

Dialogue on Roles and Responsibilities



Overview

- ❑ Why are we here today?
- ❑ FTA & Grantee Roles and Responsibilities
- ❑ What are Expected Outcomes
 - Clarity on Ground Rules
 - Mutual Understanding on Decision-Making
 - Legal Basis for Oversight & Coordination
 - Results—Service to the Public

Objectives

- Promote Public Transportation in Idaho
- Share your Experiences
- Listen to your concerns
- Assist in Implementing FTA funded Projects
- Provide Guidance/Technical Assistance
- Answer your Questions

Roles and Responsibilities for FTA and its Grantees

□ FTA:

- Investment Banker
- Technical Advisor— to promote public transportation
- Business Partner—Meet expectations and fulfill terms of our “contract”

□ Grantee:

- Balance the Benefit/Burden Equation
- Determine Local Choices and decision-making
- Business Partner—meet expectations and fulfill contract terms

Grantee

- Grantee
 - Recipient
 - Subrecipient
 - Subgrantee
-
- EVERYONE MUST MEET “CONTRACT” TERMS of the FTA Master Agreement!**

Access to Ground Rules

- FTA Webpages
- FTA Circulars
- Triennial Review/State Management FY2010 Workbooks
- Best Practices Procurement Manual
- Frequently Asked Procurement Questions
- Construction Project Management Handbook/Sept 2009
- FTA Regional Office Staff/ITD Staff/Other Grantees
- Training (FTA, NTI, Other Gov't Contracting Agencies)


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What's New

PROPOSED HONOLULU RAIL TRANSIT

Proposed Honolulu Transit Corridor Project 1
 Final Environmental Impact Statement review and comment period extended

[Read More](#)

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Upcoming Events

- Aug. 16 - 19: The 2010 FHWA/FTA Planners' Seminar is scheduled to take place at the Westin Arlington Gateway in Arlington, VA
- Aug. 17: State Orientation Seminar, North Dakota DOT
- Aug. 24 - 25: National Transit Database Classroom Course, ARRA Oriented State Management/Combined Review Workshop/Workshop, DC

American Recovery & Reinvestment Act

Funds Obligated:

FTA has awarded 981 grants totaling \$8.33 billion. A total of 1 grants are undergoing review and pending award for a potential total of 982 grant awards valued at \$8.35 billion dollars in FTA Allocated ARRA funds.

Note:

Pie chart does not include FHWA funds Transferred to FTA.

- Funds Awarded - 99.97%
- Pending Review & Approval - 0.03%

Click here for a list of ARRA grants awarded [\[E\]](#)

NEW [ARRA Dashboard](#) (7/29/10)

[FTA Initiatives](#)
[Top Requests](#)

MAJOR [FTA's Rail Transit Safety Initiative](#)

While rail transit is safe, the Administration is committed to ensuring the safety of the rail system.

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Third Party Procurement

Do you have a question? The FTA Third Party Procurement HelpLine is an excellent source to ask your questions on transit acquisition policies and practices. Most questions can be answered using [FTA Circular 4220.1E](#), and the Best Practices Procurement Manual (BPPM). However, after searching the Circular, the BPPM and the Frequently Asked Questions at this site, if you have not found your answer, send your question to us. An expert from one of many top-notch resource centers will address your concerns.

To ask a question, click on the [Submit a Question](#) link on the right, and fill out the questionnaire form.

Enter a keyword in the text box below to search content only within the Third Party Procurement section:

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Frequently Asked Questions: Third Party Procurement

Got a question? Need an Answer Fast! The following is a topical listing of questions frequently asked of the Federal Transit Administration's Office of Procurement. Clicking on a topic will transfer you to related questions and answers.

- [A&E Contracts](#)
- [Acquiring Real Estate](#)
- [ADA Requirements](#)
- [Advance Payments](#)
- [Airline Passenger Complaints](#)
- [Allowable Costs for Grants](#)
- [Alternate Bids](#)
- [Altoona Testing](#)
- [Applicability of FTA Circular 4220.1E to Grantee Contractors](#)
- [ARRA](#)
- [ARRA Contract Clauses](#)
- [Artwork](#)
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- [GSA Supply Schedules](#)
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- [Late Proposals](#)
- [Leases](#)
- [Legal Services](#)
- [Letters of Credit](#)
- [Licensing of Contractors](#)
- [Light Rail Window Standards](#)

Grant Management

- ❑ Grantee's Role: Monitor grant supported activities to ensure compliance with federal requirements
- ❑ Grantee is responsible for funds that “pass through to a “subrecipient”
- ❑ Contract terms: Signed FTA Master Agreement
- ❑ Trust factor: Signed Certifications & Assurances
- ❑ Validation: Periodic oversight

Grantee's Responsibilities

- Oversight capacity
- Project management
- Inspections
- Meet cost and time goals
- Compliance
- Funds Management
- Independent audits
- Record keeping
- Reporting
- Continuing Control
- Financial accountability
- Asset Management

Common Problems

- Inadequate Resources/Experience
- Lack of Compliance with FTA Rules
- Late or Incomplete Reporting
- Inactive Grants
- Schedule Delays
- Oversight of Subrecipients/Contractors

General Procurement Requirements

- ❑ **Transit Authorities, Public Bodies, MPOs, and private non-profit and for-profit entities/Circular 4220.1F**
- ❑ **States, public entity subrecipients and contractors/Comply with their own procedures plus:**
 - Provide full and open competition
 - Include all applicable FTA clauses
 - Comply with the Brooks Act
 - Prohibit geographic preferences
 - Comply with the five-year limitation on rolling stock or replacement parts
 - Award only to responsible contractors
 - Purchase order and contracts include all clauses required by Federal regulations

Procurement - Common Problems

- Lack of Independent Cost Estimate
- Lack of Cost/Price Analysis
- Written Record of Procurement History
- Sound and Complete Agreement

Non-Competitive Procurements

- ❑ **Sole source procurement is justified if documentation can demonstrate:**
 - Inadequate competition exists after competitive solicitation
 - The product or service is unique and available from only one source
 - Unusual and compelling urgency
 - A cost analysis must be prepared to document that the price is fair and reasonable

- ❑ **Single bid award is considered to be similar to a sole source award.**
 - Documentation required for a single bid award should include:
 - A written canvass of other qualified vendors to determine why they did not submit a bid and a determination that reasonable modifications to the bid documents would not result in multiple bids
 - A cost analysis that determines that the price received is fair and reasonable

Buy America

- ❑ The Buy America requirements apply to all contracts valued at more than \$100,000
- ❑ Requirements Flow Down
 - The Buy America requirements flow down from FTA recipients and subrecipients to first tier contractors, who are responsible for ensuring that lower tier contractors and subcontractors are in compliance. The \$100,000 threshold applies only to the grantee contract, subcontracts under that amount are subject to Buy America.
- Steel, iron and manufactured products must be produced in the United States, unless subject to a waiver

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site at**

www.fta.dot.gov

Please contact us: 206-220-7954

Rick Krochalis, Regional Administrator

Linda Gehrke, Deputy Regional
Administrator