



WELCOME

TxDOT-PTN Statewide Call

July 20, 2022





- Your line has been muted automatically upon joining the meeting.
- It is important to enter your name when joining the meeting – if you didn't do that, please exit the meeting and rejoin.
- If you wish to comment on an agenda item, use the meeting's chat feature to let Adam know – he will respond, read your comment aloud for response.
- If at any point you've been unmuted, please remember not to place this meeting on HOLD – we'll all hear your hold tone.



- State Management Plan
- Proposed Federal 5311 Formula TAC Rule Changes



- Posted for Comment

- Draft plan is posted on PTN's internet site (bottom right corner):
<https://www.txdot.gov/inside-txdot/division/public-transportation.html>
- Public Comment Period: July 11 – August 12, 2022
- Email comments to TxDOT PTN at: PTN_ProgramMgmt@txdot.gov

- Updates

- Summary of updates sent via email from Debbie Tahiri, Compliance Team Member, on July 11th.
- Changes are highlighted in the online draft document for ease of review
- Few updates: In general, added IIJA reference and a couple new IIJA requirements, added new annual eGrants security review, removed some COVID related items that are now expired, and added clarifications and items of emphasis in other areas

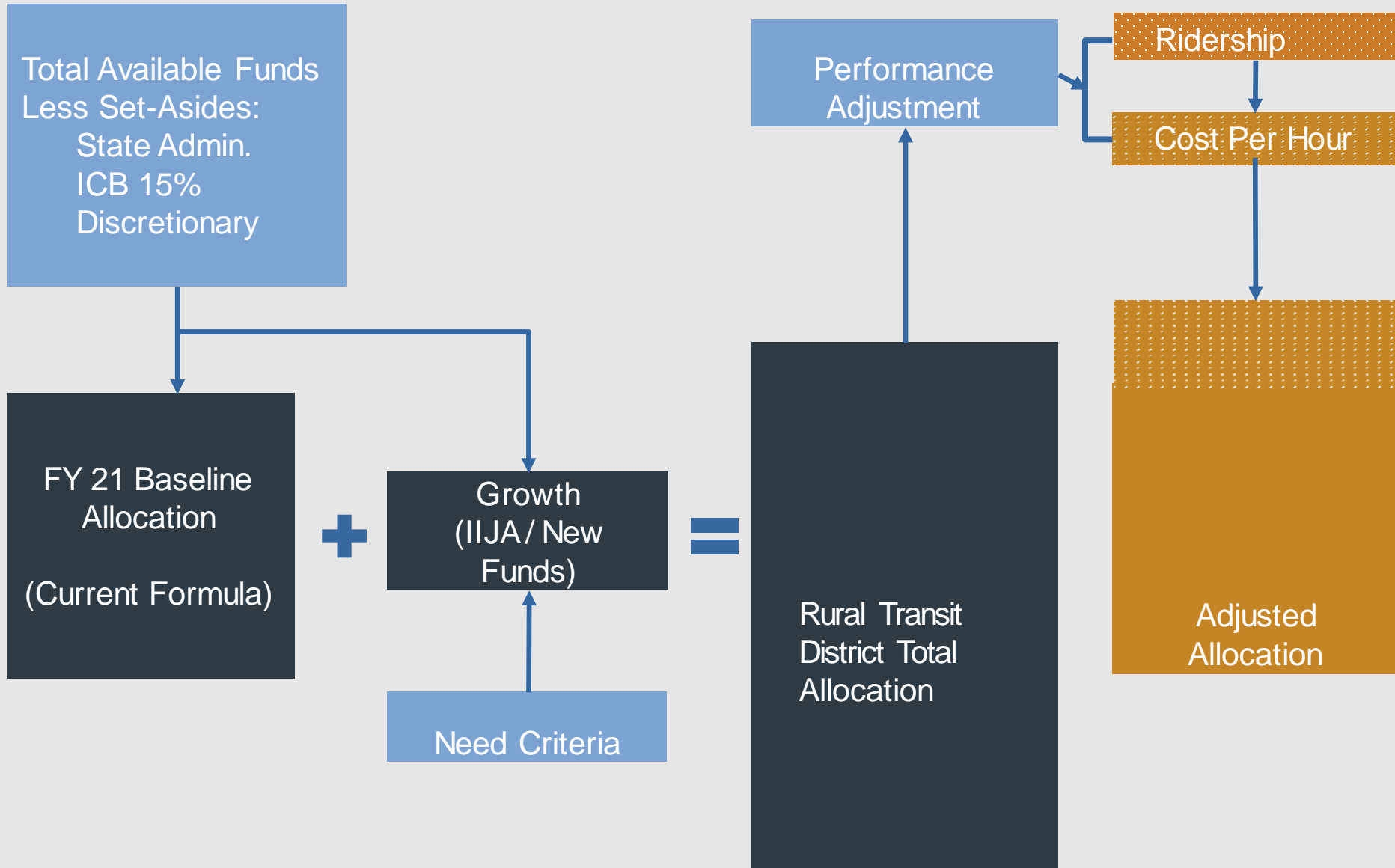


- Additions
 - 5339 IIJA Requirements
 - IIJA reporting requirements for certain procurements
 - eGrants system safety rules and annual system security reviews
 - Environmental site assessment requirements when acquiring property
 - Current PTN DBE Goal for FY 2021-2023 is 3.1%
- Clarifications
 - Use of de minimis and negotiated rates for indirect costs
 - Ownership documentation requirements for real property
 - Requirements of PTASP
- Revisions
 - COVID-19: discontinuation of mask mandate as well as extensions for single audits
 - Transit Scholarship Program: deleted statement that seminars and conferences are ineligible



- Innovative Procurement Usage
 - When purchasing fewer than five buses using a stand-alone procurement, a written justification statement must be provided to TxDOT-PTN.
 - Innovative procurement options include Interstate Cooperative Procurements, State Cooperative Procurements, Joint Procurement Clearinghouse, and Leasing.
 - The statement should be provided to the PTC before a PO is issued and retained within the written procurement history.
- Vehicle Proceeds ***Urban Only**
 - The Infrastructure Investment and Jobs Act (IIJA) changed the provisions for transit asset disposition [49 USC § 5334(h)(4)(B)]. For rolling stock, equipment and aggregate supplies that have met their minimum useful life and were (1) purchased with federal assistance (2) with a fair market value of more than \$5,000 and (3) sold after November 15, 2021, the recipient may retain a portion of the funds -- \$5,000 plus the percentage of its local share in the original award. Any remaining federal share must be returned to FTA. The federal share of the sales proceeds cannot be retained for public transportation use.
 - **For Rural Transit Districts**, the disposition process has not changed for TxDOT subrecipients.
 - *For direct recipients of FTA funds, contact your FTA representative for next steps.

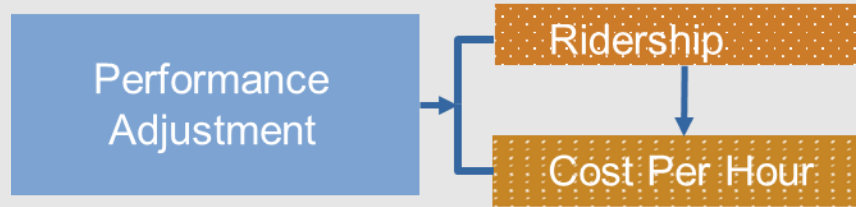
Federal 5311 Formula Rule – Proposed Changes





FY 21 Baseline
Allocation
(Current Formula)

(A) Subrecipients will receive a baseline allocation. The amount of a subrecipient's baseline allocation is the amount of §5311 funds that the subrecipient received for federal Fiscal Year 2021 and will not be reduced by the performance adjustment under paragraph (5) of this subsection.



(5) Performance Adjustment. The total allocation computed for a rural transit district under paragraph (4) of this subsection is subject to adjustment for performance in accordance with this paragraph, **except as provided by subparagraph (A) of that paragraph.**

(A) The performance measures used for performance adjustments under this paragraph are:

- (i) the district's ridership increasing by two percent or more; and
- (ii) the district's operating costs per total vehicle hours not exceeding the annual average of those costs for the district, plus one standard deviation, computed over a 10-year period but excluding any year in which a federal major disaster declaration was applicable to the district.



(8) Review of Allocation Provisions. Prior to allocating §5311 funds for FY 2028, the department will review the allocations of §5311 funds for the preceding five fiscal years to determine whether paragraphs (1) - (5) of this subsection need to be adjusted for the fair and equitable distribution of those funds for FY 2028.



August 12, 2022
August 29, 2022

**Public Hearing for Proposed Rule Changes
Written Comment Period Closes**

September 7, 2022

PTAC Meeting

October 27, 2022

Commission Meeting – Rule Adoption

January 2023

Commission Award FY 22 Growth Allocation



Wrap Up / Q&A