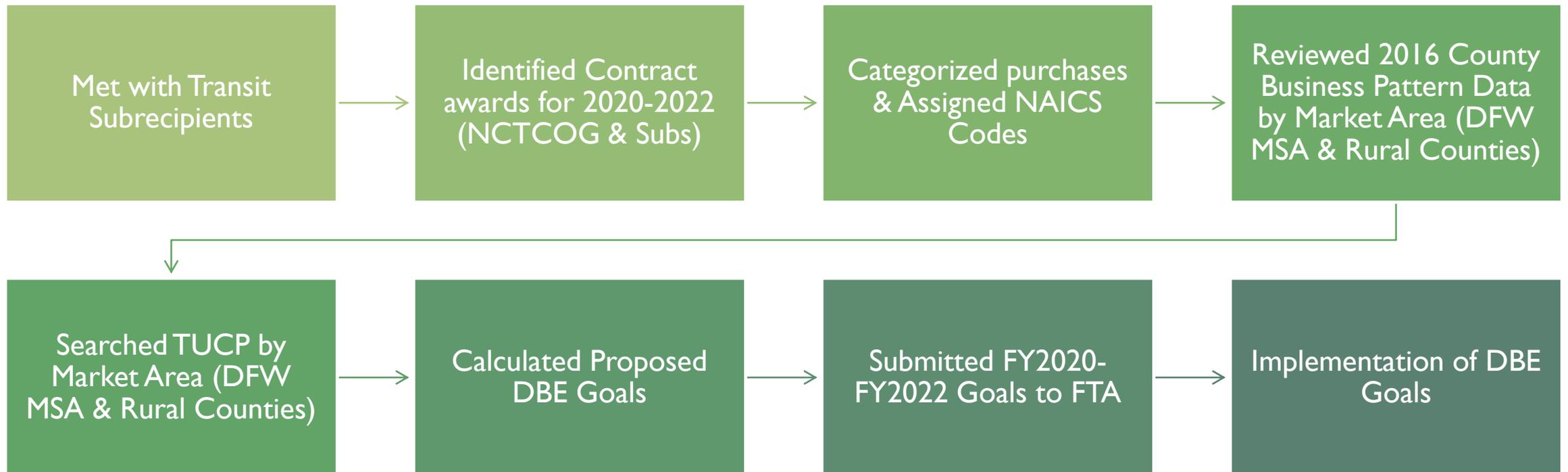
ALLYSHA MASON, TRANSPORTATION PLANNER III

HISTORICAL APPROACH

- NCTCOG DBE Program and Goal developed without Transit Subrecipient procurement expectations
- NCTCOG reports Subrecipient procurements and purchases in DBE Semi-Annual reports
- Results in Shortfall in NCTCOG's DBE goal attainment
- Triennial Review Findings related to DBE
 - Shortfall Analysis and Corrective Action
 - Prompt Payment



FY2020-FY2022 DBE GOAL UPDATE



FY2020-2022 DBE GOAL UPDATE POTENTIAL CONTRACTS AWARDS (FTA – NCTCOG & SUBS)

Procurement Type	Potential Awards (in \$1,000s) FTA
Building Construction	\$275
Marketing, Advertising, and Public Relations	\$268
Office Supplies & Equipment (Rental & Purchase)	\$587
Operational Administrative, Communications, Support Services	\$2,476
Planning/Engineering	\$6,830
Software and Ancillary Information Technology Professional Services	\$383
Vehicle Maintenance and Operations Support	\$4,998
TOTAL	\$15,796

FY2020-2022 DBE GOAL UPDATE DBE AVAILABILITY ANALYSIS (FTA FUNDING – NCTCOG & SUBS)

Procurement Type	Potential Awards (in \$1,000s)	DBE Firms	Total Firms	DBE Goal
Building Construction	\$275	235	791	29.7%
Marketing, Advertising, and Public Relations	\$268	261	1734	15.1%
Office Supplies & Equipment (Rental & Purchase)	\$587	29	997	2.9%
Operational Administrative, Communications, Support Services	\$2,476	406	8205	4.9%
Planning/Engineering	\$6,830	524	1673	31.3%
Software and Ancillary Information Technology Professional Services	\$383	219	2635	8.3%
Vehicle Maintenance and Operations Support	\$4,998	30	2569	1.2%
TOTAL	\$15,796	1,712	18,708	9.2%
Total Weighted Summary				15.8%

FY2020-2022 DBE GOAL UPDATE DBE AVAILABILITY ANALYSIS (FTA – SUBS ONLY)

Procurement Type	Potential Awards (in \$1,000s)	DBE Goal	Total Anticipated DBE Contract Value
Building Construction	\$275	29.7%	\$81,700
Marketing, Advertising, and Public Relations	\$218	5.7%	\$12,460
Office Supplies & Equipment (Rental & Purchase)	\$537	1.0%	\$5,636
Operational Administrative, Communications, Support Services	\$2,476	4.9%	\$122,502
Planning/Engineering	\$80	26.7%	\$21,399
Software and Ancillary Information Technology Professional Services	\$213	1.6%	\$3,432
Vehicle Maintenance and Operations Support	\$4,998	1.2%	\$58,129
TOTAL	\$8,776	7.9%	
Total Weighted Summary		3.2%	

FY2020-FY2020 DBE GOAL IMPLEMENTATION



Notify NCTCOG of Adoption of DBE Program & FY2020-2022 Goal



Procurement Review and Confirmation of DBE Goals



Ongoing Reporting



Documentation of good faith efforts



IMPLEMENTATION BY PROCUREMENT TYPE

MICRO-PURCHASES & QUOTES

Micro-Purchases

- Subrecipients should maximize purchases at DBEs, where feasible
- Subrecipients can confirm if a company is a DBE through the Texas Unified Certification Program (TUCP)

Quotes

- Subrecipients should sent Request for Quotes to DBEs, where feasible
- Subrecipients can look for DBE firms through the TUCP and/or request DBE vendors from NCTCOG vendor database



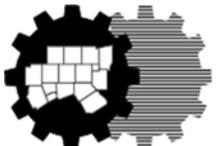
IMPLEMENTATION BY PROCUREMENT TYPE

COMPETITIVE PURCHASE

- Subrecipients should identify if subcontracting opportunities are available
- If subcontracting opportunities are available, appropriate DBE contract goal should be established in Invitation to/for Bid and/or Request for Proposal
- Subrecipient should search the TUCP and/or request for DBE list from NCTCOG vendor database for applicable project type
 - Include in notification of solicitation
 - Include list in solicitation documentation to alert Prime Contractors for teaming opportunities

Example procurement language:

The Disadvantaged Business Enterprise participation goal must meet the XX percentage goal identified for this type of procurement. Failure on the part of the majority contractor to meet this goal or demonstrate meaningful good faith efforts may be grounds for finding the proposal nonresponsive.



TEXAS UNIFORM CERTIFICATION PROGRAM

- Subrecipients can access the TUCP here:

<https://www.txdot.gov/business/partnerships/tucp.html>

- Entities who have a valid Certification as a DBE will be included in the TUCP DBE Directory

Resources

- [TUCP DBE Directory](#)
- [Amended TUCP Standard Operating Procedures](#)
- [TUCP Standard Operating Procedures](#)
- [TUCP Memorandum of Agreement \(MOA\)](#)
- [DBE Application](#)
- [Personal Net Worth Statement \(PNW\)](#)
- [DBE Annual Update Affidavit](#)

Search by Certification Type

Certifications

- Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)
- Disadvantaged Business Enterprise (DBE)
- Small Business Enterprise (SBE)

Search by Business Name or DBA

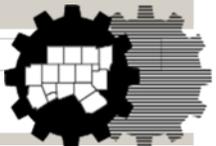
Business Name/DBA

Tip: Try just a few letters of the firm's name.

Search by Business Description

Business Description

Tip: Try just a few letters of a keyword.



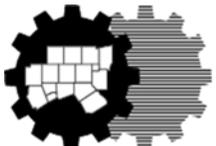
DBE REPORTING REQUIREMENTS

- DBE reports are required for submission semi-annually:
 - Purchases between Oct. 1st and March 31st submitted through Period 1 reporting
 - Purchases between April 1st and September 30th submitted through Period 2 reporting
- FTA funding programs: 5307, 5310, JARC, New Freedom
- Report all purchases incurred using FTA funds passed-through NCTCOG from October 1st, 2019 – March 30th, 2020.



DBE REPORTING REQUIREMENTS CONT'D

- Period I Due Dates:
 - Project Managers will communicate with subrecipients the due dates for drafts and final DBE report submission
 - i.e., 1st draft may be due second week of April
 - Final report may be due no later than 1st week of May
- **Note:** Attach “raw” data (general ledger or other detailed financial statement) in Excel form.



CHANGES TO THE REPORT FORM

- Signature has been moved to the “Instructions” tab
 - Subrecipient and Project Manager signatures
- Included an Urban Split tab
- Submittal Form has been extended, additional column



DBE REPORTING FORM-URBAN SPLIT



North Central Texas Council of Governments (NCTCOG) subrecipients that receive Federal Transit Administration (FTA) grant funding through NCTCOG must comply with Disadvantaged Business Enterprise (DBE) requirements found within 49 CFR 26, the NCTCOG-FTA Master Agreement, and executed interlocal agreements.

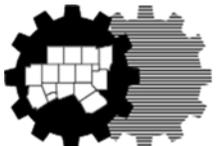
Please provide your agency's monthly urban split percentage in the table below. (Note: This percentage split is different from the "Federal Reimbursement Rate" on the Submittal Form tab.) The urban split percentage should match the urban percentage requested for reimbursement on your agency's monthly invoice.

<u>Month</u>	<u>Urban Split (%)</u>
October	34%
November	37%
December	36%
January	42%
February	41%
March	35%

Please be sure to input the correct months for the reporting period.

Report Period 1: October 1st to March 31st

Report Period 2: April 1st to September 30th



DBE REPORTING FORM-SUBMITTAL FORM

 <p>North Central Texas Council of Governments (NCTCOG) subrecipients that receive Federal Transit Administration (FTA) grant funding through NCTCOG must comply with Disadvantaged Business Enterprise (DBE) requirements found within 49 CFR 26, the NCTCOG-FTA Master Agreement, and executed interlocal agreements.</p>											
AGENCY INFORMATION											
Transit Agency: Safety First Transportation						Report Period 1: <input checked="" type="checkbox"/> Oct 1st to March 31st					
Date: 4/17/2020						Report Period 2: <input type="checkbox"/> Apr 1st to Sep 30th					
Current FY DBE Goal: 10%											
Funding Program	Procurement Type	Description of Procurement	DBE Goal	Award Date	Award Completed Date	Total Award Amount	Total DBE Expenditure	Total Procurement Expenditure	Federal Clauses Included	Federal Reimbursement Rate	Urban Split (%)
5307	Micropurchase	Vehicle Maintenance	0%	10/30/2019	10/30/2019	\$ 1,568.00	\$ -	\$ 1,568.00	No	100%	34%
5307	Micropurchase	Tire Purchase	0%	1/27/2020	1/27/2020	\$ 1,127.64	\$ -	\$ 1,127.64	No	100%	42%
						\$ -	\$ -	\$ -			
						\$ -	\$ -	\$ -			



CONTACT INFORMATION

Emily Beckham

Grants and Contracts Manager

Legal Services

ebeckham@nctcog.org

817-608-2308

Allysha Mason

Transportation Planner III

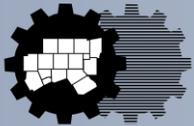
Transit Management and Planning

amason@nctcog.org

682-433-0441

Title VI Requirements for Transit Subrecipients

Annual Transit Provider Meeting
February 11, 2020



North Central Texas
Council of Governments

Agenda

Defining Title VI

Prohibited Discrimination

Who Must Comply

Title VI Program

—Language Assistance Plan

Additional Resources



Defining Title VI

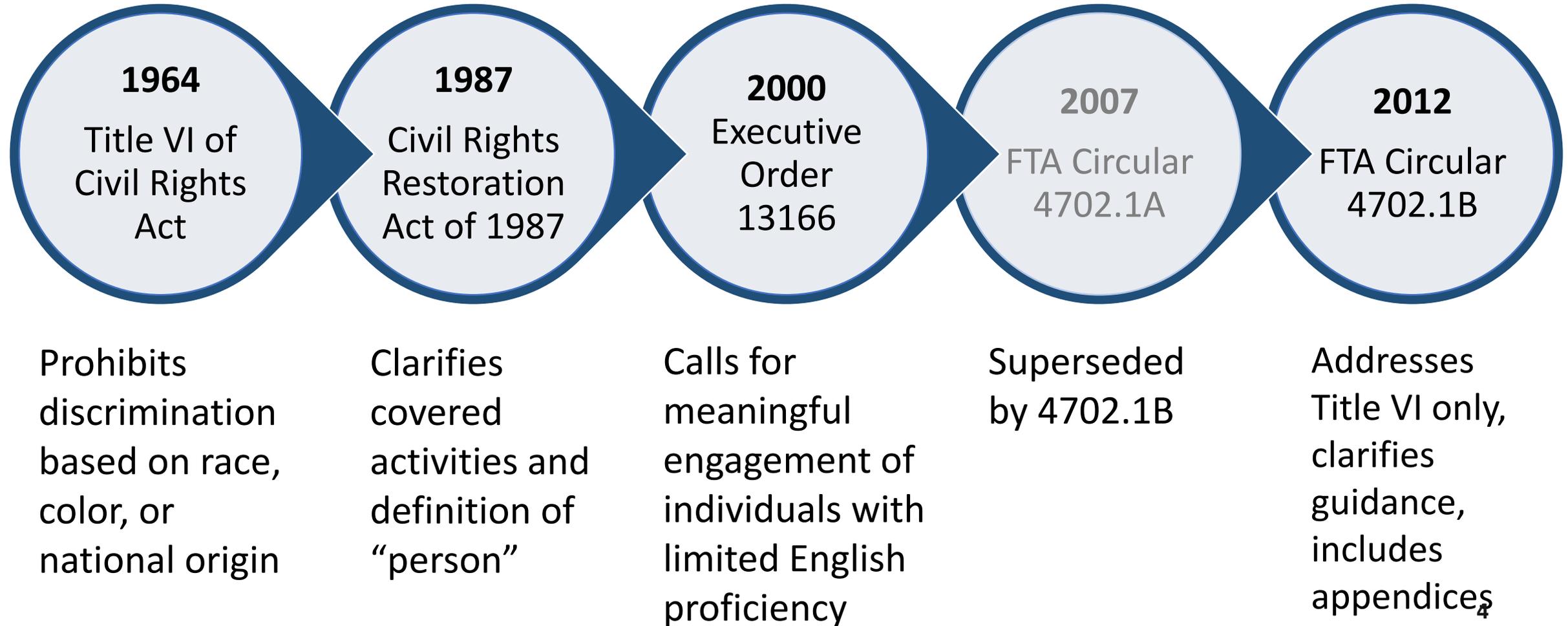
Civil Rights Act of 1964

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”



Getty Images

Defining Title VI Regulatory Framework



Defining Title VI

National Origin

National origin includes protection for individuals for whom English is not their primary language, and who have limited ability to read, write, or speak English

Individuals with limited English proficiency (LEP) have additional protection under Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency

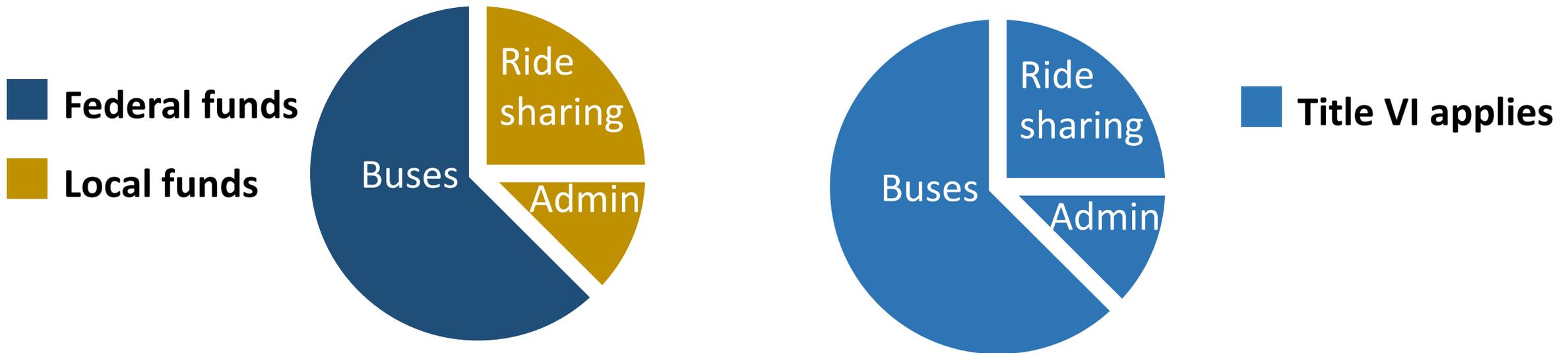


Defining Title VI

Federal Financial Assistance,
Person

Federal financial assistance can include grants, property, personnel

Civil Rights Restoration Act of 1987 amended Title VI, clarifying that Title VI applies to any programs or activities implemented by an entity that receives federal financial assistance



The 1987 act also clarified the definition of person to include non-citizens

Defining Title VI Discrimination

Disparate treatment, where people are intentionally treated differently because of their race, color, or national origin

- The person or group alleging discrimination *may* file a lawsuit

Disparate impact, where a facially neutral policy or practice disproportionately affects members of a group identified by race, color, or national origin, and

- The policy lacks a substantial legitimate justification
- The policy is implemented despite the existence of an alternative that would serve the same objective and less disproportionately affect members of a group identified by race, color, or national origin
 - The person or group alleging discrimination *may not* file a lawsuit, but the federal agency may enforce nondiscrimination

Retaliation is prohibited

Defining Title VI

Disparate impact

9:00 to 12:10



Prohibited Discrimination

Deny an individual a benefit	Deny participation on planning or advisory board
Provide different benefits	When determining benefits, use criteria that subjects an individual to discrimination
Subject an individual to segregation or separate treatment	When determining benefits, defeat or impair the ability to receive a benefit
Restrict individual of enjoyment or privilege enjoyed by others	When determining facility site or location, select with the effect of excluding individuals
Base qualification on different sets of criteria	When determining facility site or location, select with the purpose of defeating or impairing individuals from participating
Deny participation of service	

Who Must Comply

Recipients and subrecipients, who all must have a Title VI Program

Recipients' and subrecipients' contractors, including private corporations and nonprofits, who must comply with the Title VI Program of the recipient or subrecipient

Beneficiaries, such as people riding on a bus, do not need to comply



Who Must Comply

Basic Recipient Requirements

Recipients...

Shall submit a Title VI compliance report	Shall apprise beneficiaries of the protections afforded to them by Title VI
Are expected to take affirmative action to assure non-discrimination and to take affirmative action to remove or overcome the effects of the prior discriminatory practice or usage.	Shall not determine frequency of service, age, and quality of vehicles assigned, quality of stations, and locations of routes on the basis of race, color, or national origin.

Title VI is not an administrative exercise of creating a Title VI Program. It requires taking action to implement that program to ensure nondiscrimination, including preventing disparate impact (nonintentional discrimination).

Who Must Comply

NCTCOG Role

Title VI Program

Monitor subrecipient activity, including Title VI Programs

Provide sample notices, complaint procedures, and complaint form

Provide sample procedures for tracking and investigating Title VI complaints

Provide demographic information of residents served by the subrecipient

Provide any other recipient-generated or obtained data

Accept assurances with each subrecipient application for financial assistance for FTA; language is on FTA website

Who Must Comply

Subrecipient Role

Title VI Program – may not adopt NCTCOG’s, but may use some elements

Provide signed assurances with each application for financial assistance for FTA; language is on FTA website



Getty Images

Title VI Program Overview

4:34 to 14:00

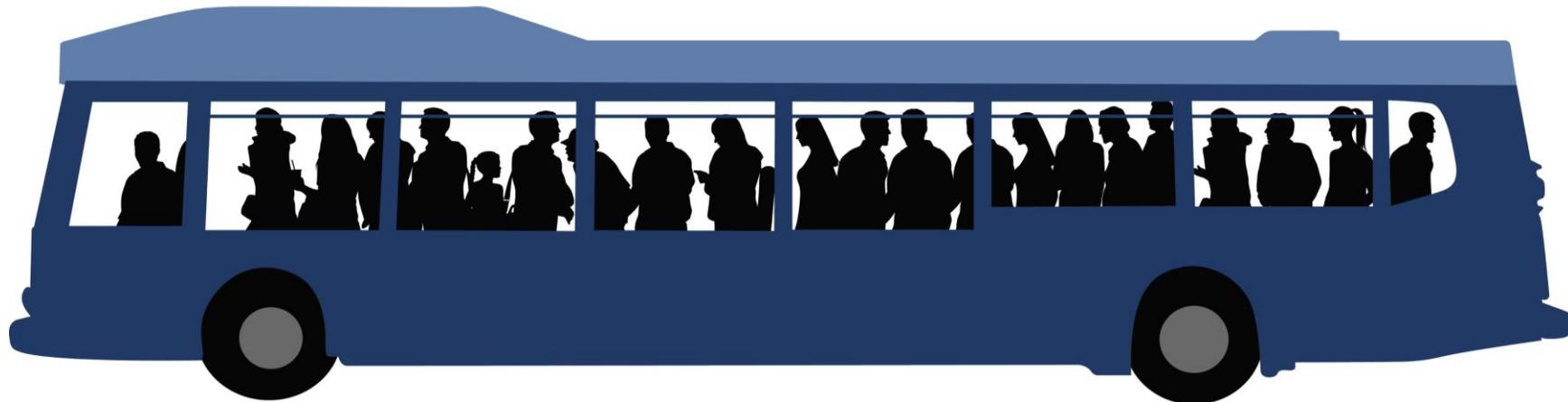


Title VI Program

Levels of Subrecipients

Different requirements for:

- Demand-response only
- Small fixed-route provider
- Large fixed-route (50 or more vehicles peak, in urbanized area >200,000) – we won't review these requirements today



Getty Images

Title VI Program All Subrecipients

Title VI Program (cannot adopt NCTCOG's)

Program adopted by Board of Directors or similar body, with resolution or meeting minutes included in Program

Enforcement of contractors' implementation of subrecipient's Title VI Program

Title VI Program Details

Components of Title VI Program	Can you adopt NCTCOG's?	Suggested changes if adopting NCTCOG's
Notice to the Public, including nondiscrimination statement, procedures to request additional information, and procedures to file a Title VI complaint	Yes	NCTCOG's notice covers discrimination policy above and beyond Title VI. NCTCOG'S notice would not include your address for filing a complaint directly with your agency. Your notice may need to be translated into more or fewer languages, depending on your Language Assistance Plan.
Complaint Procedures and Form	Yes	NCTCOG'S complaint form covers discrimination above and beyond Title VI. NCTCOG'S complaint form would not include your agency as a recipient of the complaint.

Title VI Program Details

Components of Title VI Program	Can you adopt NCTCOG's?	Suggested changes if adopting NCTCOG's
List of Title VI investigations, complaints, or lawsuits	No	N/A
Public Participation Plan that includes plan to engage minority and LEP populations	Yes	You may want to provide a plan that is more specific to the service you provide and to your community. NCTCOG's plan does not have a process for soliciting and considering public comment before raising a fare or carrying out a major reduction of transportation; such a process may be required for federal grants.

Title VI Program Details

Components of Title VI Program	Can you adopt NCTCOG's?	Suggested changes if adopting NCTCOG's
Language Assistance Plan	Yes	Your community may have fewer requirements for translation. Your four-factor results will be different. Different language assistance measures may be sufficient to ensure meaningful access to different types of programs or activities.
Table depicting racial breakdown of transit-related, non-elected planning boards, committees, etc.	No	N/A

Title VI Program Details

Components of Title VI Program	Can you adopt NCTCOG's?	Suggested changes if adopting NCTCOG's
Title VI equity analysis from planning stage of constructed facility	No	N/A
System-wide service standards and policies (fixed route)	No	N/A

Language Assistance Plan Components

An implementation plan for timely and reasonable language assistance that complies with Title VI, including the following components:

Four-factor analysis

Language assistance measures

Strategies for providing notice to LEP individuals about free language services

Training and guidance for staff

Strategies for monitoring and updating the plan as needed

- LEP population in service area changes,
- Frequency of encounters changes, nature and importance of activities change
- New resources become available,
- Current plan is identified as not meeting needs of LEP individuals....

Language Assistance Plan

Meaningful Access Example

15:20 to 19:42



Title VI Program

Small Fixed-Route Providers

For all fixed-route providers, including those with fewer than 50 vehicles in peak service or located in urbanized area with fewer than 200,000 residents

Additional requirements only apply to fixed-route service, even if provider also provides demand response:

- System-wide service standards
- System-wide service policies

Specifics provided in [Title VI Fixed Route Transit Requirements](#) video from FTA

Title VI Program

Small Fixed-Route Providers

System-wide service standards (applies only to fixed-route services, not demand response) include:

- Vehicle load for each mode (in NCTCOG subrecipients' case, this is probably only one mode, bus)
- Vehicle headway for each mode
- On-time performance for each mode
- Service availability for each mode

Include in Title VI Program

Title VI Program

Small Fixed-Route Providers

System-wide service policies (applies only to fixed-route services, not demand response) include:

- Distribution of transit amenities for each mode
- Vehicle assignment for each mode

Include in Title VI Program

Title VI Program

Equity Analysis of Facilities

Complete Title VI equity analysis during planning stage for construction of storage facilities, maintenance facilities, operation centers, etc.

Analysis *not* required for bus shelters, transit stations, power substations, etc.

Must:

- Compare equity impacts of different site alternatives
- Conduct outreach to potentially affected communities
- Consider cumulative adverse impacts of existing facilities in area

Opportunity for using demographic data

If disparate impact, can still be located at site if there is legitimate justification and no alternatives exist that have less disparate impact

Additional Resources

A Note on Resources

This presentation draws directly from many of the resources on the following slides.

These resources are more comprehensive than what was provided in this presentation. Federal law and FTA guidance, not NCTCOG, provide the final word on Title VI requirements.

FTA Title VI Circular 4702.1B includes appendices with sample checklists, templates, etc., for transit providers to review as they develop their Title VI programs.

Additional Resources

Title VI

National Transit Institute Training Course: Title VI and Public Transit

<https://www.ntionline.com/courses/>

Free for public agencies!

FTA Title VI Circular 4702.1B

<https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/title-vi-requirements-and-guidelines-federal-transit>

FTA Training (Presentations, Videos)

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/title-vi-training>

FTA Training Email Address

FTATitleVItraining@dot.gov

Department of Justice Training Video

<https://www.justice.gov/crt/video/title-vi-civil-rights-act-1964>

Code of Federal Regulations Title 49 → Subtitle A → Part 21

<https://www.ecfr.gov/cgi-bin/text-idx?SID=397def600bdb738a9244ee7bd47a4f04&mc=true&node=pt49.1.21&rgn=div5>

Additional Resources

LEP

Executive Order 13166

<https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf>

Department of Transportation LEP Guidance

<https://www.govinfo.gov/content/pkg/FR-2005-12-14/html/05-23972.htm>

Federal Interagency Website

<https://www.lep.gov/>

“I Speak” Card

<https://www.lep.gov/resources/resources.html#ispeak>

Additional Resources

NCTCOG Contacts

Kate Zielke, Title VI Coordinator, Principal Transportation Planner

817-608-2395

kzielke@nctcog.org

Taylor Benjamin, Transportation Planner

817-704-5672

tbenjamin@nctcog.org

www.nctcog.org/EJ

(sample notices, complaint procedures, and complaint form)

<https://www.nctcog.org/trans/plan/transit/transit-providers/transit-provider-resources>

(demographic data)

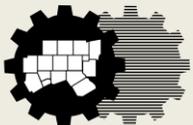
Additional Resources

Transit Accessibility Improvement Tool



THE TAIT TOOL

Transit
Accessibility
Improvement
Tool



North Central Texas
Council of Governments

Annual Transit Provider Meeting | February 11, 2020

Agenda

About the TAIT Tool

TAIT Layer

Additional Layers

How to Use the TAIT Tool

About the TAIT Tool

- Transit Accessibility Improvement Tool highlights demographic groups who may be more likely than others to rely on public transit services to meet their daily needs
- National Cooperative Highway Research Program (NCHRP) Report 532, Effective Methods for Environmental Justice Assessment

TAIT LAYER

- Percent of the population below poverty (also referred to as low income)
- Percent of the population with a disability
- Percent of the population age 65 and over

Symbology	Relationship to TAIT Variables Regional Percentage
No Color	\leq Regional Percentage for All Variables
Gray	$>$ Regional Percentage for One Variable
Mauve	$>$ Regional Percentage for Two Variables
Purple	$>$ Regional Percentage for Three Variables

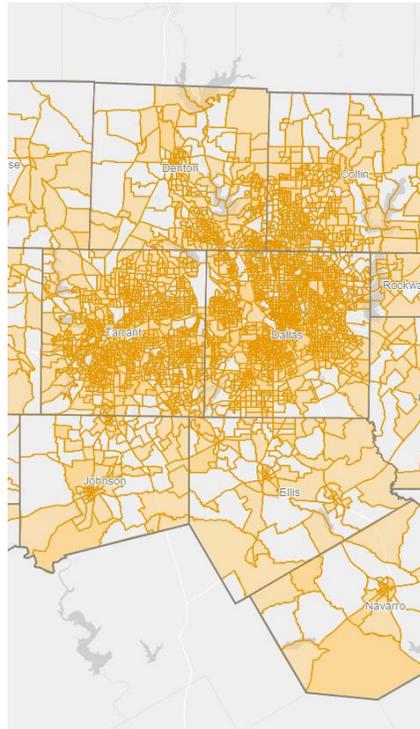


Additional Layers

- Potential Transit Need:
 - Zero-Car Households
 - Persons Aged 14 and Under
 - Veteran Population
- Population Density
- Transit Service Areas
- Title VI Layers

Additional Layers

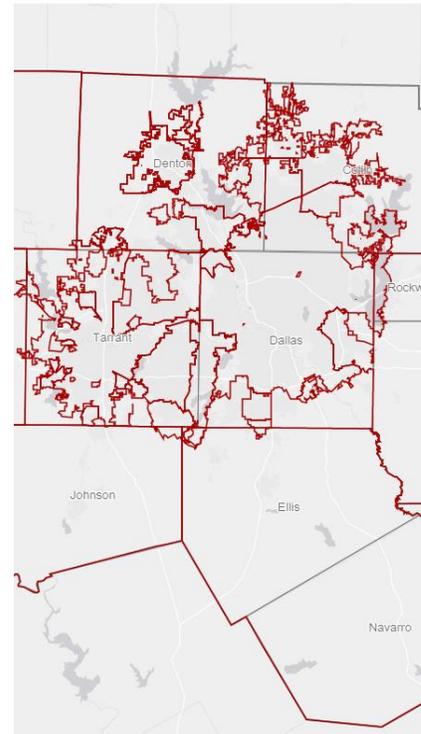
Potential
Transit Need



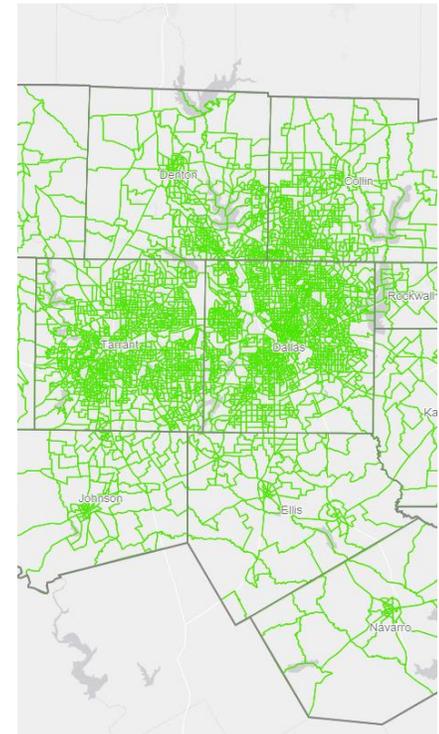
Population
Density



Transit Service
Areas



Title VI
Layers



HOW TO USE THE TAIT TOOL

[North Central Texas Council
of Governments - Transit
Provider Resources](#)

Click the TAIT Tool Icon

Transit Provider Resources

Transit Accessibility Improvement Tool (TAIT)

