



# NDDOT TRANSIT

September 20, 2021

# Agenda

- Welcome
- Compliance Reviews
- Required Policies
- Audit Requirements
- Risk Assessments
- Federal Grants
- DBE Plan
- TVM Reporting
- Drug & Alcohol Program
- NTD Reporting
- Black Cat System
- Vehicles
- COVID-19 Response Program
- Other topics

# Compliance Reviews – FY2022

- 5310, 5311 and 5339 reviews will be conducted onsite.
- Title VI reviews will be conducted onsite.
- Drug and Alcohol Compliance Reviews will continue to be virtual meetings.
  
- In addition to completing the Questionnaire, remember to upload requested material; i.e., plans, policies, brochures, handbooks, guides, and other requested documents to the folders under Supporting Documentation in Oversight. Even though this same material can be accessed in BlackCat Resources, you must upload the requested items to Oversight folders so it can be captured in one location for FTA reviews. The requested material can be found on pages 5 & 6 of the Questionnaire.

# Required Policies

When requesting reimbursement for Federal funds, there are regulations that must be followed per 2 CFR Part 200. During recent agency audits, the following policies were identified as necessary if requesting Federal reimbursement for those items. They must be included in your Personnel Plan:

- ❖ **Uniform Policy** - If you are requesting reimbursement on your quarterly report for uniforms, you must have a policy stating who is eligible to receive uniforms, how you determined the number of shirts/jackets received by each employee, and frequency of replacements.
- ❖ **Cell Phone Policy**
  - ❖ If your agency provides a cell phone for employees to use while performing job duties, you must have a policy stating who is eligible for the cell phones.
  - ❖ If your agency allows employees to use their personal cell phone while performing their job duties and pays a stipend for the use of that cell phone, you must have a policy stating who is eligible for the stipend and the amount the employee will receive. This must be reported as an employee benefit and the employee reimbursement request must be maintained with each timesheet where a stipend is paid to the employee.

# Required Policies

- ❖ **Travel Policy** – Agencies are required to have an established travel policy for both employees and board members if travel is reimbursed. Agency may elect to use State Per Diem, GSA, or actual expenses (not to exceed State Per Diem or GSA), however it must be consistent. Supporting documentation must include:
  - ❖ Mileage – Beginning odometer, ending odometer, destination and purpose of travel.
  - ❖ Training –Include an agenda of the training provided. If meals are provided as part of the training, those meals cannot be reimbursed again.
  - ❖ Lodging – Lodging receipts must be maintained.
  - ❖ Board Reimbursement – If board members are reimbursed for their travel, training, or paid a stipend to attend board meetings, board meeting minutes should also be attached to the request in addition to the items listed above and maintained as part of the record.

# Required Policies

❖ Additional policies each agency should have:

❖ **Rider Guide or Policy** – All agencies should have rider policies in place and mechanism to notify the public of their policies. The Rider Guide should communicate the standards of behavior for all passengers on buses and transit property. Be sure to include all non-discrimination statements, and reasonable modification language.

❖ **Coming Soon – Procurement Policy**

❖ NDDOT is in the process of updating the Procurement Plan. When it is complete, a template will be provided for agencies to create their own plan specific to their agency.

# Audit Requirements

- As a sub-recipient of Federal funds, you are subject to the requirements of the Office of Management and Budget (OMB), 2 CFR 200, Subpart F: Audit Requirements. All sub-recipients must complete the following within 9 months of their fiscal year close:
  - Complete the NDDOT Audit Certification Form SFN: 60639 and submit it to our office within 9 months of your fiscal year close.
  - If your agency expended \$750,000 or more in total Federal awards for the fiscal year, you must also have a single audit completed.
  - Your single audit must be uploaded to the Federal Audit Clearinghouse.
  - We will not be able to reimburse Federal funds until this requirement is met.

# Risk Assessments/Internal Control Questionnaire

- The initial risk assessment has been completed for federal subrecipients. The Transit section worked with the DOT Audit Division and will be contacting agencies regarding any areas of concern.
- January 2022 – each agency that receives a federal contract will receive a modified questionnaire to complete. This is a scaled down version of the initial internal control questionnaire. Your agencies responses will be evaluated and if there are areas of concern, the additional documentation may be requested.
- March 2022 – completed questionnaires will be due to DOT.
- Federal Contracts will not be issued if the questionnaire is not successfully completed and returned to DOT.



# Federal Grants Applications

- FY2023 – Grant Applications will be available mid October 2021, deadline to submit the end of December 2021.
- 5311 – Apportionment funds
- 5311 - CARES Act Funds – 100%
- 5311 – American Rescue Plan Act Funds – 100%
- 5310 – Rural and Urban Apportionment funds
- 5339 – Apportionment funds
- This year applications for the emergency 100% funds will be very competitive. There is not enough 100% funds remaining to award all operating and administration requests – based on past contract amounts. Be sure your application is accurate and submitted on time.

# FTA Disadvantaged Business Enterprise (DBE) Program Plan

- In the past, FTA and FHWA DBE requirements were included in a single NDDOT DBE Program Plan. Requirements are not the same between the two Federal agencies, and NDDOT is now being tasked to create a separate FTA DBE Program Plan due to be submitted for review soon.
- When the plan is approved by FTA, each agency receiving Federal FTA funds, will be required to adopt the FTA DBE Program Plan and the requirements.
- What does this mean for you as an agency?
  - Each agency will need to adopt the plan.
  - Each agency will be required to submit a letter from their board adopting the plan.
  - Each agency will be required to carry out the requirements per the approved DBE Program Plan.
- Semi-Annual DBE Report will be due October 10, 2021. The reporting period is from April 1, 2021 through September 30, 2021.

# Transit Vehicle Manufacturing Reporting (TVM)

- TVM is a requirement of DBE.
- TVM must be reported within 30 days of contracting to purchase a transit vehicle
- What agencies must do:
  - Request permission to purchase a transit vehicle from Becky at [bhanson@nd.gov](mailto:bhanson@nd.gov) .
  - Provide required information so Transit Section can report. This includes:
    - State Contract # and vendor you intend to purchase from
    - Agency Contract #
    - Copy of the purchase order showing type of vehicle and total cost of vehicle agreed upon.
- Agency will receive an approval email from Becky
- Transit Section must report TVM information to FTA within 30 days of agency contracting to purchase.

# Drug & Alcohol Program

## Consultants Contacts

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- Drug & Alcohol reviews are conducted every 3 years through BC Oversight.
- This year reviews
  - Valley Senior Services
  - Pembina County Transportation
  - Walsh County Transportation
  - Cavalier County Transit
  - Devils Lake Senior Meals & Services
  - Spirit Lake Transit
  - Turtle Mountain Transit

# Drug & Alcohol Program

- An updated Drug & Alcohol policy was due July 1, 2021. Templates for the revised policy were emailed 4/19/2021. Also included in the email highlighted in red, were the changes from the previous policy. For agencies who have not yet submitted an updated policy, please do so by November 1, 2021. Contact me if you need the new templates resent.
- A current, approved policy is an FTA and State requirement to be compliant. We will not be able to reimburse Federal or State funds until this requirement is met.
- Once your new policy has been updated and approved by your board, upload it to BC Resources and archive the older policy. Remember to share the new policy with your safety-sensitive employees and note the date the employee was provided a copy of the policy for your training records.
- Remember to complete the Attachment B, Drug and Alcohol Contacts, in the new policy.

# NTD Reporting

## Why do we annually report to FTA?

### 5311 Formula Apportionments

Money is awarded to states based a formula that includes land area, population in rural areas, revenue-vehicle miles, and low-income individuals in rural areas. Since COVID-19 pandemic has distorted service data (revenue miles), FTA will use data from 2019 or 2020 which ever is highest, in the formula to calculate funds awarded to our state.

### Performance Benchmarking

Comparison to other states and similar size transit agencies in the country on service data such as cost per mile, cost per hour, cost per passenger, etc., as a means of identifying opportunity for better transit operation practices.

### Academic Research

### Government Performance Results Act

This act enacted in 1993 was designed to improve program management throughout the Federal government. It requires agencies to engage in performance management tasks such as setting goals, measuring results, and reporting their progress.

# NTD Reporting

Reporting period is for SFY 2021, or 7/1/2020 – 6/30/2021

NTD report, **RR-20** - for reporting revenue received, and service data, for SFY 2021.

- **Revenue**

- All 5311 funds received in SFY 2021 should be reported as CARES funds.
- If you received any State Aid payments in this time period, whether they were SFY20 or SFY21, please report it under State Funds.

- **Service Data**

- Ridership Numbers
  - Do not include any incidental trips provided during COVID-19 unless a passenger was on board. Only report passenger trips.
- This report will be due by October 15, 2021, or sooner.

# BlackCat System

- Asset maintenance module
  - In Production
  - Approximate Go live – date of January 2022
  - No cost to agencies
- Resources
  - Create a Sam.gov folder & upload your certification when renewed
- Capital Claims
  - When submitting capital claims remember to enter the amount and source of match on the Local Share/State Aid Request Summary.
  - Total federal and local share requested must equal the amount of the invoice.
- Other



# Vehicles – State Bids

- **300 – 15 passenger cutaway – Champion/Elkhart/Startrans/Eldorado** - will be extended through – 10/31/2022 – prices may increase
- **301 – ADA Transit Vehicle – Side and Rear Lift – Ford Transit** - will be extended through – 10/31/2022 – prices may increase
- **301-B – ADA Transit Vehicle – Rear Lift – Ford Transit** - ends 10/31/2021 – this is a State Bid through Veterans Administration – DOT does not handle this renewal.
- **381 – Low Floor – Frontrunner – New England Wheels** – *Notice of Intent to Award new contract - prices increased*
- **382 – ADA Low Floor Mini Van – Dodge Voyager - Production Suspended** – *new model series will need to pass testing and Buy America.*
- **383 – Low-Flow Paratransit Ramp Buses – Arboc** - will be extended through – 10/31/2022 – prices may increase

# Vehicles – State Bids

- 5339 & 5310 Vehicle Contracts
  - DOT will contact each agency to discuss existing vehicle contracts. Extensions for time, addition funding and/or vehicle type changes will be approved on reasonable requests.
- Bid Specifications Review Committee Volunteers
  - Volunteers would assist the DOT with developing new vehicle specifications and updating current specifications
  - Email Becky, [bhanson@nd.gov](mailto:bhanson@nd.gov) with name and contact information from your agency

# COVID-19 Response Program

FTA urges frontline workers to get vaccinated and transit agencies to continue to facilitate access to vaccination sites for your communities.

- FTA encourages agencies to support the vaccination of all transit workers
  - Provide employees paid time off for getting vaccinated
  - Offer gifts cards or cash award to motivate employees to get vaccinated
- FTA funds can be used to support vaccine access services
  - Free or reduced-fare rides to COVID-19 vaccinations
  - Use of transit facilities or vehicles for vaccination sites
  - Advertise open for business and operate clean and safe vehicles

The monthly COVID Reporting in BlackCat will be required through December 31, 2021

Masks Available

Other



# Other Topics

- Questions
- NDDOT Contact Information

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