

Application

Federal Award Identification Number (FAIN)	TN-2021-024-00
Temporary Application Number	1007-2021-2
Application Name	FFY2020 CARES 5311(f) Intercity Bus
Application Status	Final Concurrence / Reservation
Application Budget Number	0

Period of Performance Start Date	N/A	
Original Period of Performance End Date	3/30/2025	
Current Period of Performance End Date	N/A	Revision #: N/A

Part 1: Recipient Information

Name: TRANSPORTATION, TENNESSEE DEPARTMENT OF

Recipient ID	Recipient OST Type	Recipient Alias	Recipient DUNS
1007	State Agency	TENNESSEE DEPARTMENT OF TRANSPORTATION	878297712

Location Type	Address	City	State	Zip
Headquarters	600 CHARLOTTE AVE	NASHVILLE	TN	372439034
Physical Address	505 DEADRICK ST STE 700	NASHVILLE	TN	37243
Mailing Address	505 DEADRICK ST STE 800	NASHVILLE	TN	37243

Union Information

There are no union contacts for this application

Part 2: Application Information

Title: FFY2020 CARES 5311(f) Intercity Bus

FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
TN-2021-024-00	Final Concurrence / Reservation	Grant	3/19/2021	3/19/2021	No

Application Executive Summary

This grant will obligate 15% of Tennessee's FFY2020 CARES 5311 Apportionment for the 5311(f) Intercity Bus program, a total of \$9,678,503 in federal funds. The remaining \$55,954,848 in CARES funds (including the \$1,110,000 apportionment of Appalachian funds) are already obligated in the TN-2020-012 grant. With the obligation of this Intercity Bus Grant, TDOT will complete the obligation of all CARES Act funding into active grants.

TDOT conducted a special needs assessment and consultation process of Tennessee Intercity Bus providers specifically to address the COVID-19 pandemic. TDOT previously had determined that intercity bus needs were met and that no set aside was needed of regular 5311 funding. The Governor had issued a Certification Letter to that effect. Per guidance found in FAQs provided by the FTA (CA28), a State that had previously determined to allocate less than 15% to intercity bus expenses must undergo a new consultation process specifically for CARES Act funds if the prior consultation process concluded prior to April 2, 2020, when the FTA apportioned the CARES Act funds. That new consultation focused on the impacts of COVID-19 and determining the State's intercity bus carriers' need for CARES Act funds to survive the pandemic, not to determine unmet intercity bus service needs that could be added with CARES Act funds. Based on this process, 15% of the CARES Act Funds were determined necessary to sustain intercity bus service in the state.

Based on the findings of the assessment, TDOT selected Greyhound and Miller Transportation as the subrecipients of the Tennessee CARES 5311(f) funding. Attached to this grant are financial statements received from Greyhound and Miller showing financial losses for periods ending after January 20, 2020. Both ICB Subrecipients will receive funding from this grant using a Network Loss Allocation Billing structure. As described in the attached communication by Greyhound's Accounting Group, "Network Losses: The CARES Act allows Greyhound to apply for subsidy grants from each state to cover certain lost revenue and expenses incurred on or after 20 January 2020. Greyhound is to bill each state in arrears based on calendar year 2019 miles used as a base to distribute losses incurred. In general, costs allowed are those operating expenses necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and other items including personal protective equipment and cleaning supplies. The network losses represent eligible losses captured within the JD Edwards accounting system. Amount billed to each State is based on YTD network losses less prior period(s) CARES income recognized; distributed to State based on 2019 miles factor until the contracted awards are depleted. Contract start date varies by State." Miller Transportation utilizes the same billing structure outlined by Greyhound.

Each subrecipient uses a route mile allocation for Tennessee that is based on the comparison of miles in Tennessee to the total system miles during a stated period. In each case, only actual miles and expenses will be considered for reimbursement. Invoice examples from both Greyhound and Miller Transportation are attached to the grant as Application Documents. The invoice documentation and the network loss billing structure will be used by TDOT to approve payments to the subrecipients and were developed in counsel with other states that have already begun drawing down 5311(f) funds using this methodology. TDOT will use this methodology and these invoices, plus additional following amounts, for reimbursements from the grant. The ICB grantees will enter into contracts with TDOT that contain the provision to maintain documentation for all charges under this contract and be subject to monitoring and evaluation according to Federal and Tennessee State law.

TDOT and its subrecipients understand that the expenses requested in this application are subject to review for their reasonableness as part of TDOT's State Management Review

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.

Recipients receiving grant awards over \$25,000 from FTA or any other Federal agency after October 1, 2010, must comply with the Federal Financial Accountability and Transparency Act (FFATA) sub-award reporting requirements.

The CARES Act 5311(f) Program of Projects (POP) is attached. Funds are allocated to 2 intercity bus operators in the Operating expense category.

This grant only includes operating expenses and/or capital expenses that do not include substantial functional, location, or capacity changes to the asset or system. Therefore, no additional TIP/STIP documentation is needed.

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 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
Michael	Sherman	Community Planner	michael.sherman@dot.gov	(404) 865-5616
Kaitlyn	McClanahan	Transit Manager	kaitlyn.mcclanahan@tn.gov	615-532-5835

Application Budget Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 - Rural Area Formula (CARES Act)	5311-5	20509	\$9,678,503
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$9,678,503

Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
TN-2021-024-01-00	634-00 (634-A1) INTERCITY BUS TRANSPORTATION	\$9,678,503.00	\$0.00	\$9,678,503.00	0
TN-2021-024-01-00	30.09.08 OPERATING ASSIST - 100% Fed Share FY2020 EMER RELIEF -	\$4,839,251.00	\$0.00	\$4,839,251.00	0
TN-2021-024-01-00	30.09.08 OPERATING ASSIST - 100% Fed Share FY2021 EMER RELIEF -	\$4,839,252.00	\$0.00	\$4,839,252.00	0

Discretionary Allocations

This application does not contain discretionary allocations.

Part 3: Project Information

Project Title: CARES 5311(f) Intercity Bus

Project Number	Temporary Project Number	Date Created	Start Date	End Date
TN-2021-024-01-00	1007-2021-2-P1	3/19/2021	1/20/2020	12/31/2022

Project Description

This project obligates 15% of Tennessee's FFY2020 CARES 5311 Apportionment for the 5311(f) Intercity Bus program, a total of \$9,678,503 in federal funds, for operating assistance to intercity bus providers in Tennessee.

Project Benefits

This grant provides CARES Act intercity bus funds to two subrecipients to sustain intercity bus services in Tennessee to survive the impacts of the COVID-19 pandemic.

Additional Information

None provided.

Location Description

Statewide

Project Location (Urbanized Areas)

UZA Code	Area Name
470000	Tennessee

Congressional District Information

State	District	Representative
Tennessee	1	David P Roe
Tennessee	3	Charles J Fleischmann
Tennessee	4	Scott DesJarlais
Tennessee	5	Jim Cooper
Tennessee	9	Steve Cohen
Tennessee	2	Tim Burchett
Tennessee	6	John Rose
Tennessee	7	Mark Green
Tennessee	8	David Kustoff

Program Plan Information

STIP/TIP

Date: N/A

Description: N/A

UPWP

Date: N/A

Description: N/A

Long Range Plan

Date: N/A

Description: N/A

Project Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 - Rural Area Formula (CARES Act)	5311-5	20509	\$9,678,503
Local			\$0
Local/In-Kind			\$0
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State/In-Kind			\$0
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TN-2021-024-01-00	30.09.08 FY2020 EMER RELIEF - OPERATING ASSIST - 100% Fed Share	\$4,839,251.00	\$0.00	\$4,839,251.00	0
TN-2021-024-01-00	30.09.08 FY2021 EMER RELIEF - OPERATING ASSIST - 100% Fed Share	\$4,839,252.00	\$0.00	\$4,839,252.00	0

Project Budget Activity Line Items

Budget Activity Line Item: 30.09.08 - FY2020 EMER RELIEF - OPERATING ASSIST - 100% Fed Share

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
INTERCITY BUS TRANSPORTATION (634-00)	30.09.08	EMER RELIEF - OPERATING ASSIST - 100% Fed Share	OPERATING ASSISTANCE	0

Extended Budget Description

Operating funds for 11 rural public agencies for the period of January 20, 2020 through September 30, 2020. Funds will be used by subrecipients to reimburse operating expenses on a Network Loss Allocation Billing structure. Each subrecipient will use a route mile allocation for Tennessee that is based on the comparison of miles in Tennessee to the total system miles during a stated period. In each case, only actual miles and expenses will be considered for reimbursement.

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 - Rural Area Formula (CARES Act)	5311-5	20509	\$4,839,251
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$4,839,251

Milestone Name	Est. Completion Date	Description
Start Date	1/20/2020	Eligible operating activities begin.
End Date	12/31/2022	Eligible operating activities end.

Budget Activity Line Item: 30.09.08 - FY2021 EMER RELIEF - OPERATING ASSIST - 100% Fed Share

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
INTERCITY BUS TRANSPORTATION (634-00)	30.09.08	EMER RELIEF - OPERATING ASSIST - 100% Fed Share	OPERATING ASSISTANCE	0

Extended Budget Description

Operating funds for 11 rural public agencies for the period of October 1, 2020 through September 30, 2021. Funds will be used by subrecipients to reimburse operating expenses on a Network Loss Allocation Billing structure. Each subrecipient will use a route mile allocation for Tennessee that is based on the comparison of miles in Tennessee to the total system miles during a stated period. In each case, only actual miles and expenses will be considered for reimbursement.

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Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$4,839,252

Milestone Name	Est. Completion Date	Description
Start Date	1/20/2020	Eligible operating activities begin.
End Date	12/31/2022	Eligible operating activities end.

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
INTERCITY BUS TRANSPORTATION (634-00)	30.09.08	FY2020 EMER RELIEF - OPERATING ASSIST - 100% Fed Share	0	\$4,839,251.00	\$4,839,251.00

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

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Date	Description
	Class IIc CE Approved

Scope Name / Code	Line Item Number	Line Item Name	Quantity	FTA Amount	Total Eligible Cost
INTERCITY BUS TRANSPORTATION (634-00)	30.09.08	FY2021 EMER RELIEF - OPERATING ASSIST - 100% Fed Share	0	\$4,839,252.00	\$4,839,252.00

Part 4: Fleet Details

No fleet data exists for this application.

Part 5: FTA Review Comments

FTA Comments for DOL

Comment By Michael Sherman

Comment Type DOL Review for Information

Date 7/6/2021

Comment This is a 5311 CARES 100% operating application, per FTA A to Z, is being shared with DOL for information only.

Application Review Comments

Comment By Michael Sherman

Comment Type Pre-Award Manager Returns Application

Date 6/10/2021

Comment

1) Please add the fiscal year in the Application Title and Executive Summary
2) Because 3rd party contractors, please go back and add an additional milestone for each ALI. Any time 3rd party contractors are used, it is required to have a minimum of three milestones.
3) For third party contractors, please include the following statements in the Executive Summary:
a. [Enter Agency name] will follow all 3rd party procurement policies as defined in C4220.1F (Third Party Contracting Guidance).

b. [Enter Agency name] will ensure contractors procured will not be on the FTA Suspension and Debarment list.

Comment By Michael Sherman

Comment Type Pre-Award Manager Returns Application

Date 6/25/2021

Comment Please update the Section of Statute for some of the ALIs in the grant. All should be 5311 CARES but some reflect the regular 5311 ALIs.

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: TRANSPORTATION, TENNESSEE DEPARTMENT OF

Recipient ID: 1007

DUNS No: 878297712

Application Information

Federal Award Identification Number: TN-2021-024-00

Application Name: FFY2020 CARES 5311(f) Intercity Bus

Application Start Date: N/A

Original Award End Date: 3/30/2025

Current Award End Date: N/A

Application Executive Summary: This grant will obligate 15% of Tennessee's FFY2020 CARES 5311 Apportionment for the 5311(f) Intercity Bus program, a total of \$9,678,503 in federal funds. The remaining \$55,954,848 in CARES funds (including the \$1,110,000 apportionment of Appalachian funds) are already obligated in the TN-2020-012 grant. With the obligation of this Intercity Bus Grant, TDOT will complete the obligation of all CARES Act funding into active grants.

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received from Greyhound and Miller showing financial losses for periods ending after January 20, 2020. Both ICB Subrecipients will receive funding from this grant using a Network Loss Allocation Billing structure. As described in the attached communication by Greyhound's Accounting Group, "Network Losses: The CARES Act allows Greyhound to apply for subsidy grants from each state to cover certain lost revenue and expenses incurred on or after 20 January 2020. Greyhound is to bill each state in arrears based on calendar year 2019 miles used as a base to distribute losses incurred. In general, costs allowed are those operating expenses necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and other items including personal protective equipment and cleaning supplies. The network losses represent eligible losses captured within the JD Edwards accounting system. Amount billed to each State is based on YTD network losses less prior period(s) CARES income recognized; distributed to State based on 2019 miles factor until the contracted awards are depleted. Contract start date varies by State." Miller Transportation utilizes the same billing structure outlined by Greyhound.

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TDOT and its subrecipients understand that the expenses requested in this application are subject to review for their reasonableness as part of TDOT's State Management Review

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This grant only includes operating expenses and/or capital expenses that do not include substantial functional, location, or capacity changes to the asset or system. Therefore, no additional TIP/STIP documentation is needed.

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 using Pre-Award Authority.

Application Budget

Total Application Budget: \$9,678,503.00

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars): \$9,678,503.00

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): \$9,678,503.00

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 - Rural Area Formula (CARES Act)	5311-5	20509	\$9,678,503
Local			\$0
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State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$9,678,503

(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:

TRANSPORTATION, TENNESSEE DEPARTMENT OF