

# DOT

# FTA

U.S. Department of Transportation

Federal Transit Administration

## Application

<b>Federal Award Identification Number (FAIN)</b>	NM-2022-013-00
<b>Temporary Application Number</b>	7391-2022-2
<b>Application Name</b>	MESCALERO APACHE TRIBE FY 2022 Full Year Section 5311(c) Public Transportation on Indian Reservation Formula Apportionment
<b>Application Status</b>	Final Concurrence / Reservation
<b>Application Budget Number</b>	0

<b>Period of Performance Start Date</b>	N/A
<b>Original Period of Performance End Date</b>	6/30/2025
<b>Current Period of Performance End Date</b>	N/A Revision #: N/A

## Part 1: Recipient Information

**Name: MESCALERO APACHE TRIBE**

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

Location Type	Address	City	State	Zip
Headquarters	108 Central Avenue	Mescalero	NM	88340
Physical Address	108 Central Avenue	Mescalero	NM	88340
Mailing Address	108 Central Avenue	Mescalero	NM	88340

## Union Information

There are no union contacts for this application

## Part 2: Application Information

<b>Title: MESCALERO APACHE TRIBE FY 2022 Full Year Section 5311(c) Public Transportation on Indian Reservation Formula Apportionment</b>
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FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
NM-2022-013-00	Final Concurrence / Reservation	Grant	3/30/2022	3/30/2022	No

#### Application Executive Summary

FY 2022 Full Year Section 5311(c) Public Transportation on Indian Reservation Formula Apportionment. The total amount eligible for Federal Funding is 100%. The total allocation amount for the Grant award for the Mescalero Apache Tribe is \$161,728.

The Purpose: This funding will be used for the Mescalero Apache Tribe Accountant and Road Supervisor salary portion of public transportation. It will assist with operating expenditures for public transportation support activities. Provision of transit services include but are not limited to Vehicle costs, Operational and Driver Salaries and Benefits, Fuel, Oil, Rent, Supplies, and Vehicle Maintenance.

The Activities to be performed: The Mescalero Apache Tribe (MAT) public transportation services encompass two parts. 1). The Roads Department supervises public transportation services on the reservation, the supervisor implements public transportation projects and coordinates with (Ztrans), the Public Transportation service provider on all transportation activities related to MAT's public transportation. The Roads Supervisor is also a user manager in TrAMS. 2). The MAT's accounting department assigns and manages all public transportation accounts, purchase orders, revenue/expenditures, and maintains 5311(c) public transportation electronic files. The Senior Staff accountant is a Submitter in TrAMS and the Staff accountant II is an Inquiry.

This funding will also be used for public transportation operating expenditures. The funding will supplement a portion of the subsidy that is currently paid by the Mescalero Apache Tribes Road Fund (638) to the local provider, Zia Therapy Center, Inc. (Ztrans). Additionally, Zia Therapy Center, Inc. is also Mescalero Apache Tribe's rep, to Designated/Direct Recipient.

The Expected Outcomes: To reduce the (638) Roads Fund, which Mescalero uses as a subsidy for the public transportation service. To continue our Public Transportation service that allows tribal members access to essential services, such as Medical care, Job access, Education opportunities and much more.

The Intended Beneficiaries: The Mescalero Apache Tribe will be the beneficiary. Having a public transportation service available to all tribal members.

There are no Subrecipients, the Mescalero Apache Tribe is the direct recipient.

Milestones for Project 1: \$161,728.

Start Date: 10/1/2022 - End Date: 9/30/2024 - Final Report: 3/31/2025

STIP/TIP is not required for Section 5311c.

#### 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
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	5311-1B	20509	\$161,728
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
<b>Total Eligible Cost</b>			<b>\$161,728</b>

## Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
NM-2022-013-01-00	600-00 (600-A1) OTHER PROGRAM COSTS	\$161,728.00	\$0.00	\$161,728.00	0
NM-2022-013-01-	30.09.01 UP TO 50%	\$161,728.00	\$0.00	\$161,728.00	0

00	FEDERAL SHARE
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## Discretionary Allocations

This application does not contain discretionary allocations.

## Part 3: Project Information

### Project Title: Mescalero Apache Tribe Administrative and Operational services

Project Number	Temporary Project Number	Date Created	Start Date	End Date
NM-2022-013-01-00	7391-2022-2-P1	3/30/2022	10/1/2022	3/31/2025

#### Project Description

The scope of this formulary funding will encompass the public transportation salary portion for the Mescalero Apache Tribe (MAT), specifically the Accountant and Roads supervisor. It will also reduce the subsidy that is paid out of the (638) Roads Fund for operating costs for the MAT's Public Transportation Services.

#### Project Benefits

This benefits the Mescalero Apache Tribe financially. It will decrease the subsidy that the tribe pays to "Ztrans", the area Public Transportation provider. It allows the continuation of Public Transportation service for the tribal members.

#### Additional Information

The Mescalero Apache Tribe (MAT) has been receiving Public Transportation services since 2004 from the local transportation provider, by providing a subsidy out of our (638) Roads Fund. In 2019, with the help of Ztrans, Mescalero applied for an NTD number and reported two years of funding before being awarded 5311(c) formulary funding. The Mescalero Apache Tribe is a federally recognized tribe. New Mexico is still under a Public Health Emergency due to the COVID-19 pandemic.

#### Location Description

The Mescalero Apache Tribe is located in South Central New Mexico. Mescalero 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. The present reservation was established in 1883.

## Project Location (Urbanized Areas)

UZA Code	Area Name
350000	New Mexico

## Congressional District Information

State	District	Representative
New Mexico	2	Yvette Herrell

## Program Plan Information

### STIP/TIP

Date: 3/30/2022

Description: This is New Mexico's Statewide Transportation Improvement Program document. It was approved August 3, 2020. STIP/TIP is not required for Section 5311c

### UPWP

Date: 3/30/2022

Description: The attached document is Mescalero Apache Tribes "Unified Planning Work Program" and it is also their 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 15 years, to 2037. This document is updated every five years.

### Long Range Plan

Date: 3/30/2022

Description: Attached is the State of New Mexico's long range plan. It extends to 2040, and it was adopted on September 17, 2015. This plan coordinates with Regional, Metropolitan and Local plans.

## Project Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
5311 - Tribal Transit Program Formula	5311-1B	20509	\$161,728
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
<b>Total Eligible Cost</b>			<b>\$161,728</b>

## Project Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
NM-2022-013-01-00	600-00 (600-A1) OTHER PROGRAM COSTS	\$161,728.00	\$0.00	\$161,728.00	0
NM-2022-013-01-00	UP TO 50% 30.09.01 FEDERAL SHARE	\$161,728.00	\$0.00	\$161,728.00	0

## Project Budget Activity Line Items

### Budget Activity Line Item: 30.09.01 - UP TO 50% FEDERAL SHARE

Scope Name / Code	Line Item #	Line Item Name	Activity	Quantity
OTHER PROGRAM COSTS (600-00)	30.09.01	UP TO 50% FEDERAL SHARE	OPERATING ASSISTANCE	0

#### Extended Budget Description

FY 2022 Full Year Section 5311(c) Public Transportation on Indian Reservation Formula Apportionment grant will be utilized for a portion of the Mescalero salaries related to Public Transportation for the Accountant and Roads Supervisor. It will also assist with operating expenditures for public transportation support activities. Provision of transit services include but not are limited to Vehicle costs, Operational and Driver Salaries and Benefits, Fuel, Oil, Rent, Supplies, Vehicle Insurance and Maintenance, etc. It will help subsidize Mescalero Apache Tribes (638) Roads funds, which has been utilized to pay a subsidy for public transportation services to the local transportation provider, Zia Therapy Center, Inc (Ztrans). Federal funding is 100% for formula funds.

#### 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	5311-1B	20509	\$161,728
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
<b>Total Eligible Cost</b>			<b>\$161,728</b>

Milestone Name	Est. Completion Date	Description
Start Date	10/1/2022	This is the date we will begin to expend the FY2022 formula funds.
End Date	9/30/2024	This is the projected date the formulary funding will be completely expended.
Final Report	3/31/2025	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	

## **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 4/8/2022

Comment FY22 5311 Tribal Funds for info only

### **Application Review Comments**

**Comment By** Abel Ayala

Comment Type Pre-Award Manager Returns Application

Date 4/7/2022

Comment

## **Part 6: Agreement**

UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
FEDERAL TRANSIT ADMINISTRATION

GRANT AGREEMENT  
(FTA G-29, October 1, 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(29), <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

UEI:

DUNS: 077618650

#### **Application Information**

Federal Award Identification Number: NM-2022-013-00

Application Name: MESCALERO APACHE TRIBE FY 2022 Full Year Section 5311(c) Public Transportation on Indian Reservation Formula Apportionment

Application Start Date: N/A

Original Award End Date: 6/30/2025

Current Award End Date: N/A

Application Executive Summary: FY 2022 Full Year Section 5311(c) Public Transportation on Indian Reservation Formula Apportionment. The total amount eligible for Federal Funding is 100%. The total allocation amount for the Grant award for the Mescalero Apache Tribe is \$161,728.

The Purpose: This funding will be used for the Mescalero Apache Tribe Accountant and Road Supervisor



salary portion of public transportation. It will assist with operating expenditures for public transportation support activities. Provision of transit services include but are not limited to Vehicle costs, Operational and Driver Salaries and Benefits, Fuel, Oil, Rent, Supplies, and Vehicle Maintenance.

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The Intended Beneficiaries: The Mescalero Apache Tribe will be the beneficiary. Having a public transportation service available to all tribal members.

There are no Subrecipients, the Mescalero Apache Tribe is the direct recipient.

Milestones for Project 1: \$161,728.

Start Date: 10/1/2022 - End Date: 9/30/2024 - Final Report: 3/31/2025

STIP/TIP is not required for Section 5311c.

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: \$161,728.00

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars): \$161,728.00

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): \$161,728.00

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)

<b>Funding Source</b>	<b>Section of Statute</b>	<b>CFDA Number</b>	<b>Amount</b>
5311 - Tribal Transit Program Formula	5311-1B	20509	\$161,728
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
<b>Total Eligible Cost</b>			<b>\$161,728</b>

(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*