

Far North Transit Symposium

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Federal Transit Administration



Bipartisan Infrastructure Law

Significant Funding Increases



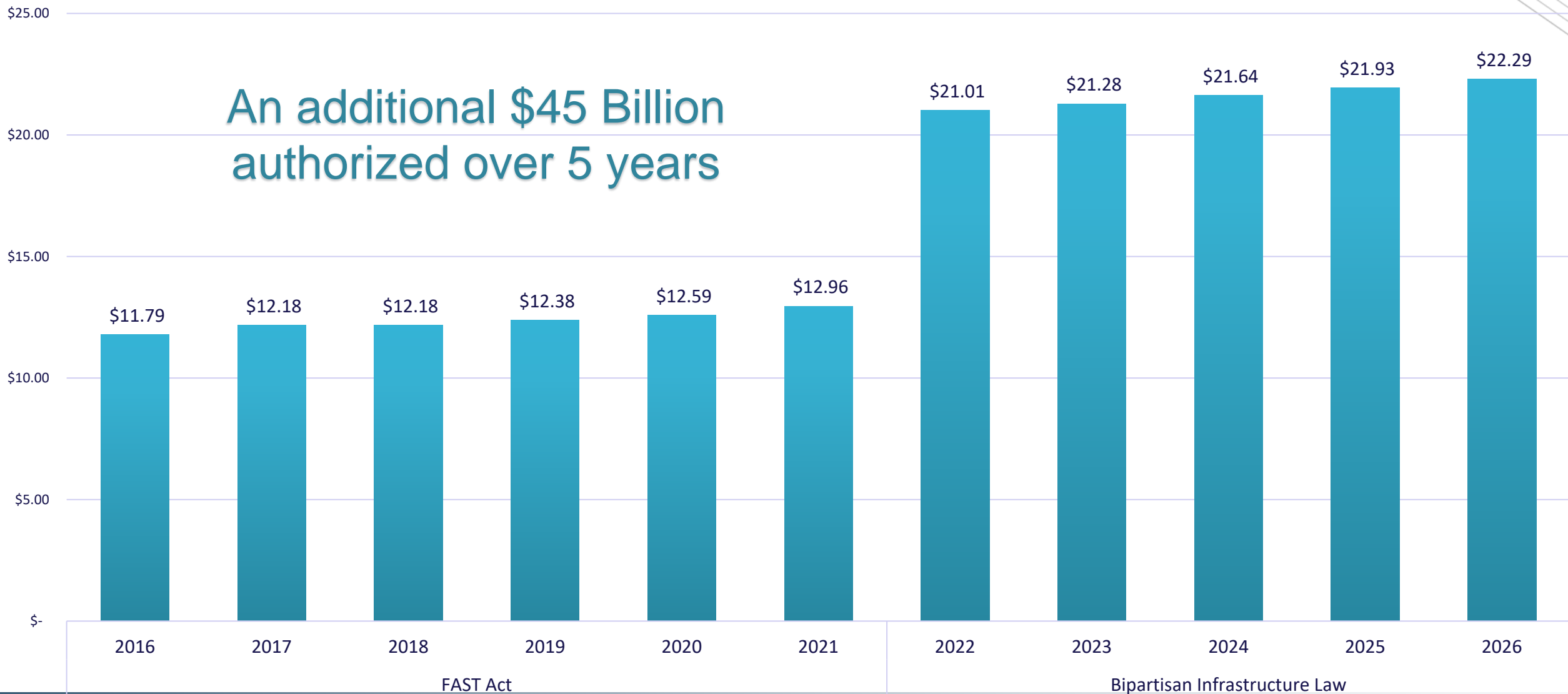
- Up to \$108 billion for public transit
- Provides funding for **five** years
- 71% increase over FAST Act
- New and increased funding for State of Good Repair, Low or No Emission, and Capital Investment Grants
- Continues existing structure for FTA programs focused on urban, rural, and targeted populations

New Grant Programs



- Rail Vehicle Replacement Program
- All Station Accessibility Program
- Electric or Low-Emitting Ferry Pilot Program
- Ferry Service for Rural Communities

Increased Funding for Public Transportation



FTA Priorities for Implementation

FTA Bipartisan Infrastructure Law Priorities



Safety – The law will enable FTA to enhance state safety oversight programs by strengthening rail inspection practices to protect transit workers and riders from injuries and to ensure safe access to transit.



Modernization – Increased formula and competitive funding will begin to reduce the enormous state of good repair investment backlog in the nation's transit systems by repairing aging infrastructure and modernizing bus and rail fleets.

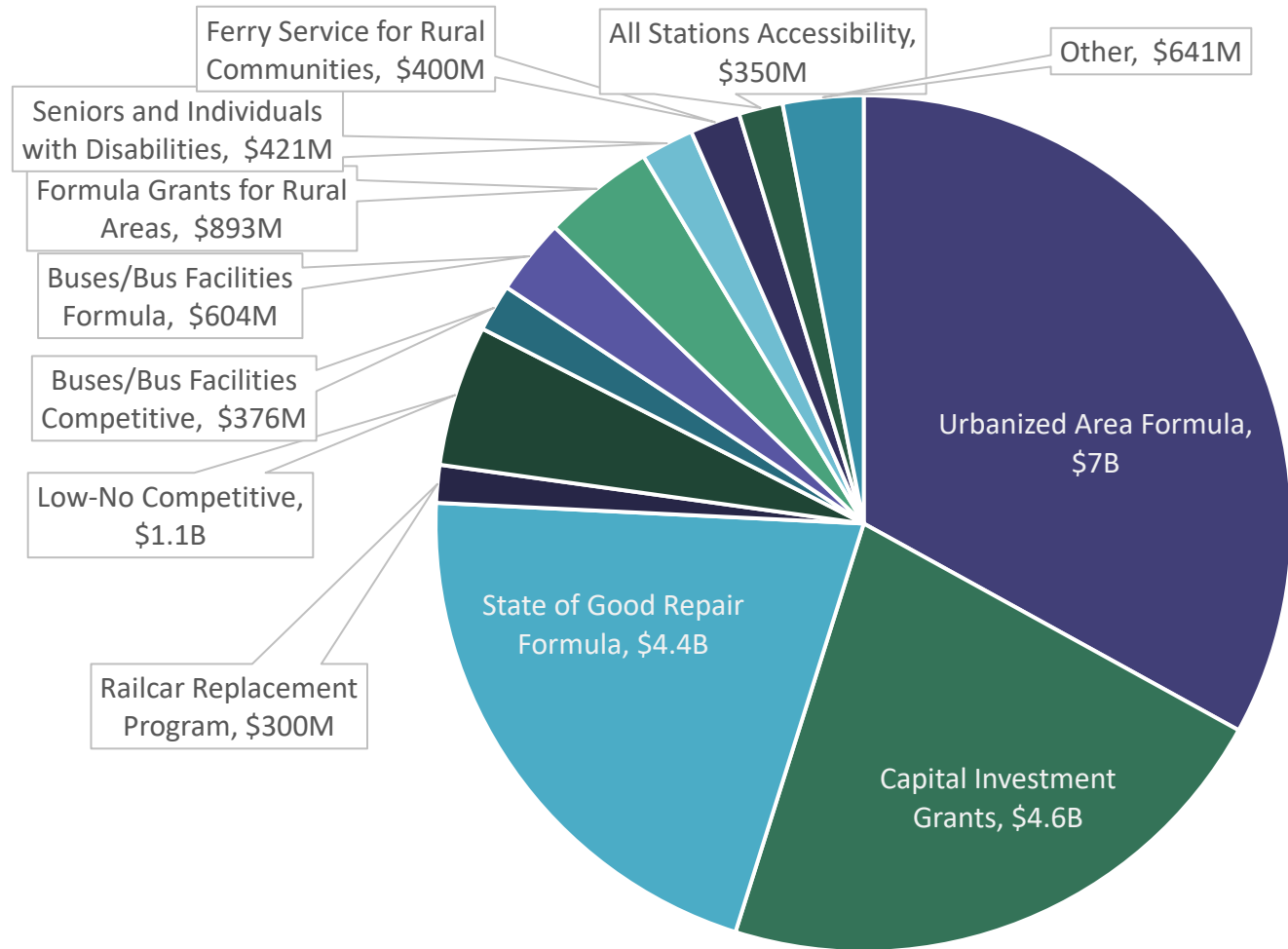
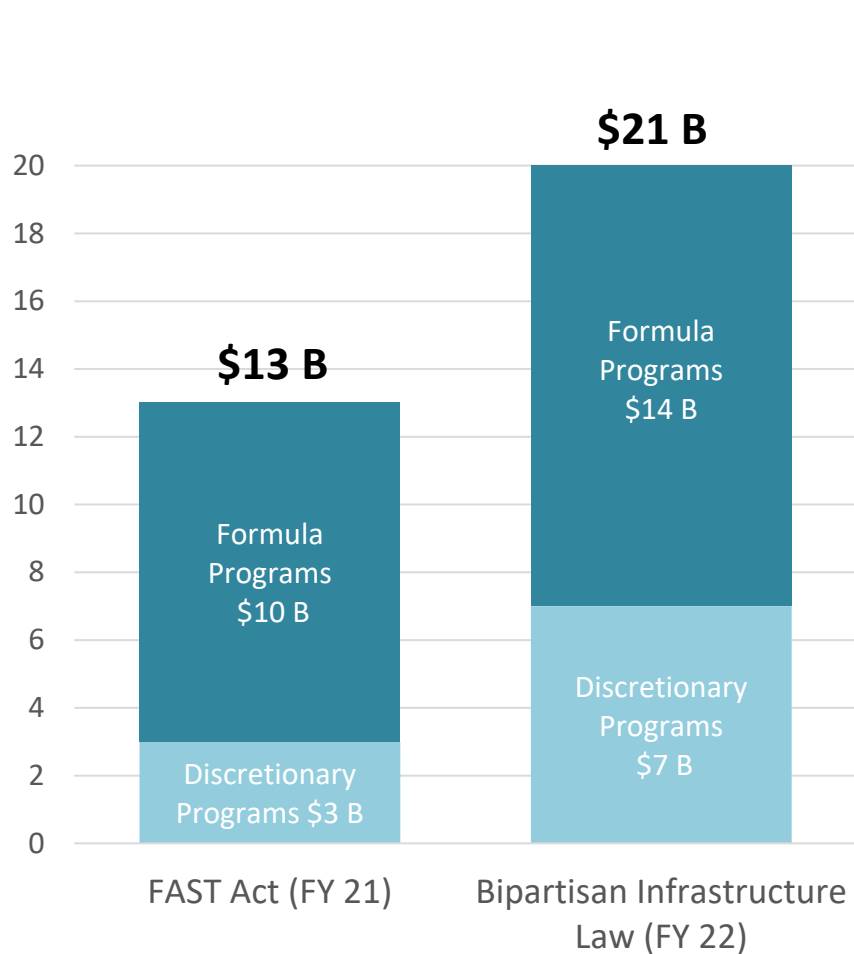


Climate – The law includes landmark investments to support the replacement of thousands of transit vehicles, including buses and ferries, with cleaner low- and zero-emission vehicles.



Equity – Investments in equity, including Justice40, will help eliminate transit deserts, improve connectivity to economic and social opportunities, ensure universal accessibility for people with disabilities, support minority and women-owned businesses, and reduce the disparity in quality and frequency of service in underserved communities.

Increased Formula and Competitive Funding



Note: Total funding shown includes authorized trust fund contract authority, authorized annual appropriations for FY22 and certain advance appropriations for FY22 enacted as a part of the Bipartisan Infrastructure Law. Annual appropriations are subject to Congressional action.

Bipartisan Infrastructure Law – Formula Programs

Key formula funding levels increased by **30%** and programmatic changes for public transportation over a five-year period (Fiscal Years 2022 to 2026) to include:

- \$33.5 billion for the Urbanized Area Formula Program to support transit operations in 500 communities across the country
- \$23.1 billion for the State of Good Repair program to maintain public transit systems
- \$4.6 billion for Rural Area Formula Grants to support transit investments in rural areas communities
- \$3.9 billion for additional Urbanized and Rural Formula Program assistance through the Growing States and High-Density States formulas
- \$2.2 billion for the Enhanced Mobility of Seniors and Individuals with Disabilities program
- \$229 million for public transportation on Indian Reservations



Bipartisan Infrastructure Law – Discretionary & Other

- \$5.6 billion in Low or No Emission Vehicle Competitive Grants to support the transition of transit vehicles to low or zero emission technologies*
- \$5.1 billion in Buses and Bus Facilities formula and competitive grants*
- FTA released the Joint NOFO **\$1.1 billion** for Low & No Emission program and **\$545 million** for Buses & Bus Facilities program – March 4, 2022; Deadline was May 31, 2022

* *FTA Dear Colleague letter discusses the need for a Zero-Emission Transition Plan, when applying for funding under FTA's Bus & Bus Facilities & Low or No Emission competitive programs*

Authorized Funding: Buses and Bus Facilities Formula, Competitive, and Low-No Program (Section 5339)

Program Component	FY 2021 Enacted	FY 2022 (in millions)	FY 2023 (in millions)	FY 2024 (in millions)	FY 2025 (in millions)	FY 2026 (in millions)
Formula	\$582.61	\$603.99	\$616.61	\$632.71	\$645.78	\$662.20
Buses and Bus Facilities Competitive	\$414.04	\$375.70	\$383.54	\$393.56	\$401.69	\$411.90
Low or No Emissions Competitive	\$180.00	\$1,121.56	\$1,123.06	\$1,124.96	\$1,126.51	\$1,128.46
5339 Program TOTAL	\$1,176.65	\$2,101.25	\$2,123.21	\$2,151.23	\$2,173.98	\$2,202.56

Note: Funding amounts before subtracting administrative and oversight takedown.

DOT/FTA Program Priorities

The Low-No and Buses and Bus Facilities Competitive Program support DOT and FTA's priorities and objectives through investments that:

1. Renew our transit systems
2. Reduce greenhouse gas emissions from public transportation
3. Advance racial equity
4. Maintain and create good-paying, jobs with a free and fair choice to join a Union
5. Connect communities

New Statutory Program Requirements

Applies to Low-No [Section (5339(c))] & Buses and Bus Facilities Competitive [Section 5339(b)]:

- Zero-Emission Fleet Transition Plan
- 5% Workforce Development for Zero-Emission Projects
- Continuation of the Partnership Provision

Low-No Program

- A minimum of 25 percent of the amount awarded will be awarded to low emission projects other than zero-emission vehicles and related facilities

Buses and Bus Facilities Competitive Program

- A minimum of 15 percent of the amount awarded will be awarded to projects located in rural areas (increased from 10 percent in FAST Act)
- Innovative Procurement Requirement - Section 3019/(49 U.S.C. 5325)
- *Fact Sheet:* <https://www.transit.dot.gov/funding/grants/innovative-procurement-leasing-fact-sheet-section-3019>



Partnership Provision

An applicant proposing the **same project** as a low or no emission project under both the Buses and Bus Facilities Competitive Program and the Low-No Program or under just the Low-No Program, may include partnerships with other entities that intend to participate in the implementation of the project

- The competitive selection process satisfies the requirements for a competitive procurement for the partners named in the application
- Examples of partnerships include, but are not limited to, specific vehicle manufacturers, equipment vendors, owners or operators of related facilities, or project consultants
- If proposing a low or no emission project for **only** the Buses and Bus Facilities program, the partnership provision does not apply
- The law is written so an applicant with a low-no project must have applied either to only the Low-No Program or the Bus and Low-No Program with the same project in order to utilize the partnership provision. As long as they did this, no matter which funding source FTA selects, the partnership provision will apply. Basically, the only way it won't apply is if someone only applies to Bus Program for a low-no project, or they apply to both programs but the projects are different

Eligible Projects: Workforce Development

Workforce Development for Non-Zero Emission Projects:

- Recipients are permitted to use up to 0.5% of the requested grant award for workforce development activities
- An additional 0.5% can be used for training at the National Transit Institute (NTI)

**See 49 U.S.C.
5314(b)**

Examples Include:

- On-the-job training
- Apprenticeships
- Research for training programs
- Employment outreach programs



Eligible Projects: Workforce Development (contd.)

Workforce Development for Zero-Emission Projects:

- 5% of the requested Federal award must be used for workforce development unless the applicant explains in the application why less funding is needed. Certification via Category 11 in FY 2022 Certifications and Assurances
- These amounts are additional, not a take-down, from other eligible project expenses.
- *For example, if the total capital costs of the vehicles and equipment was \$95,000, an additional \$5,000 should be included in the budget for these expenses for a total project cost of \$100,000*



Ineligible Projects

Projects not eligible for funding:

- Non-public transportation projects (e.g., *school buses, prisoner transport, intra-facility shuttles, services not open to the general public, see: 49 U.S.C. § 5302(14)*)
- Operating expenses
- Preventive maintenance
- Development or deployment of prototype/demonstration vehicles
- Previous project expenses
- Mobility management
- Planning and design studies



Zero-Emission Fleet Transition Plan

For applications related to zero-emission vehicles submitted under either the Low-No or Buses and Bus Facilities Competitive programs, applicants are required by law [49 U.S.C. 5339(c)(3)(D)] to submit a Zero-Emission Fleet Transition Plan with the following six elements:

1. Demonstrate a long-term fleet management plan with a strategy for how the applicant intends to use the current application and future acquisitions
2. Address the availability of current and future resources to meet costs for the transition and implementation
3. Consider policy and legislation impacting relevant technologies
4. Include an evaluation of existing and future facilities and their relationship to the technology transition
5. Describe the partnership of the applicant with the utility or alternative fuel provider
6. Examine the impact of the transition on the applicant's current workforce by identifying skill gaps, training needs, and retraining needs of the existing workers of the applicant to operate and maintain zero-emission vehicles and related infrastructure and avoid the displacement of the existing workforce



Zero-Emission Fleet Transition Plan (contd.)

- For agencies with smaller fleets, a Zero-Emission Fleet Transition Plan need not be complex and should be tailored as applicable but must address all six elements
 - It could be 1-2 pages for example
- For applications from State Departments of Transportation, the state may provide a Zero-Emission Fleet Transition Plan that covers some or all of the subrecipients, attach individual plans developed by the subrecipients, or a combination of both
- FTA will rate a zero-emission project higher if the applicant is able to demonstrate how the proposed project and Zero-Emission Fleet Transition Plan support the conversion of the agency's overall fleet to zero emissions
- Applicants must ensure that the plan contains the six distinct elements, and they are labeled appropriately.
- **Applicants may use an existing plan with a cover letter or addendum identifying the location of the six elements and/or adding any missing elements**



Zero-Emission Fleet Transition Plan Development

Amongst zero-emission applications, FTA will give priority consideration to zero-emission applicants that in the development of the workforce section (Element 6) of the Zero-Emission Fleet Transition Plan have consulted with workforce representatives AND identify the use of at least one of the following in their plan:

1. Use of labor-management partnerships for training
2. Use of registered apprenticeship training to support skilling of incumbent and entry-level workers with focus on using registered apprenticeship to advance BIPOC, women, and other groups facing systemic barriers to employment that may be underrepresented in the current workforce, especially in higher-paying jobs **OR**
3. Identification of how reskilling workers for new fleets advances broader strategy to retain, retrain and recruit employees into good paying jobs, with the choice to join a union and equitable access to training and support that helps workers to stay retained in jobs



Bipartisan Infrastructure Law - Information

- <https://www.transit.dot.gov/BIL>
- FTA BIL Program Fact Sheets for existing and new programs; funding levels
- Sign up to receive email updates
- Webinars
- Town Hall meetings
- Storytelling
- Region 9 Webinar & Listening Session

Many thanks for the service to your riders and communities during the pandemic with vaccinations and other support functions



[TRANSIT.DOT.GOV](https://www.transit.dot.gov)