

Application

Federal Award Identification Number (FAIN)	NM-2021-017-00
Temporary Application Number	7391-2021-2
Application Name	Mescalero Apache Tribe FY 21 American Rescue Plan Act - Public Transportation on Indian Operating Assistance
Application Status	Final Concurrence / Reservation
Application Budget Number	0

Period of Performance Start Date	N/A
Original Period of Performance End Date	6/30/2024
Current Period of Performance End Date	N/A Revision #: N/A

Part 1: Recipient Information

Name: MESCALERO APACHE TRIBE

Recipient ID	Recipient OST Type	Recipient Alias	Recipient DUNS
7391	Indian Tribe	Mescalero Apache Tribe	077618650

Location Type	Address	City	State	Zip
Headquarters	108 OLD MESCALERO BLVD	MESCALERO	NM	88340
Physical Address	108 OLD MESCALERO BLVD	MESCALERO	NM	88340
Mailing Address	PO BOX 227	MESCALERO	NM	88340

Union Information

There are no union contacts for this application

Part 2: Application Information

Title: Mescalero Apache Tribe FY 21 American Rescue Plan Act - Public Transportation on Indian Operating Assistance

FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
NM-2021-017-00	Final Concurrence / Reservation	Grant	7/6/2021	7/6/2021	No

Application Executive Summary

FY 21 American Rescue Plan Act- Public Transportation on Indian Reservations Formulary Apportionment Section 5311(c)(1).

This application utilizes ARP funding to prevent, prepare for, and respond to Coronavirus. This grant will be used to cover expenditures relating to operations. Funding Source, FY ARPA funds of \$133,609. There will not be a local funds match. Expenditures include, but are not limited to, Vehicle Insurance, Operating Salaries, Rent, Telephone, Audit and Supplies.

The Recipient agrees that if it receives Federal funding from the Federal Emergency Management Agency (FEMA) or through a pass-through entity through the Robert T. Stafford Disaster Relief and Emergency Assistance Act, a different Federal agency, or insurance proceeds for any portion of a project activity approved for FTA funding under this Grant Agreement, it will provide written notification to FTA, and reimburse FTA for any Federal share that duplicates funding provided by FEMA, another Federal agency, or an insurance company.

Per the ARP Act, the project in this application is not required to be programmed in the Long-Range Transportation Plan, Statewide Transportation Plan, or Statewide Transportation Improvement Program.

Milestones for project:

Start date: : 10/1/2021 - Begin to expend ARPA funding
 End date: 9/30/23 - Estimated date funds will be expended
 Final Report: 3/31/2024 - Date of Final Report

The pandemic has presented an emotional and financial hardship on the Mescalero Apache Tribe. As of June 28, 2021, the Mescalero Apache Tribe's COVID-19 test results were as follows: 17,226 tests were conducted. Of those 16,273 were negative and 953 were positive. There were 25 deaths due to COVID-19. The State of New Mexico remains in a Public Health Emergency. The Mescalero Apache Tribe has an Emergency Communication System for tribal members, via land line. They are able to receive emergency messages to include but not limited to; Health Recommendations, Tribal Information, Severe Weather and more. The Mescalero Apache Tribe sends out a monthly newsletter to its members, called Apache Scout.

The Mescalero Apache Tribe is located in the Sacramento mountains of South Central New Mexico. This mountainous area encompasses four sacred mountains, Sierra Blanca, Guadalupe Mountain, Three Sisters Mountain and Oscura Mountain Peak. The reservation has a land mass of 719 square miles. According to the website the Mescalero population is 5,130. Of those, the ethnicity consists of, American Indian 95% and Hispanic or Latino 5%. Approximately 31% of Tribal members live below the federal poverty line.

Public Transportation is an essential service to tribal members, and is provided to the Mescalero Apache Tribe by Ztrans, the local public transportation provider.

Purpose:

The Purpose of this grant is to support the Tribe's Public Transportation endeavors during the COVID-19

pandemic. This will be done through financially supporting part of the Mescalero Apache Tribes share of operating expenditures. This funding was allocated to the Mescalero Apache Tribe, through ARPA formula funds March 11, 2021. The ARPA, as part of the supplemental appropriations is allocated to support the transit industry during the COVID-19 public health emergency.

Activities to be Performed:

Public Transportation for the Mescalero Apache Tribe will be provided, Monday through Saturday, from 6am to 7:30pm, except on listed holidays.

Expected Outcomes:

By using the ARPA grant funding for expenditures, it will reduce the (638) Road Fund, which Mescalero is having to use as their subsidy for the service. This will enable the tribe to utilize the (638) road fund on their roads. The ARPA funding will be used for transportation operating expenditures, beginning October 1, 2021. The ARPA funding will help the Mescalero Apache Tribe subsidize their transportation service. Transportation is provided through the local transportation provider, Zia Therapy Center, Inc. (Ztrans). Zia Therapy Center, Inc. is also Mescalero Apache Tribe's rep, to designated/direct recipient.

Intended Beneficiaries:

Mescalero Apache Tribal member's will reap the benefits by having access to Public Transportation, for Employment, Medical appointments, Grocery shopping, transportation to Secondary Education at, NMSU-A in Alamogordo and NMSU in Las Cruces, New Mexico. Additionally, the tribes infrastructure will benefit, as the ARPA grant will alleviate the use of a portion of the (638) Road Fund for the reservations much needed road improvements.

Subrecipient Activities:

The recipient does not intend to subaward funds.

ARPA Operating dates in this application do not overlap with previous awards.

Frequency of Milestone Progress Reports (MPR)

Annual

Frequency of Federal Financial Reports (FFR)

Annual

Does this application include funds for research and/or development activities?

This award does not include research and development activities.

Pre-Award Authority

This award is not using Pre-Award Authority.

Does this application include suballocation funds?

Recipient organization is directly allocated these funds and is eligible to apply for and receive these funds directly.

Will this Grant be using Lapsing Funds?

No, this Grant does not use Lapsing Funds.

Will indirect costs be applied to this application?

This award does not include an indirect cost rate.

Indirect Rate Details: N/A

Requires E.O. 12372 Review

No, this application does not require E.O. 12372 Review.

Delinquent Federal Debt

No, my organization does not have delinquent federal debt.

Application Point of Contact Information

First Name	Last Name	Title	E-mail Address	Phone
Abel	Ayala	Program Management Specialist	Abel.Ayala@dot.gov	(817) 978-0560
Sharon	Gilsdorf	Chief Financial Officer	sharon@ziatherapy.org	(575) 439-4900 101

Application Budget Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 -Tribal Transit Program Formula (ARPA)	5311-10C	20509	\$133,609
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$133,609

Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
NM-2021-017-01-00	600-00 (600-A1) OTHER PROGRAM COSTS	\$133,609.00	\$0.00	\$133,609.00	0
NM-2021-017-01-00	30.09.08 EMER RELIEF - OPERATING ASSIST - 100% Fed Share	\$133,609.00	\$0.00	\$133,609.00	0

Discretionary Allocations

This application does not contain discretionary allocations.

Part 3: Project Information

Project Title: FY 21 ARPA Formula Apportionments

Project Number	Temporary Project Number	Date Created	Start Date	End Date
NM-2021-017-01-00	7391-2021-2-P1	7/6/2021	10/1/2021	3/31/2024

Project Description

Mescalero Apache Tribe FY 21 ARPA Formula Apportionments.

The ARPA funding will help the Mescalero Apache Tribe subsidize the transportation service being provided by the local transportation provider, Zia Therapy Center, Inc. (Ztrans) in Alamogordo, New Mexico. The ARPA funding will alleviate the Tribe from having to use (638) roads monies, so that it can be used for needed infrastructure.

Project Benefits

FY 21 ARPA Formula funding will be used for transportation operating expenses, beginning October 1, 2021 until funds have been exhausted. The benefit is huge, as it will financially reduce the road funds (638) from being used for public transportation and will allow the roads fund to be utilized for roads instead. The ARPA funds are specifically allocated to support the transportation industry during the COVID-19 public health emergency, and this funding will help tremendously. New Mexico is still under a Public Health Emergency.

Additional Information

Public Transportation is essential to tribal members, they use public transportation to get to employment, medical care, grocery shopping and so much more. Transportation allows tribal members to access secondary education, in Alamogordo (NMSU-A) and Las Cruces (NMSU), that otherwise would be inaccessible.

Location Description

The Mescalero Apache Tribe is located in South Central New Mexico and is federally recognized as the "Mescalero Apache Tribe of the Mescalero Apache Reservation". The present reservation was established in 1883. It has a land area of 719 square miles, almost entirely in Otero County. The 463,000 acre reservation lies on the eastern flank of the Sacramento Mountains and borders the Lincoln National Forest, with a small unpopulated section in Lincoln County. The major highway that runs through the reservation is New Mexico State HWY 70.

Project Location (Urbanized Areas)

UZA Code	Area Name
350000	New Mexico

Congressional District Information

State	District	Representative
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Program Plan Information

STIP/TIP

Date: 7/6/2021

Description: This is New Mexico's Statewide Transportation Improvement Program document. It was approved August 3, 2020.

UPWP

Date: 7/6/2021

Description: The attached document is Mescalero Apache Tribes "Unified Planning Work Program" and it is there 20 year long range plan. This plan includes the entire Mescalero Apache Indian Reservation. It provides direction and strategies to Tribal officials concerning the transportation system over the next 17 years, to 2037. It is updated every 5 years.

Long Range Plan

Date: 7/6/2021

Description: Attached is New Mexico's long range plan. It extends to 2040, and it was adopted on September 17, 2015.

Project Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 -Tribal Transit Program Formula (ARPA)	5311-10C	20509	\$133,609
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$133,609

Project Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
NM-2021-017-01-00	600-00 (600-A1) OTHER PROGRAM COSTS	\$133,609.00	\$0.00	\$133,609.00	0
NM-2021-017-01-00	30.09.08 EMER RELIEF - OPERATING	\$133,609.00	\$0.00	\$133,609.00	0

ASSIST -
100% Fed
Share

Project Budget Activity Line Items

Budget Activity Line Item: 30.09.08 - EMER RELIEF - OPERATING ASSIST - 100% Fed Share

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
OTHER PROGRAM COSTS (600-00)	30.09.08	EMER RELIEF - OPERATING ASSIST - 100% Fed Share	OPERATING ASSISTANCE	0

Extended Budget Description

The FY 21 ARPA formula funding grant will be utilized for Operating and Administrative assistance. This funding will help subsidize the (638) road funds that have been used for public transportation. The tribe provides a subsidy to the local transportation provider, Zia Therapy Center, Inc. (Ztrans), for its public transportation service.

Provision of transit services include but are not limited to:
Vehicle Insurance, Operational Salaries, Rent and Supplies.

Will 3rd Party contractors be used to fulfill this activity line item?

No, 3rd Party Contractors will not be used for this line item.

Funding Source	Section of Statute	CFDA Number	Amount
5311 -Tribal Transit Program Formula (ARPA)	5311-10C	20509	\$133,609
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$133,609

Milestone Name	Est. Completion Date	Description
Start Date	10/1/2021	This is the date we will begin to expend ARPA formula funding.
End Date	9/30/2023	This is the projected date for the ARPA formula funding will be completely expended.
Final Report	3/31/2024	This is the expected date for the Final Report.

Project Environmental Findings

Finding: Class II(c) - Categorical Exclusions (C-List)

Class Level Description

Class II(c) consists of projects that do not have a significant environmental impact on the human or natural environment and are therefore categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement. FTA requires a sufficient project description to support a CE determination. The project may require additional documentation to comply with other environmental laws.

Categorical Exclusion Description

Type 04: Planning and administrative activities which do not involve or lead directly to construction, such as: training, technical assistance and research; promulgation of rules, regulations, directives, or program guidance; approval of project concepts; engineering; and operating assistance to transit authorities to continue existing service or increase service to meet routine demand.

Date Description	Date
Class IIc CE Approved	

Scope Name / Code	Line Item Number	Line Item Name	Quantity	FTA Amount	Total Eligible Cost
OTHER PROGRAM COSTS (600-00)	30.09.08	EMER RELIEF - OPERATING ASSIST - 100% Fed Share	0	\$133,609.00	\$133,609.00

Part 4: Fleet Details

No fleet data exists for this application.

Part 5: FTA Review Comments

FTA Comments for DOL

Comment By Abel Ayala

Comment Type DOL Review for Information

Date 7/13/2021

Comment Tribal Section 5311-10c for information ONLY

Part 6: Agreement

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

**GRANT AGREEMENT
(FTA G-28, February 9, 2021)**

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official signs this Grant Agreement, FTA has obligated and awarded federal assistance as provided below. Upon execution of this Grant Agreement by the Recipient named below, the Recipient affirms this FTA Award, enters into this Grant Agreement with FTA, and binds its compliance with the terms of this Grant Agreement.

The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(28), February 9, 2021, <http://www.transit.dot.gov>,
- (2) The Certifications and Assurances applicable to the FTA Award that the Recipient has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

WHEN THE TERM "FTA AWARD" OR "AWARD" IS USED, EITHER IN THIS GRANT AGREEMENT OR THE APPLICABLE MASTER AGREEMENT, "AWARD" ALSO INCLUDES ALL TERMS AND CONDITIONS SET FORTH IN THIS GRANT AGREEMENT.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE RECIPIENT DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING FTA's AWARD DATE SET FORTH HEREIN.

FTA AWARD

Federal Transit Administration (FTA) hereby awards a Federal Grant as follows:

Recipient Information

Recipient Name: MESCALERO APACHE TRIBE

Recipient ID: 7391

DUNS No: 077618650

Application Information

Federal Award Identification Number: NM-2021-017-00

Application Name: Mescalero Apache Tribe FY 21 American Rescue Plan Act - Public Transportation on Indian Operating Assistance

Application Start Date: N/A

Original Award End Date: 6/30/2024

Current Award End Date: N/A

Application Executive Summary: FY 21 American Rescue Plan Act- Public Transportation on Indian Reservations Formulary Apportionment Section 5311(c)(1).

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1, 2021. The ARPA funding will help the Mescalero Apache Tribe subsidize their transportation service. Transportation is provided through the local transportation provider, Zia Therapy Center, Inc. (Ztrans). Zia Therapy Center, Inc. is also Mescalero Apache Tribe's rep, to designated/direct recipient.

Intended Beneficiaries:

Mescalero Apache Tribal member's will reap the benefits by having access to Public Transportation, for Employment, Medical appointments, Grocery shopping, transportation to Secondary Education at, NMSU-A in Alamogordo and NMSU in Las Cruces, New Mexico. Additionally, the tribes infrastructure will benefit, as the ARPA grant will alleviate the use of a portion of the (638) Road Fund for the reservations much needed road improvements.

Subrecipient Activities:

The recipient does not intend to subaward funds.

ARPA Operating dates in this application do not overlap with previous awards.

Research and Development: This award does not include research and development activities.

Indirect Costs: This award does not include an indirect cost rate.

Suballocation Funds: Recipient organization is directly allocated these funds and is eligible to apply for and receive these funds directly.

Pre-Award Authority: This award is not using Pre-Award Authority.

Application Budget

Total Application Budget: \$133,609.00

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars): \$133,609.00

Amount of Non-Federal Funds Committed to This FTA Action (in U.S. Dollars): \$0.00

Total FTA Amount Awarded and Obligated (in U.S. Dollars): \$133,609.00

Total Non-Federal Funds Committed to the Overall Award (in U.S. Dollars): \$0.00

Application Budget Control Totals

(The Budget includes the individual Project Budgets (Scopes and Activity Line Items) or as attached)

Funding Source	Section of Statute	CFDA Number	Amount
5311 -Tribal Transit Program Formula (ARPA)	5311-10C	20509	\$133,609
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0

Adjustment		\$0
Total Eligible Cost		\$133,609

(The Transportation Development Credits are not added to the amount of the Total Award Budget.)

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Certification Date:

Special Conditions

There are no special conditions.

FINDINGS AND DETERMINATIONS

By signing this Award on behalf of FTA, I am making all the determinations and findings required by federal law and regulations before this Award may be made.

FTA AWARD OF THE GRANT AGREEMENT

Awarded By:

FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
Contact Info:
Award Date:

EXECUTION OF THE GRANT AGREEMENT

Upon full execution of this Grant Agreement by the Recipient, the Effective Date will be the date FTA or the Federal Government awarded Federal assistance for this Grant Agreement.

By executing this Grant Agreement, the Recipient intends to enter into a legally binding agreement in which the Recipient:

- (1) Affirms this FTA Award,
- (2) Adopts and ratifies all of the following information it has submitted to FTA:
 - (a) Statements,
 - (b) Representations,
 - (c) Warranties,
 - (d) Covenants, and
 - (e) Materials,
- (3) Consents to comply with the requirements of this FTA Award, and
- (4) Agrees to all terms and conditions set forth in this Grant Agreement.

Executed By:

MESCALERO APACHE TRIBE