



**Statewide Transportation Improvement Fund
Discretionary and Statewide Transit Network Program
Guidance and Grant Application Instructions, FY 2021-23**

Oregon Department of Transportation Public Transportation Division

For a version of this document with increased font size or in other formats, contact the Public Transportation Division, 555 13th Street NE, Salem OR 97301. Office (503) 986-3300 or fax (503) 986-4189



TABLE OF CONTENTS

PART 1: STIF DISCRETIONARY AND STATEWIDE TRANSIT NETWORK PROGRAM GRANTS OVERVIEW AND GUIDANCE	4
Introduction	4
Definitions	4
Discretionary Solicitation and the Oregon Public Transportation Plan	6
Program Purposes and Eligibility	6
Funding Availability	9
Match Requirements	10
Application Submission	11
Project Selection Process and Schedule	11
Project Selection Criteria	13
Appeals Process	15
Reporting Requirements	15
Capital Assets	16
Identifying Public Transportation Benefits to Low-Income Households	17
PART 2: APPLICATION INFORMATION	18
Application Format and Use	18
Application Instructions	18
APPENDIX: RELEVANT RULES	38

Staff Contacts

Questions about the Statewide Transportation Improvement Fund (STIF) Discretionary or Statewide Transit Network Program solicitations should be directed to Patrick DePriest, Intercommunity Program Coordinator for the Statewide Transportation Improvement Fund at Patrick.DePriest@odot.state.or.us or by telephone at 503-986-3312.

The electronic version of this document is located in the STIF Discretionary and Statewide Transit Network Program section of the Public Transportation Funding Opportunities Page located here: <https://www.oregon.gov/ODOT/RPTD/Pages/Funding-Opportunities.aspx>.

PART 1: STIF DISCRETIONARY AND STATEWIDE TRANSIT NETWORK PROGRAM GRANTS OVERVIEW AND GUIDANCE

Introduction

This document provides guidance and application instructions for two separate Oregon Department of Transportation (ODOT) Public Transportation Division (PTD) solicitations:

- **Statewide Transportation Improvement Fund (STIF) Discretionary Program** solicitation, funded using five percent of the funds from the Oregon STIF employee payroll tax of one-tenth of one percent on wages paid to employees.
- **Statewide Transit Network Program** solicitation, funded from two sources: Federal Transit Administration (FTA) Section 5311(f) funds and four percent of the funds from the Oregon STIF employee payroll tax of one-tenth of one percent on wages paid to employees, known as the Intercommunity Discretionary Fund.

ODOT will administer grant awards through deliverables-based grant agreements. Funds will be disbursed on a quarterly basis upon submittal of satisfactory progress reports and expenditure documentation.

Oregon Statewide Transit Network and STIF Discretionary investment priorities are guided by:

- Oregon Public Transportation Plan
- Oregon Administrative Rule (OAR) Chapter 732, Divisions 40 and 44 (see Appendix):
<https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=107>
- FTA Circular C 9040.1.G: <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/formula-grants-rural-areas-program-guidance-and-application>

Definitions

- **FTA Section 5311(f)** - the federal funding program with a focus on longer distance, non-commute transit service connecting communities with infrequent stops and, where possible, meaningful connections to the larger transit network.
- **Key Transit Hub** - a transit stop or stop cluster served by three or more fixed route transit services, where none of the three services are wholly contained within the service area of either of the other two services. A list of key transit hubs is updated periodically by ODOT based on available GTFS data (<http://www.oregon-gtfs.com/>). The current list of transit hubs is located here: <https://www.oregon.gov/odot/RPTD/RPTD%20Document%20Library/Key-Transit-Hubs.pdf>

- **Local Plan** - a local or regional public transportation plan(s), which may include adopted policy(ies) that is developed and approved by the governing body of a Qualified Entity, Public Transportation Service Provider, or metropolitan planning organization and which includes, at a minimum:
 - (a) A planning horizon of at least four years;
 - (b) An existing and future conditions analysis that includes:
 - (A) Current and forecasted population and demographics, including locations of people who are often transit dependent, including low-income households, individuals of age 65 or older, youth, and individuals who are racially and ethnically diverse;
 - (B) Locations of existing housing, employment centers, medical and social and human services centers, major destinations, and other locations with needs for public transportation services and programs;
 - (C) Inventories of current public transportation services located within, adjacent to, or with the reasonable potential to connect to the local or regional public transportation services, as applicable;
 - (c) Prioritized lists of public transportation improvements and capital projects; and
 - (d) Identified opportunities to coordinate public transportation services within and outside the county, district, or tribal area and with other agencies and areas to improve efficiency and effectiveness of service and reduce gaps in service.
 - (e) Local Plans include, but are not limited to: Coordinated Public Transit Human Services Transportation Plans, Transportation System Plans, Transit Development Plans, and Transit Master Plans.
- **Low-income Household** - a household the total income of which does not exceed 200% of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of [42 U.S.C. 9902\(2\)](#) for the 48 Contiguous States and the District of Columbia.
- **Ongoing Operations Project** - a public transportation project that was funded partially or entirely with STIF funds during the immediate prior biennium. These projects may not be funded under the STIF Discretionary Program. Expansion or increase in frequency of a public transportation service project or program is not considered “ongoing.”¹
- **Public Transportation Service Provider** - a Qualified Entity or a city, county, special district, intergovernmental entity, or any other political subdivision or municipal or Public Corporation² that provides public transportation services.
- **Public Transportation Services** - any form of passenger transportation by car, bus, or other conveyance, either publicly or privately owned, which provides service to the general public (not including charter, sightseeing, or exclusive school bus service) on a regular and continuing basis. Such transportation may

¹ Eligibility of pilot projects that were previously funded under STIF Discretionary but were not completed during the 2019-21 biennium will be determined on a case-by-case basis.

² Public Corporation is a defined term under OAR 732-040-0005(22).

be for purposes such as health care, shopping, education, employment, public services, personal business, or recreation.

- **Statewide Transit Network (STN)** - the collection of all transit services that operate in Oregon.
- **Statewide Transit Network Program** - An ODOT program with an emphasis on investments that improve the Oregon Statewide Transit Network. Funding is from the STIF Intercommunity Fund, FTA Section 5311(f), and other fund sources, as available.

Discretionary Solicitation and the Oregon Public Transportation Plan

State discretionary grant programs provide an opportunity for ODOT to encourage and support projects that meet local needs while aligning with state public transportation priorities. This approach ensures that both state and local priorities are addressed through competitive grant awards.

The Oregon Public Transportation Plan (OPTP), adopted by the Oregon Transportation Commission in September 2018, provides overarching policy guidance for public transportation in Oregon. The OPTP contains 10 state public transportation goals; all ODOT discretionary grant programs will include these goals in the selection process, regardless of fund source. ODOT has developed selection criteria that reflect these goals, ensuring each project selected by evaluators advances statewide priorities. Find the adopted Oregon Public Transportation Plan online:

https://www.oregon.gov/ODOT/Planning/Documents/OPTP_FINALDRAFT.pdf

For example, the evaluation criteria for a grant solicitation with an emphasis on serving seniors and persons with disabilities will first consider the degree to which the project benefits seniors and persons with disabilities. The evaluation criteria will then consider, to a lesser degree, whether the project is meeting other state priorities, such as improving the Statewide Transit Network or serving low-income households. These other statewide priorities will have secondary value compared to the solicitation focus, but collectively could change the way some projects are ranked.

Program Purposes and Eligibility

STIF DISCRETIONARY FUND

The STIF Discretionary Fund is intended to provide a flexible funding source to improve public transportation in Oregon. It is not a source of ongoing operations funding.

Eligible Applicants

Public Transportation Service Providers as defined in OAR 732-040-0005(24) are eligible applicants; this includes mass transit districts, transportation districts, Indian Tribes, or a city, county, special district, intergovernmental entity, or any other political subdivision or municipal or Public Corporation that provides public transportation services. See OAR 732-040-0005 for additional definitions. Ineligible applicants include non-profit transit providers and for-profit transit providers.

Eligible STIF Discretionary Fund applicants may contract with a non-profit or for-profit transit provider following procurement requirements applicable to the source(s) of project funding. Recipients using federal funds to complete the proposed project, including as match, must follow the applicable federal procurement requirements.

Under OAR 732-044-0020, potential recipients of STIF Discretionary Funds are required to meet, or demonstrate the capacity to meet, the following qualifications as applicable to the type of project being funded:

- Be an entity eligible to enter into agreements;
- Have the legal, managerial, and operational capacity to perform the project within the agreed schedule;
- Not be debarred or suspended from receiving federal grants;
- Maintain compliance with federal, state, and local laws and regulations including, but not limited to, those pertaining to passenger transportation, civil rights, labor, insurance, safety, and health, as applicable;
- Comply with applicable laws, Oregon Administrative Rules, and the policies of the applicable grant fund;
- Proper use of STIF funds; and
- Perform the project in a safe, prudent, and timely manner.

In addition, a recipient may require additional eligibility qualifications of subrecipients, contractors, or vendors. A recipient is required to confirm the eligibility of a subrecipient prior to distributing STIF funds and entering into an agreement with the subrecipient. Recipients are also required to ensure that subrecipients maintain eligibility throughout the project period of activities funded with STIF funds.

Eligible Projects

Projects eligible for funding under the STIF Discretionary Fund include, but are not limited to: capital projects such as vehicles, facilities, equipment, and technology; and management, planning, and research. Transit-adjacent projects, such as infrastructure updates that improve safety of public transit users, may also be eligible where they have a reasonable connection to public transportation services. Pilot operations projects may be considered for funding if the application includes a feasible financial plan for ongoing operations beyond the initial pilot period, per OAR 732-044-0005. Incomplete pilot projects initiated with discretionary STIF funds in FY 2019-21 may be eligible, but these projects will not receive preference over other eligible projects.

Client-only transportation services are generally not eligible for STIF funding. Client-only transportation providers are both governmental and private agencies who offer transportation services to limited groups of individuals. Examples include a mental health department of a county that provides a limited transportation service to mental health clients, or a city agency operating a senior center with transportation services exclusively for seniors in the community. Non-profit and for-profit businesses may also have client-only services such as a social service agency offering transportation services to their clients. In all above examples, the transportation services are not open to the general public, and, thus, are not eligible uses of STIF funds. However, where client-only transportation services are incorporated into a larger coordinated transportation program and/or system, they may be eligible to receive a fund award if determined to be integral to the effectiveness of the target transportation system

STATEWIDE TRANSIT NETWORK PROGRAM

The Statewide Transit Network Program currently utilizes two fund sources: STIF Intercommunity Discretionary and FTA Section 5311(f) Intercity funds. Each fund source has different project eligibility requirements. There is significant overlap between the two sets of eligibility requirements.

Eligible Applicants

STIF Intercommunity Discretionary Eligibility

Eligible applicants for STIF Intercommunity funds include Public Transportation Service Providers as defined in OAR 732-040-0005(24): mass transit districts; transportation districts; Indian Tribes; or cities, counties, special districts, intergovernmental entities, or any other political subdivisions or municipal or Public Corporations that provide public transportation services. See OAR 732-040-0005 for additional definitions. Neither non-profit nor for-profit transit providers are eligible to apply for STIF Intercommunity funds.

Eligible STIF Intercommunity Discretionary Fund applicants may contract with a non-profit or for-profit public transit service provider following procurement requirements applicable to the source(s) of project funding. Recipients using federal funds to complete the proposed project, including as match, must follow the applicable federal procurement requirements.

Under OAR 732-044-0020, potential recipients of STIF Intercommunity Discretionary Funds are required to meet, or demonstrate the capacity to meet, the following qualifications, as applicable to the type of project being funded.

- Be an entity eligible to enter into agreements;
- Have the legal, managerial, and operational capacity to perform the project within the agreed schedule;
- Not be debarred or suspended from receiving federal grants;
- Maintain compliance with federal, state, and local laws and regulations including, but not limited to, those pertaining to passenger transportation, civil rights, labor, insurance, safety and health, as applicable;
- Comply with applicable laws, OARs, and the requirements of the applicable grant funding;
- Properly use STIF funds; and
- Perform the project in a safe, prudent, and timely manner.

In addition, a recipient may require additional eligibility qualifications of subrecipients. A recipient is required to confirm the eligibility of a subrecipient prior to distributing STIF funds and entering into an agreement with the subrecipient. Recipients are also required to ensure subrecipients maintain eligibility throughout the project period of activities funded with STIF funds.

FTA Section 5311(f) Eligibility

FTA Section 5311(f) has broader applicant eligibility than the discretionary STIF funds. Along with the types of entities eligible for STIF funds, FTA Section 5311(f) funds may be sought by non-profit agencies and private for-profit agencies that provide public transportation services.

Eligible Projects

Projects eligible for funding under the STIF Intercommunity Fund or FTA Section 5311(f) Intercity include, but are not limited to, capital projects such as vehicles, facilities, equipment, and technology; as well as mobility management, planning, research, and pilot and ongoing operations projects.

Ongoing operations projects funded with FTA Section 5311(f) or STIF Intercommunity Discretionary funds are subject to risk of not receiving funding in future solicitations because Statewide Transit Network Program grant awards are made every two years following an open competitive decision-making process.

Intercommunity Discretionary and FTA Section 5311(f) projects that do not directly support transit operations must describe how the proposed project would benefit the Statewide Transit Network in ways that benefit multiple transit providers.

Projects eligible for FTA Section 5311(f) funds need to demonstrate that they support a public transportation service that:

- (a) covers longer distances (20 or more miles) or closes a significant gap in the Statewide Transit Network;
- (b) makes infrequent stops, is not designed primarily to serve commuters;
- (c) has the capacity to carry passenger luggage; and
- (d) makes meaningful connections to the larger intercity and Statewide Transit Network, including passenger rail, where possible.

All applicants seeking funding for fixed route transit services must have a process in place for creating and maintaining public General Transit Feed Specification (GTFS) data that describe the service.

Funding Availability

ODOT will award funds at its discretion. For the July 1, 2021 through June 30, 2023 grant agreement period, ODOT estimates the below funding availability. Because the economic impacts of the COVID-19 pandemic are still unfolding, it is possible that these estimates could decrease or increase as a result of a loss or gain in projected STIF tax revenue. These estimates assume no legislatively-directed backfill for the 2021-23 Special Transportation Fund using STIF funds, as was done for the 2019-21 biennium. Any change to that assumption would further impact these estimates. Because this is a competitive grant program, project rankings will be used to determine which projects may be funded when the STIF fund allocations are finalized.

Funding Sources	Estimated Amount
STIF Discretionary Fund	\$9.5 M
Statewide Transit Network Program Total	\$9.5 M
STIF Intercommunity Fund	\$7.6 M
FTA Section 5311(f)	\$1.9 M

Match Requirements

The match requirements for projects awarded through this solicitation will vary based on the project type and program funds used to fund the project. STIF Discretionary and Intercommunity Fund projects must meet the match requirements described in OAR 732-044-0005(4). Match requirements are described by fund type below.

STIF DISCRETIONARY AND INTERCOMMUNITY DISCRETIONARY

Eligible project match sources may include federal funds and certain state funds (STIF Formula or Special Transportation Funds) for public transportation purposes, local funds, private contributions, and in-kind labor or contributions. Match contributions, including capital assets such as property, shall only be used once as match on a single project and may not be used again as a match. Farebox revenues are not eligible as match.

STIF Discretionary and STIF Intercommunity Fund applicants must demonstrate their ability to provide at least 20 percent of the project's total costs.

The 20 percent match may be reduced to 10 percent, if any of the following characteristics exist:

- The project will predominantly serve or provide access to and from rural communities (communities outside of urbanized areas with populations of fewer than 50,000 people);
- The project will serve an area located outside of a Public Transportation Service Provider's geographic jurisdiction;
- The project will fill a significant gap in the Statewide Transit Network; or
- The project will provide statewide benefits to multiple Public Transportation Service Providers. The applicant shall identify the benefits to areas outside the jurisdiction where the project will be located.

FEDERAL TRANSIT ADMINISTRATION SECTION 5311(F) INTERCITY

Applicants are required to match grants at a certain percentage depending on the project type (operations, capital, or project administration). Non-federal funds may be used for match, except for farebox revenue. This includes funding from state and local governments or taxing entities. Applicants must demonstrate their ability to provide the following match:

- 50 percent match of the net cost for operations projects
- 20 percent match of the net cost for capital projects and project administration

As defined by ODOT, the net operating deficit to be used as the basis for grant reimbursement is the applicant's operating expenses minus farebox revenue. ODOT defines farebox revenue as money paid by the passenger to the transit provider. Farebox includes fares reimbursed by another agency or through a subsidized ticket program, and sales of tickets and passes. Farebox revenue does not include ticket revenue collected from passengers to be remitted to other public transportation agencies for travel on other public transportation services. Applicants may use non-farebox service revenue as match such as freight and interlined ticket sale commissions.

Application Submission

Applications for the 2021-23 grant solicitation are due to ODOT no later than **November 2, 2020**. ODOT may ask applicants to supply missing information or to provide clarification about the meaning or intent of any portion of an application. Applicants will have five business days to supply the requested information after ODOT's request. Failure to provide the requested information may result in rejection of the application. A rejected application may be resubmitted in a future solicitation cycle.

Project Selection Process and Schedule

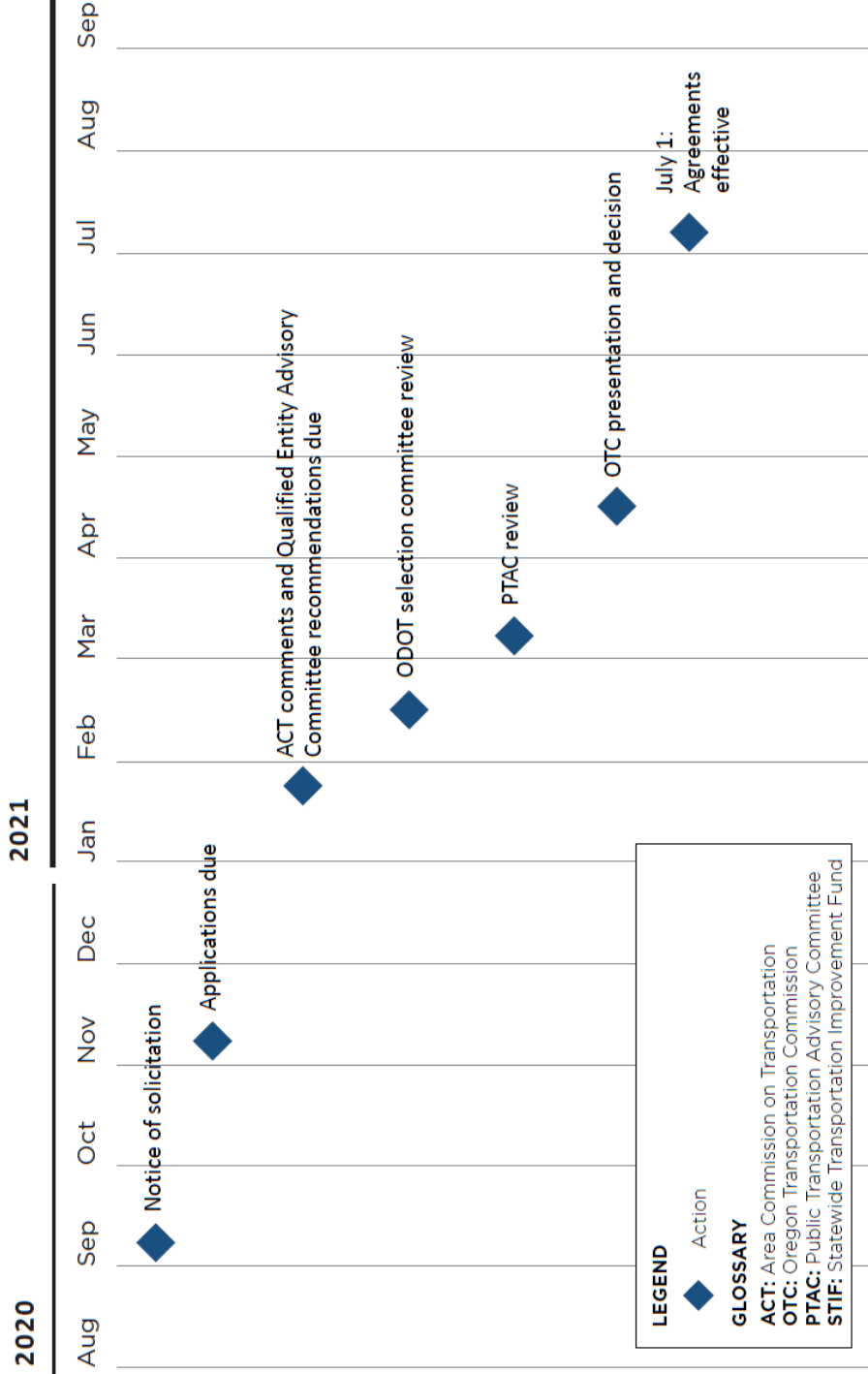
The major steps in the project selection process are outlined below and depicted in Figure 1: STIF Discretionary Fund and Statewide Transit Network Program Solicitation Schedule.

- 1) Public Transportation Service Providers submit grant applications to ODOT.
- 2) ODOT reviews applications for completeness, applicant eligibility, and project eligibility consistent with OARs 732-044-0005, 732-044-0015, and 732-044-0020 and with federal requirements, where relevant.
- 3) ODOT forwards eligible applications to relevant Area Commissions on Transportation (ACTs) for review and comment and to Qualified Entities for review, recommendation, and, potentially, project prioritization following consultation with STIF Advisory Committees.
 - a) Qualified Entities, with Advisory Committee guidance, review and recommend whether each project should be awarded funding. Qualified Entities may recommend a prioritized list of projects for their Qualified Entity's geographic area of responsibility.
 - b) Advisory Committee reviews shall be conducted in compliance with Committee bylaws.
 - c) Qualified Entity reviews shall consider the extent to which each project meets the project selection criteria established by the Oregon Transportation Commission (OTC) (See Table 1: 2020 Discretionary Solicitation Selection Criteria Framework).
- 4) ODOT Project Selection Committee reviews applications, Qualified Entity recommendations, and ACT comments and prepares a ranked list of project applications recommended for funding to the Public Transportation Advisory Committee (PTAC).
- 5) The PTAC considers ODOT Project Selection Committee ranked list of projects, Qualified Entity recommendations, and ACT comments and provides a rank-ordered funding recommendation to the OTC.
- 6) The OTC reviews and decides which projects will be awarded funds.
- 7) ODOT posts OTC funding awards on the PTD website and notifies applicants via email of the posting.

STIF Discretionary Fund and Statewide Transit Network Program*

SOLICITATION SCHEDULE

September 2020



LEGEND
 Action

GLOSSARY
ACT: Area Commission on Transportation
OTC: Oregon Transportation Commission
PTAC: Public Transportation Advisory Committee
STIF: Statewide Transportation Improvement Fund

*The Statewide Transit Network Program includes two potential funding sources: STIF Intercommunity Discretionary Fund, and FTA \$5311(f).

Figure 1: STIF Discretionary Fund and Statewide Transit Network Program Solicitation Schedule

Project Selection Criteria

The project selection criteria found in Table 1 below will be used to determine project ranking relative to all project applications received.

SCORING

An application may be submitted for one, two, or all three fund sources represented in this solicitation. Applicants may indicate in their application the preferred fund source for their funding request. During eligibility review, ODOT will determine which fund sources a project is eligible to receive. Each application will be scored by each reviewer. The criteria scores will be weighted differently for the two programs in the solicitation. The varying weights are shown in Table 1.

Questions 24-32 of the application are directly tied to the six project selection criteria. Responses to these questions are central to application scoring. However, the ODOT Selection Committee will take into account all aspects of the applications when making their funding recommendations; this includes comments and recommendations from ACTs and Qualified Entities (QEs), as well as a record of interaction between the applicant and ODOT to clarify the application intent, if any. Table 1 illustrates evaluation focus areas as reflected in OTP goals, the OTC-approved selection criteria, and score weighting for each fund program.

Table 1: 2020 Discretionary Solicitation Selection Criteria Framework

Focus Areas	Selection Criteria	Score Weighting	
		STIF Disc.	STN
<p>Equity and Public Transportation Service to Low-income Households</p> <p><i>OPTP goal:</i></p> <ul style="list-style-type: none"> Equity 	<ul style="list-style-type: none"> Improves public transportation service (e.g., service levels, programs, information, and supporting infrastructure) to low-income households. OAR 732-044-0030(1)(a) Improves or expands service to vulnerable or transportation-disadvantaged populations (e.g., seniors and people with disabilities). OAR 732-044-0030(1)(c) 	20%	10%
<p>Coordination of Public Transportation Services</p> <p><i>OPTP goals:</i></p> <ul style="list-style-type: none"> Communication, Collaboration, and Coordination Mobility and Public Transportation User Experience 	<ul style="list-style-type: none"> Improves coordination between public transportation providers. OAR 732-044-0030(1)(b) Provides integrated planning where affected communities will plan or partner to develop public transportation project(s). OAR 732-044-0030(1)(c)(A) Implements technological innovations that improve efficiencies and support a seamless, easy-to-use Statewide Transit Network. OAR 732-044-0030(1)(c)(B) 	10%	30%
<p>Safety, Security, and Community Livability</p> <p><i>OPTP goals:</i></p> <ul style="list-style-type: none"> Safety and Security Community Livability and Economic Vitality 	<ul style="list-style-type: none"> Protects fleet condition and ensures vehicles are maintained in a state of good repair. OAR 732-044-0030(1)(c) Results in increased use and participation in active transportation, including public transportation. OAR 732-044-0030(1)(c) 	25%	10%
<p>Environmental and Public Health</p> <p><i>OPTP goals:</i></p> <ul style="list-style-type: none"> Environmental Sustainability Health 	<ul style="list-style-type: none"> Reduces greenhouse gas emissions in or through public transportation systems. OAR 732-044-0030(1)(c)(C) Supports positive health outcomes. OAR 732-044-0030(1)(c) 	15%	10%
<p>Statewide Transit Network Connections</p> <p><i>OPTP goal:</i></p> <ul style="list-style-type: none"> Accessibility and Connectivity 	<ul style="list-style-type: none"> Improves or maintains service between geographically separated communities. OAR 732-044-0030(1)(c)(D) Improves local connections and infrastructure at inter-regional transit hubs or develops service improvements and approaches that can be replicated statewide. OAR 732-044-0030(1)(c) 	10%	30%
<p>Sustainable Funding</p> <p><i>OPTP goal:</i></p> <ul style="list-style-type: none"> Funding and Strategic Investment 	<ul style="list-style-type: none"> Does not substantially rely on discretionary state funding beyond a pilot phase (i.e., project is short-term or has reasonable fund sources identified to sustain project-related transit services after discretionary funds expended). OAR 732-044-0030(1)(d) 	20%	10%

STIF Disc.: STIF Discretionary Fund

STN: Statewide Transit Network Program

Appeals Process

ODOT will follow the appeals process as identified on page 34 of the State Management Plan. The July 2015 State Management Plan may be accessed here:

<https://www.oregon.gov/odot/RPTD/RPTD%20Document%20Library/State-Management-Plan.pdf>.

The appeals process described in this document will be available following the Commission's final decision on grant awards in Spring 2021. Where necessary, ODOT will return to the Commission for approval of any amended funding recommendation resulting from an appeal.

Reporting Requirements

Grant recipients are required to report project progress and expenditures throughout the funding period. The reporting requirements and frequency vary based on the source of funding and type of project. STIF Discretionary Fund recipients must satisfy state reporting requirements, and FTA Section 5311(f) Intercity recipients must satisfy both state and FTA reporting and eligibility requirements. All recipients should be prepared to fulfill the following general reporting requirements.

- Quarterly reports completed in ODOT's Oregon Public Transit Information System, detailing project progress, outcomes, and expenditures by the recipient and its subrecipient(s). The quarterly report is due no later than 45 days following the end of each quarter. The fourth quarter report in each fiscal year may be preliminary, pending adjustment based on the recipient's financial audit. For additional guidance on project reporting, please find the [STIF Discretionary and STN Reporting Guidance](#) and other guidance materials on the [STIF webpage](#).
- Recipients must maintain all financial records for at least six years after ODOT disperses the final payment under a grant agreement. Recipients must maintain all records relating to capital assets for three years after the disposition of a grant-funded asset (see OAR 732-040-0020).
- ODOT may require additional documentation and deliverables beyond those indicated in an application, as appropriate to the project. Recipients may include reporting requirements in their sub-agreements to obtain reporting and/or additional information from subrecipients, but recipient is ultimately responsible to provide all required reporting information to ODOT.
- Recipients must submit copies of subrecipient agreements to ODOT within 30 days of fully executing the subrecipient agreement (see OAR 732-044-0035(4)).
- Recipients that have acquired, purchased, or leased capital assets using STIF discretionary funds shall provide ODOT with a capital asset inventory. The inventory must include the following information (see OAR 732-044-0050):
 - Purchase date and price;
 - STIF and other funds used for the purchase;
 - Authorized use and operator;
 - Asset description as follows:

- Vehicles: make, model, quantity, size, number of securement stations, seats with and without securement stations deployed, fuel system, mileage, and condition.
- Improvements to real property (facilities, buildings, shelters): location, current disposition, condition, and status.
- Equipment: make, model, quantity, and condition.

The capital asset inventory must be updated at regular intervals as specified by ODOT. Reporting is required as long as the capital asset is in use for public transportation, regardless of the expected useful life of the asset.

Capital Assets

Grant recipients should understand the unique reporting, environmental review, and documentation processes associated with the purchase of capital assets. The requirements vary based on the source of funding, project type, and applicable local, state, and federal regulations. It is the grant recipient's responsibility to understand and comply with all applicable requirements.

ENVIRONMENTAL COMPLIANCE

Grant recipients are responsible for complying with all applicable local, state, and federal environmental rules and regulations, coordinating with relevant agencies, and managing any environmental review procedures required to fulfill the project scope of work and deliverables.

FTA-funded projects must comply with the National Environmental Policy Act (NEPA) and the rules adopted by FTA to comply with NEPA. FTA regulations require different levels of analysis and documentation based on project type and environmental impact. It is the recipient's responsibility, in coordination with ODOT, to determine and complete the correct level of environmental review. Payments for project activities that involve ground disturbance may be contingent on completing the required environmental procedures. PTD is in the process of establishing an environmental review process for projects funded exclusively with state funds.

CAPITAL ASSET REQUIREMENTS

OAR 732-044-0050 specifies the capital asset requirements for recipients of STIF discretionary funds. Select requirements are listed below.

To be eligible to receive discretionary STIF funds to acquire vehicles, an applicant must demonstrate in their grant application that the recipient or subrecipient who will acquire the capital asset(s) has committed to continually use the vehicle for the approved purpose for the useful life of the asset(s). However, capital asset inventory reporting is still required as long as the capital asset is in use for public transportation.

To be eligible to receive discretionary STIF funds for a real property capital asset (e.g., a transit facility, bus barn, maintenance facility, land, or administration building), an applicant must demonstrate in their grant application one or more of the following, depending on asset type:

- Recipient or subrecipient ownership of the property upon which the capital asset will be located;
- Recipient or subrecipient possession of an executed lease agreement for the property location where the capital asset will be located, and that will be in place for the useful life of the capital asset;
- Recipient or subrecipient possession of an executed lien on the property upon which the capital asset will be located, for the useful life of the capital asset;
- In the case of a project that will utilize property owned by a local city, county, or government; an executed intergovernmental agreement with the property owner guaranteeing ongoing use for the duration of the useful life of the capital asset; or
- In the case of a project to purchase land, an option to purchase the land identified in the project.

Identifying Public Transportation Benefits to Low-Income Households

The project selection criterion specified in OAR 732-044-0030(1)(a) requires reviewers to consider how well the project improves public transportation service to low-income households. Under OAR 732-040-0005(17) “Low-Income Household” means a household the total income of which does not exceed 200 percent of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C 9902(2) for the 48 contiguous states and the District of Columbia.

Applicants are asked how their proposed projects would benefit vulnerable populations and historically marginalized communities in Question 24 of the application. This might include benefits to low-income households. Recipients of STIF Discretionary and Statewide Transit Network Program funds will be prompted to identify benefits to these communities through project reporting. Recipients will also report annually whether or how their projects mitigate impacts of the STIF tax on passengers residing in low-income communities as required by OAR 732-040-0025(1).

PART 2: Application Information

Application Format and Use

The online application form is available in the STIF Discretionary Fund and Statewide Transit Network section of the Public Transportation Funding Opportunities Page located here under “Statewide Transportation Improvement Fund Discretionary and Statewide Transit Network Program”:

<https://www.oregon.gov/ODOT/RPTD/Pages/Funding-Opportunities.aspx>.

The application form is a fillable, web-based *Cognito Forms* document that requires an internet connection. Chrome, Firefox, and Edge are the recommended web browsers. Applicant may face formatting limitations and errors when using Internet Explorer.

The form uses a combination of check boxes, yes or no questions, text boxes, and buttons for uploading documents and adding information. If there are technical problems using the form, please call Brian Roth at 541-508-9862. For answers to programmatic or process-specific questions, contact your regional transit coordinator.

Cognito Forms allows applicants to enter all requested information in a fillable form housed on a single webpage. Applicants may save their progress by clicking the “Save” button at the bottom of the application page. Thus, applications may be completed over multiple sittings. Applicants may invite collaborators to work on their application by sharing the hyperlink for their form, but it is recommended that only one person work on the form at a time. Be sure to save the form before sharing with a colleague.

For some questions in the form, when answered “Yes,” the form will expand to request additional information on the topic. Required fields are marked with an asterisk (“*”). If these fields are not completed, the form will prompt applicant to make the required response before submitting the form.

Upon completion of the application, select “Submit Application.” After submittal, the applicant will receive email acknowledging receipt of the application. Notice of the submittal will also be sent to ODOT staff. The applicant will be able to download the completed application to pdf.

Application Instructions

Step-by-step instructions are listed below, including screenshots, as necessary, to provide additional clarity.

Applicant Information

Enter basic identifying information including the agency name, agency address, contact information for the person completing the application, and the name(s) of the person that would sign and/or manage the agreement, if awarded.

The Agency Legal Name may either be selected from the drop down or typed in manually by applicant. Please first check to see if your organization is included in the

dropdown before choosing to manually enter a name. Having appropriate and consistent spelling for an organization name allows ODOT to effectively track submitted applications.

APPLICATION QUESTIONS

The application questions require multiple choice, yes/no, and narrative responses. The agency information questions provide critical detail about the project but are not part of the scoring process. Responses have character limits, requiring clear and concise writing.

Agency Information

Question 1. Transit Agency Type

Applicants should choose the agency type that best applies to their organization. The information is used to verify applicant eligibility under the STIF and/or 5311(f) rules. The information is also used as context to understand budget information provided in the Project Details section.

Public Corporation is a defined term under OAR 732-040-0005(22). Applicants that select Public Corporation as the Transit Agency Type are required to upload documentation that demonstrates how the entity meets the definition.

Question 2. What is the main type of service that will be supported by this grant?

Applicants must choose one of the three available service types:

- Fixed Route
- Demand Response
- Deviated Fixed Route

Applicants should follow the FTA's definitions for these terms found in the [National Transit Database Glossary](#).

Question 3. Would this award support ongoing operations of an existing service?

Projects involving ongoing operations are not eligible for STIF Discretionary funds. Both STIF Intercommunity Discretionary and Section 5311(f) funds may be used to support ongoing operations. Where an award would support ongoing operations, please provide the information requested in questions 3.A - 3.B.

For question 3.A, provide the operating costs from the most recent fiscal quarter for the transportation service represented in this application. For question 3.B, where the project proposed would expand or alter an existing service, please explain how the service proposed in this application would differ from the service as it was operated in the current biennium.

See "Definitions" section starting on page 4 of this guidance document for a brief explanation of what constitutes "ongoing operations."

Risk Assessment Information

ODOT conducts a risk assessment for every funding agreement. This section includes a subset of the entire risk assessment, which will be populated by the answers provided in this section and data already reported to ODOT PTD.

Questions 4 -10

Most of the risk assessment questions are yes-or-no questions with the exception of one question about the type of accounting system used by the agency.

- “Manual” is an accounting system that is updated and maintained by hand, without using a computer system or any automatic system.
- “Automated” is a system using a computer and automatically maintains records without the need for any human input.
- “Combined” uses both manual and automated systems.

Applicant Qualifications

The STIF rules require that STIF recipients and subrecipients have legal, managerial, and operational capacity to perform and report on progress delivering or completing the awarded project, within the scope, schedule, and budget laid out in the application and resulting funding agreement.

Question 11. Describe how your agency has legal, managerial, and operational capacity to perform and report on project progress within the scope, schedule, and budget of the anticipated grant agreement.

Applicants should specify their organizational structure, staff expertise, and (if applicable) their organization’s past performance on similar project types. Applicants may provide further information, such as project summaries, resumes, certifications, or organizational charts, as attachments to the application. Descriptions of operational capacity should be relevant to the capacity to perform the work necessary to complete the proposed project.

Question 12. Certification of Compliance

Confirm that the applicant’s organization has or will have the capacity to maintain compliance with applicable federal, state, and local laws and regulations. This checkbox response represents the applicant’s self-certification with the statement below.

“By checking this box, the applicant certifies that if they are awarded funding, they will meet and ensure compliance for the term of the agreement with applicable federal, state, and local laws and regulations including, but not limited to, those pertaining to passenger transportation, civil rights, labor, insurance, safety and health.”

Applicants must ensure the appropriate managerial and organizational staff have read and understand the federal, state, and local laws and regulations they will be subject to through a potential funding agreement.

Question 13. Do you plan to use a subrecipient or contractor to implement the grant supported activity?

Answer Yes or No.

Question 13.A. If yes, please list the subrecipient(s) and describe how you will provide sufficient subrecipient/contractor oversight to ensure eligibility is maintained while receiving STIF Discretionary or Statewide Transit Network funds.

Applicants should describe organizational quality control, compliance, reporting, and overall project management procedures to be used with subrecipients and contractors (e.g., vendors), and how these procedures will be maintained and updated as needed. The applicant may also describe the project manager's (or other staff's) experience with relevant eligibility and public transportation compliance requirements. For organizations with little past experience with subrecipients or contractors, applicants should describe a process to create, validate, and continually improve internal procedures.

14. If you seek the 10 percent match reduction, does the project meet one or more of the four factors identified in OAR 732-044-0005(4)(a)? Select each factor that you believe is exemplified by the proposed project.

Eligibility for the 10 percent match reduction will be determined by the ODOT Selection Committee. This match reduction is not guaranteed.

Note: The Project Details section of the application will display the estimated grant award and match totals for the proposed project both at the 20 percent and 10 percent match levels if the applicant has indicated in Question 14 that their project meets one or more of the listed factors.

If your project is not eligible for reduced match, select "Not applying for 10 percent match reduction."

Question 15. Will federal funds be used to complete this project?

Indicate whether federal funds will be used to complete the proposed project. This includes using federal funds as match for an STIF grant award. This information is used to determine whether federal requirements will apply or supersede state requirements about procurement, reporting, and other grant processes.

Project Information

This section asks for detailed information related to the project, including a project overview description, relevant adopted local plan context, and information that will help evaluators score the application.

Question 16.A. Project Title

Provide a title for the proposed project. This title will be used during the review process and in the published list of grant awards. Project titles are also helpful for distinguishing between projects when an applicant has submitted more than one application.

Question 16.B. Describe the project to be funded. Clearly describe what the requested fund award would be used to accomplish, detailing the specific tasks and deliverables. Provide anticipated project deliverables. Where relevant, identify the origin and destination of the proposed service as well as each municipality visited along the route.

It is important that you provide information that clearly describes the nature of the request and indicates how the proposal is generally consistent with the STIF Discretionary/STN project selection criteria.

Clearly describe what the requested fund award would be used to accomplish, detailing the tasks and deliverables. The project description is particularly important to help evaluators fully understand the proposed project and establish project eligibility by fund. Avoid generalizations.

Proposals involving real property improvements should provide a description of the property in question, including size, adjacent roads, access, existing and proposed buildings (including historic preservation status), and any relevant natural features and hazards, such as FEMA mapped flood zones, tsunami inundation zones, geologic hazard areas, and nearby water features. The written description should be accompanied by a legible site map depicting narrated features.

The project description text box allows 5,000 characters. Maps, graphics, GTFS feeds, and other project details should be included as attachments to support the project description.

A project may have multiple tasks, but projects directly supporting transit operations should describe operations for *a single transit service only*. The applicant must submit a separate application for each different transit service or route. For fixed route operations projects, the project description should provide the origin and destination of the service and list all planned stops. If feasible, please attach a Remix route map for a proposed new service or service route expansion.

If the project supports operations that might conceivably compete with for-profit fixed route transit service, explain why the project will not significantly impact for-profit providers.

Note: Applicants should, where possible, refrain from detailing the benefits and importance of the proposed project in their response to Question 16. The applicant will have the opportunity to provide this context in Questions 22 and 24-32.

Question 17. What Local Plans include this project or elements of the project? Be specific in the citation of the Local Plans.

Local Plan is a defined term in the definitions section of this document. To be eligible for STIF funding, the proposed must be referenced in a relevant, active Local Plan. This does not mean, however, that the exact project must be referenced. The project may also address a goal or objective identified in the plan. For example, a project proposing the purchase and installation of security cameras on buses may be appropriate where a Local Plan establishes the need for improving driver and passenger safety measures.

List and describe at least one Local Plan that includes this project or elements of this project, including:

- Local Plan name
- Governing body that adopted the Local Plan
- Local Plan adoption date
- Website URL where Local Plan is posted or upload the Local Plan as an attachment

Applicants are exempt from providing Local Plan information if either of the following conditions are met. Instead, applicants must describe how the project meets these conditions:

- The project will fill a significant gap in the Statewide Transit Network; or
- The project will provide statewide benefits to multiple Public Transportation Service Providers. The applicant must identify the benefits to areas outside the jurisdiction where the project will be located.

Question 18. Please provide specific page(s) for the Local Plan(s) where project or funding need is listed.

Existence of the proposed project or the elements of the project in a Local Plan is required for a project to be eligible for funding. Providing specific citations allows for more efficient eligibility review and avoids the need for extensive follow-up with the applicant.

Question 19. What is the minimum grant amount that will still allow your project to proceed?

Only a dollar figure is required as a response to this question, but the applicant may provide additional context for their response, if desired.

The intent of this question is to provide ODOT and application evaluators some flexibility in awarding funds and to recognize that proposed projects may include several elements or phases that could feasibly be delivered separately or through other resources. ODOT may consider awarding less than the total project amount should limited funds or other issues limit a full award to the applicant.

Applicants should enter the smallest award amount that will allow them to offer partial project elements (e.g., tasks, deliverables), or if other fund sources may be used to cover expenditures.

Note: Please enter only the **grant amount** for this answer, not the total project cost. Match should not be included in this figure.

Question 20. Select the fund source(s) for which you would like to compete and that you believe your project is eligible to receive.

Applicants may select each fund source for which the applicant and project type are eligible for funding and they are willing to receive. If an applicant is unsure of their eligibility for a fund source but wishes to be considered for that fund, select the fund source. ODOT staff will determine fund source eligibility during eligibility review. The three funding sources are:

- STIF Discretionary
- STIF Intercommunity Discretionary
- FTA Section 5311(f) Intercity

Note: Applicant's project will not be considered for fund sources that are not selected.

Question 21. Rank the fund sources in the order of preference for this project with 1 being first choice and 3 being the last choice.

The ODOT Selection Committee will consider fund source preference in its funding recommendations, but indication of fund source preference does not guarantee that a successful project will be funded under the applicant's first choice. Where applicant has no preferred ranking for one or more fund sources, applicant should select the "no preference" option for those fund sources. If a preference is not selected, the Selection Committee will assume that there is no preference.

Question 22: Why is this an important project? What are the consequences of this project not receiving funding?

This question provides the applicant the opportunity to provide additional context for the proposed project. Aside from the project's relevance to the project selection criteria (Questions 24-32), describe the unique benefits that this project would offer to the communities you serve and/or to the Statewide Transit Network. Provide any information or data that indicate existing or latent demand for the service that this project would support.

Question 23. Will this project involve breaking ground or any other activity that might require environmental review per federal requirements?

If the proposed project will involve breaking ground or another activity that might trigger a review mandated under the National Environmental Policy Act (NEPA), please respond "Yes" to this question. The application provides a link to an ODOT webpage, where you can find links to download a documented categorical exclusion worksheet. If

federal funds will support the proposed project (see Question 15), download, complete, and attach the “Federal - Documented Categorical Exclusion Worksheet” with your application. FTA approval of the categorical exclusion is required prior to payment.

If the project will be supported with only state funds, download, complete, and attach the “State” version of the worksheet. If you are unable to submit this documentation at the time of your application, please submit the documentation as soon as feasible to your regional transit coordinator.

Environmental approvals may extend the timeframe of your project, so you are encouraged to start this process early.

If you have questions about the environmental review process and requirements, contact Mark Bernard at Mark.Bernard@odot.state.or.us.

Questions 24 - 32: Oregon Transportation Commission Investment Priorities

These questions help determine the extent to which a project is aligned with the OTC’s investment priorities and are used to score applications. Application evaluators will carefully consider responses to these questions when scoring project applications. Clear, direct, and concise narrative responses are important as each response is limited to 2,500 characters.

Equity and Public Transportation Service to Low-Income Households

Question 24. Describe how the project would support and improve access for vulnerable populations and/or historically marginalized communities.

Vulnerable populations include groups that tend to rely on public transportation to meet daily needs, such as low-income populations, seniors and individuals with disabilities, persons with limited English proficiency, individuals without bank accounts, and veterans.

Possible indicators

- The share of the population in the project area who are seniors, limited English proficient, low-income, or other vulnerable populations
- The portion of the project benefiting a vulnerable population as compared to the portion of Oregon’s population that the vulnerable population represents
- Deliverables specifically aimed at improving access, reliability, and safety of transportation services for vulnerable populations or historically marginalized communities
- The extent to which a program incorporates community engagement and public input into the development of project goals and deliverables

Examples

- Projects proposing new transit service or infrastructure that explicitly targets benefits to vulnerable populations
- Projects that involve public outreach and surveys to ensure projects will meet the needs of vulnerable populations and that those populations will be aware of

availability of transit services, reduced-fare programs, and ongoing opportunities for public input

- Planning projects related to improved service to neighborhoods with vulnerable populations or travel training programs with a focus on vulnerable populations
- Reduced or zero-fare programs for low-income passengers

Scoring

20 possible points. The evaluation score will represent 20 percent of the total STIF Discretionary score, and 10 percent of the total STN Program (includes both STIF Intercommunity Discretionary and FTA Section 5311(f)) score. Projects that go beyond usual agency practices to benefit a larger segment of vulnerable users will likely be assigned a higher score for this criterion.

Coordination of Public Transportation Services

Question 25. Describe how this project would improve the passenger experience, benefit multiple transit providers, or involve consolidation, coordination, or resource sharing between agencies, including use of transportation data and technology.

Describe how the proposed project will enhance and improve coordination between Public Transportation Service Providers, agencies, organizations, and other stakeholders. Describe the collaborators, their respective roles, and their level of commitment. Describe how this collaboration will work towards goals of efficiency and a more useful, better coordinated Statewide Transit Network. Upload documentation that demonstrates commitment to cross-provider coordination described as attachments to your application.

This criterion might also be demonstrated through projects that improve how public transportation agencies, planners, researchers, and application developers understand, use, plan for, and improve the Statewide Transit Network using standardized data. Describe how this project will support the development or improvement of standardized data and data formats or employ passenger-facing technology to improve the passenger experience.

Projects involving procurement or development of websites, software, and on-board hardware improvements should indicate how they will coordinate with other transit providers implementing similar technology projects. In the 2019-21 biennium, technology-related grant awards were conditioned on participation in ODOT-facilitated coordination meetings. That requirement may continue in FY 2021-23 depending on available resources.

Examples

Representative example projects and scope components include, but are not limited to:

- Joint or consolidated program administration and management
- Education and outreach in coordination with transportation options programs or other agencies
- Shared service area operations plan(s)

- Shared vehicle/service resources
- Coordinating routing and scheduling to make connections between agencies and services simpler and more efficient, including establishing interline agreements
- Regional multi-agency public transportation plans and/or integrating public transportation into multimodal transportation plans
- Coordination of online resources and webpages to support regional and intercommunity travel
- Technology projects that utilize or support existing and emerging public transportation data standards like GTFS, GTFS-ride, GTFS-flex, and GTFS-rt
- Projects that improve access for passengers and planners to public transportation information, particularly if they rely on standardized data formats
- Projects to improve passenger experience across agencies, such as shared fare systems
- Projects supporting the procurement and implementation of hardware and software that improves the passenger experience, including real-time bus tracking, trip-planners, and onboard electronic messaging systems

Scoring

20 possible points. The evaluation score will represent 10 percent of the total STIF Discretionary score, and 30 percent of the total STN Program score.

Environment and Public Health

Question 26. Describe how this project would go beyond providing an alternative to personal car use to reduce greenhouse gas emissions, reduce pollution, and/or support positive health outcomes.

Describe how this project takes additional steps to reduce greenhouse gas (GHG) and other emissions, encourage transit ridership as an alternative to single occupancy vehicle use, or mitigate the impacts of climate change. Describe any initiatives introduced or influenced by the project that will encourage and enable residents to choose low-environmental impact modes of travel. Describe how the project will improve the energy efficiency of your agency's operations.

How will the applicant explicitly incorporate environmental and public health considerations into the tasks and deliverables of the proposed project? Responses that do not identify project elements that will directly target positive environmental and public health outcomes will receive lower scores.

Examples

- Fleet electrification projects replacing fleet with vehicles with low-carbon intensity fuel systems
- Electric vehicle charging infrastructure
- Low-carbon emission fuels assets and infrastructure
- LEED or net-zero facility construction or retrofitting
- Energy efficiency projects

- Projects that reduce carbon dioxide and other pollutant emissions, particularly in low-income communities
- Projects that improve transit access to/from services that improve health outcomes
- Consultation and planning to achieve significant emission reductions through organization operations
- Projects promoting active transportation and other mode shift away from single-occupancy vehicle use (e.g., bike racks, bike and pedestrian infrastructure)

Scoring

20 possible points. The evaluation score will represent 15 percent of the total STIF Discretionary score, and 10 percent of the total STN Program score.

Safety, Security, and Community Livability

Question 27. Describe how the project would increase use and participation in active transportation, including public transportation.

Describe how the project will result in increased transit ridership. If improved passenger amenities, bicycle amenities, or active transportation information are included in the project, describe how they will increase walking or cycling to/from public transportation. Explain how the project will shift drive alone trips to public transportation and/or encourage walk/biking to/from public transportation.

Examples

- Bike share station at a Key Transit Hub
- Bicycle and/or pedestrian wayfinding signage
- Bicycle and/or pedestrian infrastructure improvements that support public transportation
- Closing a gap in bicycle or pedestrian access to Key Transit Hub(s)
- Illumination of transit stops
- Timeshare bike lockers
- Bicycle parking and services
- Projects that result in mode shift to transit
- Projects that reduce reliance on personal vehicle use
- Projects that improve connectivity between active transportation modes and bus, train, and other transit modes
- Outreach and education projects

Question 28. Describe how the project would support and improve safety of passengers in transit vehicles and safety of other roadway users.

Explain how the project improves safety, and any related safety benefits. If the project involves a new vehicle, clarify whether it is replacing an existing vehicle, or it is extending agency capacity. Describe how the project positively impacts the fleet's state of good repair.

Examples

- Investments in training, equipment, vehicles, maintenance, or software to support vehicle maintenance and condition targets
- Onboard safety systems, cameras, and communications

- Collision avoidance systems
- Safety and security features at transit stops for waiting passengers
- Driver safety features
- Transit-adjacent projects that improve pedestrian safety in and around transit stops

Scoring

Questions 27 and 28 together can receive 20 possible points. The evaluation score will represent 25 percent of the total STIF Discretionary score, and 10 percent of the total STN Program score.

Statewide Transit Network Connections

Question 29. Describe how this project would support and improve the utility and connectivity of the Statewide Transit Network and/or create a foundation for future Statewide Transit Network improvements.

Projects connecting communities within a single urban area are likely to receive lower scores for this criterion. Projects connecting rural communities to other rural communities, connecting urban areas to other urban areas, or connecting rural communities to urban areas are likely to receive higher scores. If practical, communities served should be urban areas, urban clusters, census places, or census-designated places with populations of 2,500 or more. For very rural counties, projects connecting communities of less than 2,500 may be considered.

Describe how the project is expected to address the following needs and strategies, in particular:

- Connections between communities. This may include a description of community types and locations, how many people and jobs will be accessible by transit after the project, or which public transportation services are connected by the project
- Connections that expand the geographic availability of transportation service, including increasing the frequency of intercommunity service
- Passenger experiences at Key Transit Hubs
- Improving connections between public transportation, passenger rail, and air transportation networks.

Examples

- Projects that support public transportation or vanpool service in underserved corridors or between communities with poor or non-existent public transportation connections
- Projects that improve or create Key Transit Hubs and multi-agency stops
- Projects that fill gaps in the Statewide Transit Network
- Projects that reduce the number of transfers needed to travel between communities
- Projects that increase frequency and reliability of service on heavily-travelled corridors
- Planning and service feasibility projects that explore possible new statewide connections

Scoring

20 possible points. The evaluation score will represent 10 percent of the total STIF Discretionary score, and 30 percent of the total STN Program score.

Funding and Strategic Investment

Responses to Questions 30-32 may be relevant to project eligibility and could be used to prioritize projects where grant requests exceed available funding. Projects will receive higher scores where the applicant has laid out a clear and convincing plan for funding the project in future biennia. Scoring will be based on the strategic impacts of the project on the Statewide Transit Network in Oregon, not on the amount of leveraged funds or match.

Question 30. Describe how project match requirements will be met or exceeded. Describe why investment in this project makes sense from both the perspective of current need and long-term Oregon transit needs.

Describe how this project will leverage funds beyond the minimum STIF match requirements (see the “Match Requirements” section for more information). Describe problems or gaps this project addresses and how it will help create the foundation for a better Statewide Transit Network.

Examples

Projects may include:

- Piloting new service operations
- A planning or research project where STIF is just one of many fund sources
- Ongoing operations, where there is a clear non-STIF/STN discretionary funding plan in place
- Ongoing operations that have clear benefit to the Statewide Transit Network, and where ongoing discretionary Statewide Transit Network funding is the only reasonable funding source
- Projects that set the stage for statewide public transportation improvements
- Projects that fill a pressing current need, such as filling a gap in the Statewide Transit Network

Question 31. If this project will last beyond the 2021-23 biennium, describe the plan for ongoing funding, including match. If not applicable, type “N/A.”

Describe how the proposed project or transportation service will be funded following the 2021-23 biennium. The applicant may, for example, indicate that the project will be incorporated into a Qualified Entity’s STIF Formula Plan the following biennium. This might be particularly important for pilot programs and services that might be expanded after successful implementation during the 2021-23 biennium.

Question 32. Does this project depend on other funding sources including other discretionary grant processes whose outcomes are uncertain? If yes, please list those fund sources. If not applicable, type “N/A.”

If yes, identify the fund source(s) and the anticipated timing of funding certainty. If no, type “N/A.”

This question supplements the match information the applicant will provide in the Project Details section of their application. It provides an opportunity to more fully explain potential funding sources, related budgeting or funding processes, and identify a schedule or plan for pursuing other funding opportunities during the project timeframe. It also indicates whether an award under this solicitation would be contingent on the availability of other funding.

Scoring (Questions 30 through 32)

20 possible points. The evaluation score will represent 20 percent of the total STIF Discretionary score, and 10 percent of the total STN Program score. Scores will be based on the strategic impacts of the project on the Statewide Transit Network, not on leveraged funds. Responses may impact project eligibility and tie-breaks in the event of identical project scores.

Capital Asset Purchases

Capital assets are items that cost at least \$5,000 and have a useful life of at least three years.

Question 33. Describe proposed capital purchases. If no capital assets are included in your application, type “N/A.”

Briefly describe proposed capital purchases including real property, vehicles, equipment, bus stop amenities, and other assets. This section is an opportunity to supplement the asset details entered for asset purchases in the Project Details section.

Real Property

For capital construction projects, applicants must upload additional documentation with their application. The applicant should provide documentation of one or more of the following, as applicable:

- Recipient or subrecipient ownership status of the property upon which the capital asset will be located;
- Recipient or subrecipient possession of an executed lease agreement for the property location that will be in place for the useful life of the capital asset;
- Recipient or subrecipient possession of an executed lien on the property for the useful life of the capital asset;
- In the case of a project which will utilize property owned by a local city, county, or government, an executed intergovernmental agreement with the property owner guaranteeing ongoing use for the duration of the useful life of the capital asset; or
- In the case of a project to purchase land, an option to purchase the land identified in the project.

Failure to provide proof of ownership interest as described in the above bullets will result in ineligibility of the proposed project.

Vehicles

Applicants should briefly describe any vehicles proposed as part of this project. Applicants must provide detailed information about each vehicle in the Project Details section of this application, including the VIN of vehicle proposed for replacement.

Equipment, bus stop amenities, and other assets

Briefly describe any equipment, bus stop amenities, or other assets that will be purchased as a part of this project. Detailed information about each asset should be entered under Equipment Purchase in the Project Details section.

Project Details

In this section, the applicant will provide details about the project tasks to be completed, including the portion of the grant award that the applicant would anticipate spending on each task category represented. The applicant should select all task categories that apply to the project.

The task categories are aligned with FTA activity line items, similar to fund categories used for other PTD funding programs. The categories will be used by ODOT to create and administer funding agreements resulting from project awards. The task categories include:

- Vehicle purchase - Expansion or Replacement
- Equipment Purchase
- Facility Purchase
- Signs/Shelters Purchase
- Planning
- Project Administration
- Operating
- Preventive Maintenance
- Mobility Management

Below are brief descriptions of each task category. Use these descriptions to determine which task categories are appropriate for tasks to be included in the proposed project.

Vehicle Purchase - Purchase or lease of an expansion or replacement vehicle asset.

Equipment Purchase - Equipment includes rolling stock, computing devices, information technology systems, and all other such property used in the provision of public transit service.

Facility Purchase - Purchase or lease of all or any portion of a building or structure that is used in providing public transportation. This might also include costs for renovating an existing facility.

Signs/Shelters Purchase - Costs associated with purchase or improvement of transit stop infrastructure and informational signage.

Planning - Typical transit planning activities might include assessing the potential for transit to support a range of community and regional goals, establishing goals and performance measures for identifying transit needs and monitoring improvements, objectively and transparently exploring alternatives for addressing transit needs, and identifying opportunities, both locally and regionally, to improve connectivity between transit stops and other transportation modes, between multiple transit providers, and riders' origins and local and destinations.

Project Administration - Project administration costs include, but are not limited to, vendor and contractor oversight, grant and financial management, training, internal and external program coordination, ensuring ongoing operating compliance, office supplies, overhead, and marketing support.

Operating - Operating costs include those costs necessary to operate, maintain, and manage public transportation services, which might include such costs as dispatch and driver salaries, fuel, oil, licenses, facility maintenance, uniforms, and communications equipment associated with operations.

Preventative Maintenance - Preventative maintenance includes all the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost-effective manner. Preventative maintenance includes, but is not limited to, oil changes, engine tune-ups, tire purchases and maintenance, annual vehicle inspections, scheduled or routine maintenance, and associate parts, supplies, and labor.

Mobility Management - Mobility management is a customer-centered approach to designing and delivering mobility services. It includes coordination between transportation providers, planners, and community stakeholders to collaborate, plan, implement and maintain transportation services. Mobility management does not include operating public transportation services.

The applicant should only select task categories that are specifically referenced in their project description as described for Question 16. Where the applicant selects task categories or identifies costs that cannot be discerned from the project description, ODOT will request additional clarification on that discrepancy.

Additional Task Category Guidance

Once a task category or categories are selected, the application form will populate additional fields related to those categories. For example, after selecting "Vehicle Purchase," the application form will prompt the applicant for additional information about the vehicle, including whether it is an expansion or replacement vehicle, whether the applicant will use the Oregon state price agreement to purchase the vehicle, and vehicle specifications. As a reminder, all fields marked with an asterisk ("*") are required and the application form will not submit until those fields are completed.

The applicant may remove a task category and the all information entered for that task by unselecting the task category under the “Task Category” subheading. Note that doing so will delete all information previously entered for that task category.

Asset Purchases and Improvements

The first four task categories (Vehicle Purchase; Equipment Purchase; Facility Purchase; Signs/Shelters Purchase) are related to asset purchases. For each of these task categories, the applicant is able to add multiple different assets, entering the required information for each asset identified. The costs of each identified asset will be automatically totaled and that total will appear under the “Total Task Cost” subheading. To remove an asset, click the “X” to the left of the appropriate row.

Vehicle Purchase

Project proposals under Vehicle Replacement must provide information about the vehicle to be replaced. This includes the vehicle’s VIN, the condition of the vehicle, and a short narrative on why the vehicle needs to be replaced. This narrative might include the vehicle’s maintenance history, the need to right-size to better meet the needs of the associated service, or other considerations relevant to the inadequacy of the existing vehicle, particularly where that vehicle does not yet meet useful life standards. To determine the appropriate current “condition” for a vehicle asset, you may reference the Asset Condition Measurement spreadsheet located at <https://www.oregon.gov/ODOT/RPTD/RPTD%20Document%20Library/Asset-Condition-Rating-Spreadsheet.xlsx>.

Additional information requested, such as the year and mileage of a vehicle, aids ODOT staff in determining whether the vehicle to be replaced has surpassed its useful life. To review the useful life benchmarks relevant to the vehicle asset you wish to replace, please reference the Vehicle Useful Life Standards document found here: <https://www.oregon.gov/ODOT/RPTD/RPTD%20Document%20Library/Vehicle-Useful-Life-Benchmarks.pdf>

Enter estimated vehicle order and delivery dates for vehicle assets, based on vendors’ approximate manufacturing and delivery schedules. If the exact date is not known, use general estimates of six months for category E vehicles, 9-15 months for category C and D buses, and 15-30 months for category A and B buses.

Facility Purchase

For projects involving Facility Purchase or improvement, include the location, lot size, and square footage of the existing or planned facility in the “Facility Description” text box. The subheading for the facility description suggests other possible elements of a Facility Purchase project, including major activities, siting and right-of-way, planning, architecture, engineering, project management, construction contracting, inspections and permitting, and interior surfaces and furnishings. If your project involves a facility,

please ensure you have reviewed Question 23 concerning environmental impact review and attach any completed environmental documentation to your application.

Total Task Cost and Other Task-Related Questions

The applicant must identify the Total Task Cost for each task category. The Total Task Cost represents the portion of the Total Project Cost that will be dedicated to the selected task category. The Total Task Cost is the Grant Amount plus the Match Amount for the task category. The *Cognito* form will automatically add up the separate Total Task Costs and display the combined costs in the “Application Totals” section of the application. In this section, the applicant must also indicate whether they can provide the requisite match if receiving the requested award. Figure 2, below, provides an example of completing the task cost section for an operating task.

Operating

<p>Total Task Cost (Grant Amount + Match Amount)</p> <input style="width: 90%;" type="text" value="\$100,000.00"/>	<p>Are matching funds available if the project is awarded? *</p> <input style="width: 90%;" type="text" value="Yes"/>
<p>What percent of funds will be used for demand response transportation? *</p> <input style="width: 90%;" type="text" value="0%"/>	<p>Percent of funds used for fixed route transportation</p> <p>100%</p>

Project Task and Match Amounts

50% Match Rate Calculations

<p>Grant Amount - 5311f (50% Fed Share)</p> <p>\$50,000.00</p>	<p>Match Amount - 5311f (50% Local Share)</p> <p>\$50,000.00</p>
---	---

20% Match Rate Calculations

<p>Grant Amount - STIF Discretionary/STIF Intercommunity (80% State Share)</p> <p>\$80,000.00</p>	<p>Match Amount - STIF Discretionary/STIF Intercommunity (20% Local Share)</p> <p>\$20,000.00</p>
--	--

10% Match Rate Calculations (For Qualified Applicants)

<p>Grant Amount - STIF Discretionary/STIF Intercommunity (90% State Share)</p> <p>\$90,000.00</p>	<p>Match Amount - STIF Discretionary/STIF Intercommunity (10% Local Share)</p> <p>\$10,000.00</p>
--	--

Figure 2: Example of Completed Task Category

Percentage of Funds Used for Demand Response Transportation

For each task category, you will enter the percentage of total project funding to be expended on demand response transportation. Use the FTA’s definitions of demand response and fixed route transportation in the [National Transit Database Glossary](#).

Once you have entered the percentage of funds used for demand response transportation, the application will automatically calculate the percentage of funds used for fixed route transportation. For example, if you enter 50 percent for demand response transportation, the fund percentage identified for fixed route transportation will change to 50 percent. Figure 2 includes an example of this function.

If applicants expect to use funds for a mix of fixed route and demand response service, they should use a local funding allocation methodology consistent with other reporting

types. For example, some providers use a mode share of revenue service hours to allocate shared expenditures. Applicants should make their best estimate based on existing information; this application detail will not replace ongoing financial reporting.

Application Totals

Grant Amount and Match Amount Calculations

After entering information, including total task costs for each task category, the application form will automatically calculate the grant amount and match amount totals for the project in the Application Totals section. For Section 5311(f) grants, there is a 50 percent match requirement for operating costs. The application form will only provide 50 percent match rate calculations for operating costs where the applicant has selected Section 5311(f) as a fund source in Question 20.

For STIF applications, the application form will also provide the 20 percent and 10 percent match rate calculations. This informs the applicant of the respective grant award and match amounts under these two match rates. The 10 percent match rate calculations will only appear if the applicant has indicated that their project meets one or more of the four match reduction factors in Question 14. The Selection Committee will determine eligibility for match rate reduction on a case-by-case basis. Applicants should review the grant award and match totals calculated in this section before submitting their application. The Selection Committee cannot consider a grant award amount that is larger than what appears in the Application Totals section. Figure 3, below, provides an example of the Application Totals section.

Note: If applying for 5311(f) Operating, a 50% match rate is applied to identified Operating costs. However, the application form automatically applies a 20% match rate to the full Project Cost, including Operating costs. Therefore, Section 5311(f) applicants should ensure the accuracy of the total task cost for each task category, as the 20% match rate will only apply to non-Operating costs in a 5311(f) grant award. The form is unable to calculate an accurate application total using two different match rates.

Match Sources

Applicants must identify the source(s) of available match, and whether it is federal, state, local, or a combination of those sources. To indicate multiple sources of match select the “+ Add Sources” button. Applicants must also enter the match amount for each match source. Applicants may reference the match amounts calculated automatically at the end of the application form to determine the total match they will be responsible for providing if awarded the requested grant amount. Figure 3, below, includes an example of completing the Match Source and Amount requests

Note: The match amount entered in this section should represent the match amount available for the project, which may be greater than or equal to the match amounts calculated automatically by the application form. An applicant may enter, for example, the 10 percent match amount for the project if the applicant will be unable to fund the project at a 20 percent match rate. However, even where the applicant has indicated a

desire for a 10 percent match rate reduction, the ODOT Selection Committee may determine that the project is only eligible to be funded at 20 percent match rate.

Application Totals

Match Sources

Match Sources *	Amount *
✖ Federal	\$10,000.00
✖ Local	\$10,000.00

+ Add Sources

20% Match Rate Calculations

Grant Amount	Match Amount
\$80,000.00	\$20,000.00

10% Match Rate Calculations (For Qualified Applicants)

Grant Amount	Match Amount
\$90,000.00	\$10,000.00

Figure 3: Example of Application Totals Section

DOCUMENT UPLOAD

At the bottom of the application, you may upload any files associated with your grant application. This may include GIS files, maps, Local Plan documents, compliance documentation, joint management agreements, or many other types of documents.

Click the Upload button to begin uploading documents. A small browser window will pop up. If the pop-up window does not appear, make sure the internet browser is not blocking pop-up windows.

Each application has room for 200 MB of uploaded documents. For larger files, consider placing the file on a website or accessible drive such as Dropbox or Google Drive, and linking to the file, rather than uploading.

APPENDIX: RELEVANT RULES³

Oregon Department of Transportation Statewide Transportation Improvement Fund Rules Effective January 24, 2020

Chapter 732, Division 040 Statewide Transportation Improvement Fund General Information

732-040-0000

Purpose of Rule

The rules in Chapter 732, Divisions 040, 042, and 044 establish the procedures and requirements for the administration of the Statewide Transportation Improvement Fund (STIF) to improve public transportation service in Oregon.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.761

Stats. Implemented: ORS 184.751, ORS 184.758, ORS 184.761, ORS 184.766, Or Laws 2017, ch 750, § 122q, § 122r

732-040-0005

Definitions

The following definitions apply to rules in Chapter 732, Divisions 040, 042, and 044:

- (1) “Advisory Committee” means either a committee formed by a Qualified Entity to assist the Qualified Entity in carrying out the purposes of the STIF Formula Fund and the Advisory Committee requirements specified in ORS 184.761(1) or a joint committee formed by two or more Qualified Entities for the same purposes, pursuant to ORS 184.761(5).
- (2) “Agency” means Oregon Department of Transportation (“ODOT”).
- (3) “Americans with Disabilities Act” (“ADA”) means section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended by the ADA Amendments Act of 2008.
- (4) “Area Commission on Transportation” (“ACT”) means an advisory body chartered under the authority of the Commission, and subject to the Commission’s oversight and final decision-making authority.
- (5) “Area of Responsibility” means the geographic area for which each Qualified Entity is responsible to provide STIF Formula Fund moneys.
 - (a) For a Qualified Entity that is a county, the Area of Responsibility is the geographic area within the county’s jurisdictional boundaries.
 - (b) For a Qualified Entity that is a Mass Transit or Transportation District that shares continuous jurisdictional boundaries with a county, the Area of Responsibility is the geographic area within the District’s jurisdictional boundaries.
 - (c) For a Qualified Entity that is a Mass Transit or Transportation District that does not share continuous jurisdictional boundaries with a county, the Area

³ ODOT anticipates OTC approval of several proposed housekeeping amendments to these rules no later than October 2020. Notice of this proposed rulemaking was released by the Secretary of State on July 13, 2020. Once effective, ODOT will upload a copy of the amended rules to the STIF webpage.

of Responsibility is the geographic area within the jurisdictional boundaries of the county or counties in which any part of the District is located.

(d) For a Qualified Entity that is an Indian Tribe, the Area of Responsibility is the geographic area on which the Indian Tribe's Tribal Enterprises are located.

- (6) "Biennium" (plural, "Biennia") means a two-year period which runs from July 1 of an odd-numbered year to June 30 of the next odd-numbered year.
- (7) "Calendar Year" means the year which begins on January 1 and ends on December 31.
- (8) "Capital Asset" means real property or tangible items purchased or leased with STIF moneys, including without limitation vehicles and structures, with a purchase price of \$5,000 or more and a useful life of at least one year.
- (9) "Commission" means the Oregon Transportation Commission ("OTC") established under ORS 184.612.
- (10) "Coordinate" ("Coordination") means meet and develop sub-allocation methods, plans, programs, and schedules with other Public Transportation Service Providers and non-profit public transportation service providers with the intent of developing efficient and seamless public transportation services and reducing gaps in service.
- (11) "Discretionary Fund" means up to five percent of STIF funds to be disbursed to Public Transportation Service Providers, which includes Qualified Entities, through a competitive grant funding process, pursuant to ORS 184.758(1)(b).
- (12) "Fiscal Year" means the Agency's fiscal year which begins on July 1 and ends on June 30.
- (13) "Governing Body" means the decision-making body or board of a Qualified Entity.
- (14) "Indian Tribe" means a federally recognized Indian Tribe in Oregon that has members residing on a reservation or in tribal trust lands in Oregon.
- (15) "Intercommunity Discretionary Fund" means up to four percent of STIF funds to be disbursed to Public Transportation Providers through a competitive grant funding process, pursuant to ORS 184.758(1)(c).
- (16) "Intergovernmental Entity" means entities organized under ORS 190.010.
- (17) "Low-Income Household" means a household the total income of which does not exceed 200% of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2) for the 48 Contiguous States and the District of Columbia.
- (18) "Local Plan" means a local or regional public transportation plan(s), which may include adopted policy(ies) that is developed and approved by the Governing Body of a Qualified Entity, Public Transportation Service Provider, or Metropolitan Planning Organization and which includes, at a minimum:
 - (a) A planning horizon of at least four years;
 - (b) An existing and future conditions analysis that includes:
 - (A) Current and forecast population and demographics, including locations of people who are often transit dependent, including low-income households, individuals of age 65 or older, youth, and individuals who are racially and ethnically diverse;
 - (B) Locations of existing housing, employment centers, medical and social and human services centers, major destinations, and other locations with needs for public transportation services and programs;
 - (C) Inventories of current Public Transportation Services located within, adjacent to, or with the reasonable potential to connect to the local or regional public transportation services, as applicable;
 - (c) Prioritized lists of public transportation improvements and capital projects; and
 - (d) Identified opportunities to Coordinate public transportation services within and outside the county, district, or tribal area and with other agencies and

areas to improve efficiency and effectiveness of service and reduce gaps in service.

(e) Local Plans include, but are not limited to: Coordinated Public Transit Human Services Transportation Plans, Transportation System Plans, Transit Development Plans, and Transit Master Plans.

- (19) "Mass Transit District" means a district organized under ORS 267.010 to 267.390.
- (20) "Practicable" means Public Transportation Services within the Qualified Entity's area of responsibility that can feasibly and efficiently be used by students in grades 9 through 12 in order to commute to or from school.
- (21) "Project" means a public transportation improvement activity or group of activities eligible for STIF moneys and a plan or proposal for which is included in a STIF Plan or in a grant application to a Qualified Entity or the Agency. Examples of project types include, but are not limited to: discrete activities, such as purchasing transit vehicles, planning, or operations; and groups of activities for a particular geographic area or new service, such as a new route that includes purchase of a transit vehicle, and maintenance and operations on the new route.
- (22) "Public Corporation" means an independent legal entity that was formed by legislative action, serves a public purpose, and is under exclusive public management or control.
- (23) "Public Transportation Advisory Committee" ("PTAC") means the ODOT Public Transportation Advisory Committee established by the Commission in 2000.
- (24) "Public Transportation Service Provider" means a Qualified Entity or a city, county, Special District, Intergovernmental Entity or any other political subdivision or municipal or Public Corporation that provides Public Transportation Services.
- (25) "Public Transportation Services" means any form of passenger transportation by car, bus, or other conveyance, either publicly or privately owned, which provides service to the general public (not including charter, sightseeing, or exclusive school bus service) on a regular and continuing basis. Such transportation may be for purposes such as health care, shopping, education, employment, public services, personal business, or recreation.
- (26) "Qualified Entity" means, a county in which no part of a Mass Transit District or Transportation District exists, a Mass Transit District, a Transportation District or an Indian Tribe.
- (27) "Recipient" means a Qualified Entity or Public Transportation Service Provider that has a STIF Plan approved by the Commission or enters into an agreement directly with the Agency to receive STIF funds.
- (28) "Satisfactory Continuing Control" means the legal assurance that a Capital Asset will remain available to be used for its originally authorized purpose throughout its useful life or until disposition.
- (29) "Special District" means a service district organized under ORS 451.010(1)(h).
- (30) "STIF Formula Fund" means up to 90 percent of the Statewide Transportation Improvement funds to be disbursed to Qualified Entities conditioned upon the Commission's approval of a STIF Plan, pursuant to ORS 184.758(1)(a).
- (31) "STIF" or "Statewide Transportation Improvement Fund" means the fund established under ORS 184.751.
- (32) "STIF Plan" means a public transportation improvement plan that is approved by a Governing Body and submitted to the Agency for review and approval by the Commission in order for the Qualified Entity to receive a share of the STIF Formula Fund.
- (33) "Statewide Transit Network" means the collection of all transit service that operates in Oregon.
- (34) "Sub-Recipient" means any entity that has entered into an agreement with a Recipient in order to complete one or more tasks specified in the agreement between the Agency and the Recipient.
- (35) "These Rules" means OAR Chapter 732 Divisions 040, 042, and 044.

(36) “Transportation District” means a district organized under ORS 267.510 to 267.650.

(37) “Tribal Enterprise” means a commercial activity or business managed or controlled by an Indian Tribe.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3), ORS 184.758(6), ORS 184.761

Stats. Implemented: ORS 184.751, ORS 184.752, ORS 184.758, ORS 184.761, ORS 184.766

732-040-0010

Purpose and Use of STIF

- (1) Moneys in the STIF are continuously appropriated to the Agency to finance investments and improvements in public transportation services, except that the moneys may not be used for light rail capital expenses, but may be used for light rail operations expenses.
- (2) STIF moneys may be used for public transportation purposes that support the effective planning, deployment, operation, and administration STIF-funded public transportation programs, including, but not limited to:
 - (a) Creation of new systems and services with origins, destinations or stops in Oregon;
 - (b) Maintenance or continuation of systems and services; and
 - (c) Planning for and development of a Local Plan or future STIF Plan to improve Public Transportation Service.
- (3) STIF moneys may be used as the local match for state and federal funds which also provide Public Transportation Service.
- (4) The Agency shall conduct activities necessary to manage the STIF funds and grants, including but not limited to: development of policy; distribution of funds; developing and implementing application and review processes and agreement and protest procedures; conducting program oversight, statewide planning, research, training, and technical assistance; and reporting to the legislature.
- (5) On or before February 1, 2020, the Commission shall submit a report in the manner provided by ORS 192.245 to the Joint Committee on Transportation established under ORS 171.585(1) on the implementation and outcomes of the STIF. The Agency shall prepare reports for the purposes of:
 - (a) Ensuring that STIF moneys are being used for the purpose of funding and improving Public Transportation Services in Oregon consistent with law, these rules, and the terms of agreements;
 - (b) Measuring the outcomes of the STIF; and
 - (c) Reporting to the Oregon State Legislature.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3), ORS 184.761

Stats. Implemented: ORS 184.751, ORS 184.758, ORS 184.761, ORS 184.766

732-040-0015

Audit and Compliance Review Requirements

- (1) Recipients shall conduct an annual financial audit of the STIF moneys received.
- (2) All financial audit reports shall be submitted to the Agency no later than 30 days after the receipt of the auditor’s final report(s).
- (3) Recipients shall be subject to periodic on-site compliance reviews by the Agency. The purpose of the compliance site review is to ensure that Recipients have appropriate, adequate internal controls and management procedures to meet the terms and conditions of agreements governing the disbursement of STIF moneys. Compliance reviews may cover the following topics, as applicable: program management; financial management; operations management, procurement, use

and maintenance of equipment; records retention; compliance with state and federal civil rights laws; and compliance with the ADA.

- (4) Recipients shall permit the Agency, the Secretary of State of the State of Oregon, or their authorized representatives, upon reasonable notice, access to all data and records relating to STIF moneys received or disbursed and to inspect the STIF Plans and Projects financed with STIF moneys including, but not limited to, the financial records, physical premises and Capital Assets used to deliver public transportation services.
- (5) Recipients shall ensure that their agreements or contracts with Sub-Recipients or vendors include provisions which permit the Agency, the Secretary of State of Oregon, or their authorized representative, access to data and records held by the Sub-Recipient or vendor as described in section (4) of this rule.

Stat. Auth.: ORS 184.758(3)(e)

Stats. Implemented: ORS 184.758

732-040-0020

Accounting Requirements

- (1) The Agency shall account separately for moneys in the STIF Formula Fund, Discretionary Fund, and Intercommunity Discretionary Fund.
- (2) Recipients shall manage STIF moneys in separate governmental accounts for each of the applicable STIF funds: STIF Formula Fund, STIF Discretionary Fund, and STIF Intercommunity Discretionary Fund. Any interest accrued must be added to the moneys and must be reported to the Agency at the end of the Fiscal Year in which it was earned.
- (3) Recipients shall document the expenditure of all STIF funds disbursed by the Agency. Recipients shall create and maintain all expenditure records in accordance with generally accepted accounting principles and in sufficient detail to permit the Agency to verify how the STIF funds were expended.
- (4) Record Retention:
 - (a) Recipients shall maintain all financial records for at least six years after the Agency's final disbursement under the STIF Plan or grant agreement; and
 - (b) Recipients shall maintain all records relating to Capital Assets for three years after disposition.

Stat. Auth.: ORS 184.758(3)(e)

Stats. Implemented: ORS 184.758

732-040-0025

Qualified Entity Reporting Requirements

In addition to any other reporting required by these rules, Qualified Entities that receive STIF moneys shall submit the following documentation to the Agency:

- (1) A report on any actions taken by any Public Transportation Service Provider located within the area of the Qualified Entity to mitigate the impact of the STIF tax on passengers who reside in low-income communities. The report must explain how it defines and identifies passengers in low-income communities. This report must be submitted no later than 60 days after the end of each Fiscal Year in which the Qualified Entity receives STIF moneys.
- (2) The Qualified Entity's adopted annual budget for the upcoming Fiscal Year must be submitted no later than 30 days after adoption.
- (3) The results of any relevant financial audits of the Qualified Entity or any Public Transportation Service Provider located within the area of the Qualified Entity, as required by a local, state or federal oversight agency for the purposes of statewide reporting including, but not limited to:

- (a) The state financial report required under ORS 291.040;
 - (b) The results of any comprehensive review completed by the Federal Transit Administration or the Agency; and
 - (c) Any information submitted by the Qualified Entity as part of the requirements of a statewide audit in accordance with the federal Single Audit Act of 1984 (31 U.S.C. 7501 to 7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104-156).
- (4) Results of audits described in section (3) of this rule must be submitted to the Agency no later than 30 days after receipt of the final results. A copy of information submitted under section (3)(c) of this rule must be sent to the Agency no later than 30 days after submittal to the requesting agency.
- (5) The Agency may withhold future distributions of STIF moneys from a Qualified Entity which fails to submit an annual report required under rule.
- (6) A Qualified Entity may appeal the Agency's decision to withhold STIF Formula Fund moneys as described in OAR 732-040-0050.

Stat. Auth.: ORS 184.758(3)(e)

Stats. Implemented: ORS 184.766

732-040-0030

Advisory Committees

- (1) The Governing Body of each Qualified Entity shall appoint an Advisory Committee for the purpose of advising and assisting the Qualified Entity in carrying out the purposes of the STIF and prioritizing Projects to be funded by STIF moneys received by the Qualified Entity.
- (2) Two or more Governing Bodies may appoint a joint Advisory Committee for the purpose of advising and assisting their respective Qualified Entities in carrying out the purposes of the STIF for the Qualified Entities' areas of responsibility.
- (a) When the Governing Boards of two or more Qualified Entities appoint a joint Advisory Committee, they shall designate their respective roles and responsibilities pertaining to the management of the joint Advisory Committee in a written agreement pursuant to ORS chapter 190. At a minimum, the written agreement must specifically identify how the Qualified Entities' obligations under section (4) of this rule will be allocated between or among the participating Qualified Entities and must describe the selection and appointment processes for joint Advisory Committee members, consistent with OAR 732-040-0035.
 - (b) The Qualified Entities shall send a copy of the executed agreement to the Agency within 30 days of execution.
 - (c) The joint Advisory Committee agreement may be included as part of the agreement required to fulfill the requirements of OAR 732-040-0040, if applicable; however, Qualified Entities may form a joint Advisory Committee without agreeing to jointly manage STIF moneys.
 - (d) Each Qualified Entity that is party to a joint Advisory Committee agreement remains independently responsible to submit its own STIF Plan pursuant to OAR 732-042-0015 and these rules.
- (3) An Advisory Committee may also advise the Qualified Entity regarding the opportunities to Coordinate STIF funded Projects with other local or regional transportation programs and services to improve transportation service delivery and reduce gaps in service.
- (4) The Qualified Entity shall ensure that:
- (a) The Advisory Committee is guided by written bylaws that include, at a minimum: the Committee's name and purpose; the number of Committee members; Committee membership criteria; the appointment process; the terms of office for the committee members; the Committee's meeting

schedule; and Committee procedures and member duties, including procedures to provide public notice of meetings, to foster public engagement, and to comply with Oregon public meeting and public records laws; and the Committee's process to review Public Transportation Service Provider proposals for Projects funded in whole or part by the STIF Formula Fund, the STIF Discretionary Fund and the Intercommunity Discretionary Fund, and the decision-making criteria identified in these rules. The bylaws must include a definition of "high percentage of Low-Income Households" for the Committee's use in evaluating proposed Projects. The Qualified Entity shall prepare the written bylaws described in this section and set the terms of office for the Advisory Committee members. The Qualified Entity may seek input on the bylaws from the Advisory Committee.

- (b) Copies of Advisory Committee bylaws, meeting minutes and meeting notices are published by the Qualified Entity and made available for public review in a reasonable and timely manner and are maintained for six years.
 - (c) The Agency is notified of changes in the Advisory Committee membership when the Qualified Entity submits its STIF Plan or grant application.
- (5) A Qualified Entity may use another standing advisory committee or combine committees to meet the requirements of these rules as long as that committee also meets all of the committee requirements contained herein.
- (6) The Qualified Entity shall appoint an Advisory Committee composed of members that represent diverse interests, perspectives, geography, and the population demographics of the area, as described in OAR 732-040-0035.
- (7) In addition to any other duties, the Advisory Committee may also propose any changes to the policies or practices of the Governing Body of the Qualified Entity that the Advisory Committee considers necessary to ensure that:
- (a) A Public Transportation Service Provider that has received STIF funds has applied the moneys received in accordance with and for the purposes described in the Project proposal; and
 - (b) A Project proposal submitted by a Public Transportation Service Provider does not fragment the provision of public transportation services.

Stat. Auth.: ORS 184.758(3)(c), ORS 184.758(3)(e), ORS 184.761(4), ORS 184.761(5)
Stats. Implemented: ORS 184.758(4), ORS 184.761

732-040-0035

Advisory Committee Composition

- (1) If the Qualified Entity is an Indian Tribe, then the Advisory Committee must be composed of at least three members, each of whom must be able to represent the public transportation needs of individuals served by the Indian Tribe. The Governing Body may authorize a larger Advisory Committee.
- (2) If the Qualified Entity is a Transportation District or county, then the Advisory Committee must be composed of at least five members. The Governing Body may authorize a larger Advisory Committee.
- (3) If the Qualified Entity is a Mass Transit District, then the Advisory Committee must be composed of at least seven members. The Governing Body may authorize a larger Advisory Committee.
- (4) If the Advisory Committee is a joint Advisory Committee formed by two or more Qualified Entities, then the minimum number of Advisory Committee members will be determined based on the types of Qualified Entities participating in the joint Advisory Committee. The minimum number of members of the joint Advisory Committee must be equal to the highest minimum number that would be required for each type of Qualified Entity participating in the joint Advisory Committee.
- (5) To be qualified to serve on the Advisory Committee for a Qualified Entity that is a Transportation or Mass Transit District or county, or on a joint Advisory Committee in

which a Transportation or Mass Transit District or county participates, an individual must:

- (a) Be knowledgeable about the public transportation needs of residents or employees located within or traveling to and or from the Transportation or Mass Transit District or county; and
 - (b) Be a person who is a member of or represents one or more of the following:
 - (A) local governments, including land use planners;
 - (B) Public Transportation Service Providers;
 - (C) non-profit entities which provide public transportation services;
 - (D) neighboring Public Transportation Service Providers;
 - (E) employers;
 - (F) public health, social and human service providers;
 - (G) transit users;
 - (H) transit users who depend on transit for accomplishing daily activities;
 - (I) individuals age 65 or older;
 - (J) people with disabilities;
 - (K) low-income individuals;
 - (L) social equity advocates;
 - (M) environmental advocates;
 - (N) bicycle and pedestrian advocates;
 - (O) people with limited English proficiency;
 - (P) educational institutions; or,
 - (Q) major destinations for users of public transit.
- (6) Notwithstanding other provisions of this rule, if a Qualified Entity is a Mass Transit District, a Transportation District or a county, then its Advisory Committee, or the joint Advisory Committee in which it participates, must include at least one member who is a member of or represents each of the following three groups:
- (a) low-income individuals;
 - (b) individuals age 65 or older or people with disabilities; and
 - (c) Public Transportation Service Providers or non-profit entities which provide public transportation services.
- (7) A Qualified Entity that is a Mass Transit District or a Transportation District shall include Advisory Committee members from the district's area of responsibility, both within and outside district boundaries. If a Mass Transit District or a Transportation District is party to a joint Advisory Committee agreement, the joint Advisory Committee must also include at least one member from outside the district's boundary but within the district's area of responsibility.

Stat. Auth.: ORS 184.761(4)(a), ORS 184.761(5)

Stats. Implemented: ORS 184.761

732-040-0040

Qualified Entity Management and Joint Management of STIF Funds

- (1) Two or more Qualified Entities may jointly manage the STIF moneys disbursed to them. The Qualified Entities shall enter into a written agreement pursuant to ORS chapter 190.
- (2) When two or more Qualified Entities jointly manage their STIF Formula Fund moneys, they shall designate their respective roles and responsibilities in the written agreement and shall send a copy of the executed agreement to the Agency within 30 days of execution.

- (3) Qualified Entities intending to jointly manager STIF moneys under this rule may, but are not required to, establish a joint Advisory Committee as described in OAR 732-040-0030(2).

Stat. Auth.: ORS 184.758(3)(e)

Stats. Implemented: ORS 184.758(6)

732-040-0045

Withholding Funds

- (1) The Agency may withhold payment of STIF moneys to a Recipient if:
 - (a) The Recipient or its Sub-Recipient is not using STIF funds in accordance with applicable laws, these rules or the terms of the STIF Plan or agreement under which the funds were distributed;
 - (b) The Recipient or its Sub-Recipient has not submitted required reporting;
 - (c) The Agency determines that there is any unresolved audit finding relating to the accounting for STIF moneys; or
 - (d) The Agency determines that there is any unresolved compliance review finding relating to the use of STIF moneys.
- (2) If an audit or a review of a Recipient or its Sub-Recipient's implementation of an agreement under which STIF moneys were distributed determines that the Recipient or its Sub-Recipient used STIF moneys inconsistently with the agreement, the Agency may withhold future STIF funding.
- (3) A Qualified Entity may appeal the Agency's decision to withhold STIF Formula Fund moneys as described in OAR 732-040-0050.

Stat. Auth.: ORS 184.758(3)(a), ORS 184.758(3)(b), ORS 184.758(3)(e)

Stats. Implemented: ORS 184.758, ORS 184.766

732-040-0050

Appeal Procedures

- (1) Appeals are allowed only in the following instances:
 - (a) A Qualified Entity may appeal the Commission's rejection of its STIF Plan.
 - (b) A Qualified Entity may appeal the Agency's decision to withhold STIF Formula Fund moneys.
 - (c) A Qualified Entity may appeal the Agency's decision to take action with respect to a Capital Asset as described in OAR 732-042-00405(10).
- (2) Appeals must be filed in writing within 15 days of the date the notice of appealable action was emailed by the Agency. A Qualified Entity that fails to file timely shall be deemed to have waived its appeal rights. Appeals must be addressed to the Commission and a copy must be sent to the Agency's STIF Administrator.
- (3) Appeals must identify the appellant, the appellant's designated contact person, and the decision under appeal. In addition, appeals must include the following information:
 - (a) For appeal of a Commission decision, the requested remedy and any arguments why the decision should be reconsidered.
 - (b) For appeal of an Agency decision, the requested remedy, any arguments pertaining to the appeal and any other material the appellant considers relevant to the appeal.
- (4) Upon review or reconsideration, the Commission may make a decision to grant the requested remedy, deny the appeal, or, in the case of Agency decisions under appeal, remand the decision to the Agency with instructions to reconsider.
- (5) The Commission shall review the appeal and make its decision within 90 days of receipt.

Stat. Auth.: ORS 184.758(3)(d), ORS 184.758(3)(e)
Stats. Implemented: ORS 184.758

732-040-0055

Creation of New Mass Transit District or Transportation District

(1) In the event that a Mass Transit District or Transportation District comes to exist in any part of a county or counties in which it did not previously exist, the Mass Transit District or Transportation District replaces the county(ies) in which it exists as Qualified Entity for the Area(s) of Responsibility previously attributed to that county(ies). Upon its existence, the Mass Transit District or Transportation District shall assume the Qualified Entity role previously held by the county(ies) in which any part of it exists with respect to all aspects of STIF Formula Fund administration for its Area(s) of Responsibility and for all purposes under These Rules.

(2) It is the goal of the Agency and the STIF Formula Fund program that such a transition between Qualified Entities be accomplished smoothly, efficiently and without disruption of Public Transportation Services. For that reason, a county which is a Qualified Entity shall provide notice to the Agency when it publishes notice of the first public meeting at which it will consider creating or establishing a Mass Transit District or Transportation District.

(3) Upon establishment of a Mass Transit District or Transportation District in any county or counties, Commission and Agency hereby recognize the Mass Transit District or Transportation District as the new Qualified Entity for the Area(s) of Responsibility formerly attributed to the county(ies) in which any part of the Mass Transit District or Transportation District exists.

(a) Within ten business days of coming into existence, the Mass Transit District or Transportation District must send Agency notice of the effective date of its existence, the name(s) of its designated contact person(s), and a copy of the legal documentation of its creation. Agency may reasonably delay any pending STIF Formula Fund disbursement under OAR 732-042-0010(5) until the Mass Transit District or Transportation District establishes a financial account.

(b) Agency and Commission shall consider all STIF Formula Fund program documents previously submitted to Agency or Commission by the county(ies) to have been assigned to and assumed by the Mass Transit District or Transportation District. Agency and Commission shall consider all responses or approvals previously made to the county(ies) to have been made to the Mass Transit District or Transportation District.

(c) Notwithstanding subprovision (b) of this section, at its first public meeting, the Mass Transit District or Transportation District, consistent with its procedural requirements, may decide not to assume any or all STIF Formula Fund program documents previously submitted to Agency or Commission by the county(ies). If the Mass Transit District or Transportation District does not reject assumption of the STIF Formula Fund program documents by official act at its first public meeting, such documents and any responses or approvals previously made to them by Agency or Commission shall be irrevocably assumed by the Mass Transit District or Transportation District for the duration of the current STIF Formula Fund Cycle.

(d) If the Mass Transit District or Transportation District decides not to assume the STIF Plan(s) previously prepared by the county(ies) pursuant to OAR 732-042-0015 and approved by the Commission pursuant to OAR 732-042-0025:

(A) Agency shall accumulate STIF Formula Fund monies for the Mass Transit District or Transportation District as described in OAR 732-042-0030(1); and

(B) The Mass Transit District or Transportation District may submit a new STIF Plan to the Commission at any time during the current STIF Formula Fund Cycle.

(4) In coordination with the county, relevant Recipients or Sub-Recipients, and other parties as necessary, the Mass Transit District or Transportation District shall undertake all necessary tasks to carry out the Projects of the relevant STIF Plan(s), establish or transition Advisory Committee(s), and otherwise ensure a smooth transition of all Qualified Entity responsibilities from the county(ies) to the Mass Transit District or Transportation District. The Agency shall provide reasonable assistance and guidance to the new Qualified Entity to facilitate the transition, consistent with the respective roles of the Qualified Entity and the Agency.

Statutory/Other Authority: ORS 184.619 & 184.758(3)(e)

Statutes/Other Implemented: ORS 184.752(2)(a) & 184.758(1)(a)

History: PTD 2-2020, adopt filed 01/24/2020, effective 01/24/2020

Chapter 732, Division 044

DISCRETIONARY STIF FUNDS

732-044-0000

Purposes of the Funds

- (1) The Discretionary Fund is intended to provide a flexible funding source to improve public transportation in Oregon. It is not a source of ongoing operations funding.
- (2) The Intercommunity Discretionary Fund is for improving connections between communities and between communities and other key destinations important for a connected Statewide Transit Network. As a competitive funding source, ongoing operations Projects are subject to risk of not receiving continuous funding.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b)

732-044-0005

Project Eligibility and Match

- (1) Projects eligible to receive grants under the Discretionary Fund include, but are not limited to: capital projects such as vehicles, facilities, equipment, and technology, as well as mobility management, planning, and research. Pilot operations projects may be considered for funding if the application includes a feasible financial plan for ongoing operations beyond the initial pilot period.
- (2) Projects eligible to receive grants under the Intercommunity Discretionary Fund include, but are not limited to: capital Projects such as vehicles, facilities, equipment, and technology as well as mobility management, planning, research,

and operations. Pilot and ongoing operations projects may be considered for funding under the Intercommunity Discretionary Fund if the application includes a feasible financial plan for ongoing operations beyond the initial pilot period.

- (3) Projects eligible to receive grants under the Discretionary and Intercommunity Discretionary Funds must appear in a Local Plan, as defined in OAR 732-040-0005(17), or be a Project that meets one or more of the characteristics in sections (4)(a)(C)-(D) of this rule.
- (4) Match Requirements:
 - (a) An applicant shall demonstrate the ability to provide a match of at least 20 percent of the total Project's cost, unless any of the following characteristics exist in which case the applicant shall demonstrate the ability to provide a 10 percent match:
 - (A) The Project will predominantly serve or provide access to and from rural communities (communities outside of urbanized areas with populations of 50,000 people or less);
 - (B) The Project will serve an area located outside of a Public Transportation Service Provider's geographic jurisdiction;
 - (C) The Project will fill a significant gap in the Statewide Transit Network; or
 - (D) The Project will provide statewide benefits to multiple Public Transportation Service Providers. The applicant shall identify the benefits to areas outside the jurisdiction where the Project will be located.
 - (b) Eligible Project match sources may include federal funds and certain state funds (STIF Formula or Special Transportation Funds) for public transportation purposes, local funds, private contributions, and in-kind labor or contributions. Match contributions, including Capital Assets such as property, shall be used only once as match on a single Project and may not be used again as a match. Fare box revenues are not eligible match.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b)

732-044-0010

Solicitation and Application Submission Periods

- (1) The Agency shall announce time periods and dates for submitting applications for funding.
- (2) Applications that are rejected may be resubmitted during subsequent application submission periods.
- (3) The Agency may combine Discretionary Fund and Intercommunity Discretionary Fund solicitations with each other or with other state or federal fund solicitations and offer them in a single grant solicitation cycle.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b)

732-044-0015

Application Requirements

- (1) Public Transportation Service Providers interested in receiving discretionary STIF moneys shall submit a written application to the Agency.
- (2) The Agency will prescribe the application format and content. At a minimum, for each Project proposed, the grant application must include:
 - (a) A description of the Project scope, schedule, budget, deliverables and expected quantifiable outcomes;
 - (b) A phasing plan for multi-phase Projects that is planned to be completed after the funding period specified in the solicitation;
 - (c) A description of how the Project will support the purpose, as applicable, of either the Discretionary Fund or the Intercommunity Discretionary Fund, as described in OAR 732-044-0000;
 - (d) A budget that specifies amounts by source, including match and any other funds that may be leveraged to complete the proposed Project;
 - (e) A list of any Sub-Recipients of the grant funds, if applicable;
 - (f) For capital construction Projects, documentation to validate the Project schedule and costs and documentation of control of any real property, as applicable;
 - (g) A description of the dollar amount and source of the applicant's matching funds as described in OAR 732-044-0005(4); and
 - (h) A written explanation of how the applicant meets the Recipient Qualifications described in OAR 732-044-0020.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b), ORS 184.761(2)

732-044-0020

Recipient Qualifications

- (1) Only Public Transportation Service Providers are eligible to be Recipients of Discretionary Fund and Intercommunity Discretionary Fund moneys.
- (2) Recipients shall meet, or demonstrate the capacity to meet, the following qualifications, as applicable to the type of Project being funded.
 - (a) Be an entity eligible to enter into agreements;
 - (b) Have the legal, managerial and operational capacity to perform the Project within the agreed schedule;
 - (c) Not be debarred or suspended from receiving federal grants;
 - (d) Maintain compliance with federal, state and local laws and regulations including, and not limited to, those pertaining to passenger transportation, civil rights, labor, insurance, safety and health, as applicable;
 - (e) Comply with applicable laws, these rules, and the policies of the applicable grant fund;
 - (f) Properly use STIF moneys; and
 - (g) Perform the Project in a safe, prudent and timely manner.
- (3) A Recipient may require additional eligibility qualifications of Sub-Recipients.
- (4) The Recipient shall confirm the eligibility of a Sub-Recipient prior to distributing STIF moneys and entering into an agreement with the Sub-Recipient.
- (5) The Recipient shall ensure that Sub-Recipients maintain eligibility while receiving STIF moneys.
- (6) If the Agency determines that a Sub-Recipient has been ineligible for any period during which it receives STIF moneys, the Agency shall require the Recipient to

repay moneys received by the Sub- Recipient during the period of ineligibility. If a Recipient determines that a Sub-Recipient becomes ineligible at any time when it was receiving STIF funds, the Recipient shall promptly notify the Agency's STIF Administrator in writing.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b)

732-044-0025

Advisory Committee Review of Projects Under the Discretionary STIF Funds

- (1) The Agency shall provide a copy of any grant application it receives to the appropriate Qualified Entity.
- (2) Each Qualified Entity that receives a copy of a grant application from the Agency shall timely provide the copy to its Advisory Committee or the joint Advisory Committee in which it participates.
- (3) Each Advisory Committee shall review Project applications submitted to it and shall provide a written recommendation to its respective Qualified Entity(ies) stating whether the Commission should award funding for the Project.
- (4) Each Qualified Entity shall submit the recommendation of its Advisory Committee, or the joint Advisory Committee in which it participates, to the Agency within the timelines specified in the grant solicitation cycle.
- (5) Each Advisory Committee may recommend a prioritized list of Projects to the Qualified Entity(ies) that formed it, concerning the Qualified Entity's(ies') area(s) of responsibility. Each Qualified Entity shall provide the prioritized list of Projects to the Agency within the timelines specified in the grant solicitation cycle.
- (6) An Advisory Committee shall conduct its review and activities in compliance with its written bylaws, as described in OAR 732-040-0030.
- (7) When reviewing a Project proposal for acceptance, rejection or prioritization, an Advisory Committee shall consider the extent to which the Project:
 - (a) Supports the Purpose, as applicable, of the Discretionary Fund or the Intercommunity Discretionary Fund, as described in OAR 732-044-0000;
 - (b) Meets the criteria established under OAR 732-044-0030(1); and
 - (c) Meets any additional criteria established by the Commission.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b), ORS 184.758(3)(e), ORS 184.761(4)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b), ORS 184.761

732-044-0030

Project Selection

- (1) The Commission shall determine its investment priorities with input from the Public Transportation Advisory Committee prior to Agency public notice of grant solicitation for discretionary STIF moneys. The Commission's investment priorities are:
 - (a) Improvement of Public Transportation Service to Low-Income Households;
 - (b) Improved Coordination between Public Transportation Service Providers and reduced fragmentation of Public Transportation Services;

- (c) Consistency with Oregon Public Transportation Plan goals, policies, and implementation plans, including:
 - (A) Integrated public transportation planning where affected communities planned or partnered to develop proposed Projects.
 - (B) Technological innovations that improve efficiencies and promote a seamless and easy to use Statewide Transit Network.
 - (C) Advancement of State greenhouse gas emission reduction goals.
 - (D) Support or improvement of a useful and well connected Statewide Transit Network; (d) Operations Projects that do not substantially rely on discretionary state funding beyond a pilot phase;
 - (d) Geographic equity or an ability to leverage other funds (these factors apply when all other priorities are held equal); and
 - (e) Other factors as determined by the Commission.
- (2) The Agency shall review applications for compliance with the Application Requirements described in OAR 732-044-0015. The Agency may ask the applicants to supply missing information or to provide clarification about the meaning or intent of any portion of an application. Applicants shall respond to Agency inquiries within the time frame described in the solicitation documents.
 - (3) The Agency shall make Project applications available to ACTs for review and comment to the Public Transportation Advisory Committee.
 - (4) The Agency shall prepare a recommendation to Public Transportation Advisory Committee with a prioritized list of applications to be accepted and applications to be rejected considering input from the Advisory Committees and ACTs.
 - (5) The Public Transportation Advisory Committee shall review and recommend a list of prioritized Projects for funding to the Commission, considering input from the Agency, Advisory Committees, and ACTs.
 - (6) The Commission shall determine the acceptance or rejection of grant applications for discretionary STIF moneys.
 - (7) The Agency shall email notice of the Commission's determination to applicants within seven days of the Commission's determination

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b)

732-044-0035

Agreements

- (1) The Agency and a Recipient shall enter into a written agreement after approval of the Recipient's application for STIF moneys and prior to the disbursement of the approved funds. At a minimum, the agreement must include:
 - (a) A statement of work, describing the use of the STIF moneys;
 - (b) A beginning and termination date;
 - (c) Provisions which allow termination of the agreement, suspension of disbursement of funds, and which obligate the Recipient to repayment of funds, in accordance with these rules;
 - (d) Provisions to accomplish other applicable requirements of these rules, including but not limited to audit and compliance requirements, accounting requirements, capital asset requirements and reporting requirements;
 - (e) Provisions which permit withholding or require repayment of funds if the Recipient fails to comply with the requirements of the agreement or these Rules; and

- (f) Provisions which recognize that the Recipient is responsible for the performance, oversight, and legal or regulatory requirements described in the agreement, and for management and repayment of STIF funds, regardless of any agreement which contains an assignment or delegation to a Sub-Recipient or any other party, and that any such agreement must be in writing.
- (2) Project activities described on the grant application must be reflected in the Project descriptions as set forth in the grant agreement.
- (3) The Recipient shall enter into written agreements with Sub-Recipients for projects funded with discretionary STIF moneys within 90 days of the Commission's decision to award funding. Such agreements must include provisions obligating Sub-Recipients to carry out or assist Recipients to carry out, the obligations imposed by these rules, including but not limited to audit and compliance requirements, accounting requirements, reporting requirements, repayment of funds, and capital asset requirements.
- (4) The Recipient shall submit copies of its agreements with Sub-Recipients to the Agency within 30 days of execution.
- (5) The Recipient shall be responsible for performance, oversight, and legal or regulatory requirements described in its agreement with the Agency, and for management and repayment of STIF moneys, regardless of any agreement which contains an assignment or delegation to a Sub-Recipient or any other party. If a Recipient determines that a Sub-Recipient has failed to meet a term or condition of the agreement, the Recipient shall promptly notify the Agency in writing, identifying the Sub-Recipient and describing the nature of its failure.
- (6) The Agency may terminate or suspend an agreement between itself and a Recipient, and may require repayment of funds by the Recipient to the Agency, if the Recipient fails to take appropriate action against a Sub-Recipient failing to comply with the written agreement between the Recipient and Sub-Recipient.
- (7) Any unused discretionary STIF moneys will be de-obligated at the end of the agreement period and redistributed as part of the next Discretionary Fund or Intercommunity Discretionary Fund solicitation cycle, as applicable.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b)

732-044-0040

Reporting Requirements

(1) Quarterly Reports:

- (a) Using a form or web-based system provided by the Agency, each Recipient shall prepare a quarterly report to the Agency which details Project progress, outcomes achieved, and expenditures of discretionary STIF moneys by itself and its Sub-Recipients.
- (b) The Agency may require additional documentation or deliverables appropriate to the type of Project specified in the grant agreement with the Recipient. Recipients may require additional reporting from its Sub-Recipient.
- (c) The Quarterly report must be submitted no later than 45 days following the end of each quarter. The fourth and eighth quarter reports may be preliminary reports, subject to adjustment after the completion of the Recipient's audit.

- (2) Capital Assets: Recipients that have acquired, purchased or leased Capital Assets using STIF discretionary funds shall provide the Agency with a report of the Capital Asset inventory, described in OAR 732-044-0050. Recipients of Capital Assets will report regularly as specified by the Agency, during the period of useful life or exceeding useful life while still in use for public transportation of the Capital Asset.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b)

732-044-0045

Withholding or Repayment of Funds

- (1) The Agency may withhold payment of discretionary STIF moneys to, or seek reimbursement from, a Recipient if:
- (a) The Recipient or its Sub-Recipient is not using STIF moneys in accordance with applicable laws, these rules or the terms of the agreement under which the funds were distributed;
 - (b) The Recipient or its Sub-Recipient has not submitted required reporting;
 - (c) The Agency determines that there is any unresolved audit finding relating to the accounting for STIF moneys; or
 - (d) The Agency determines that there is any unresolved compliance review finding relating to the use of STIF moneys.
- (2) If an audit or a review of a Recipient or a Sub-Recipient's implementation of an agreement under which STIF moneys were distributed determines that the Recipient or a Sub-Recipient used STIF moneys inconsistently with the agreement, the Recipient shall repay the STIF portion used improperly to the Agency.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b), ORS 184.786

732-044-0050

Capital Asset Requirements

- (1) Recipients shall ensure Satisfactory Continuing Control of a Capital Asset purchased in whole or part with STIF funding during the period of its useful life.
- (2) Recipients shall inventory Capital Assets purchased in whole or part with STIF moneys. The inventory will include a description of the Capital Asset, date of purchase, purchase price, amount of STIF moneys contributed to the purchase, the source of other funds, the authorized use, the Recipient or Sub-Recipient using the Capital Asset, and the condition of the asset.
- (a) If Capital Asset is a vehicle, the inventory must include the size of vehicle, the total number of passenger seats, the total number of ADA stations, the total number of seats when all ADA stations are deployed, the current mileage, and its current condition.
 - (b) If Capital Asset is an improvement to real property, such as a facility, building, or transit shelter, the inventory must include the location of the Capital Asset and its current condition.
- (3) Vehicles may be replaced using STIF funding only if:

- (a) Recipient holds clear title to the vehicle(s) being replaced. Salvaged titles will not be accepted.
 - (b) The vehicle(s) has met the useful life guidelines established by Agency.
 - (c) The vehicle has not been previously replaced.
- (4) To be eligible to receive discretionary STIF moneys to acquire vehicle(s), a Public Transportation Service Provider shall demonstrate in its grant application and grant agreement that the Recipient or Sub-Recipient who will acquire the Capital Asset has committed to continually use the vehicle for the approved purpose for the useful life of the vehicle(s).
- (5) To be eligible to receive discretionary STIF moneys for a real property Capital Asset, such as a transit facility, bus barn, maintenance facility, land, or administration building, a Public Transportation Service Provider shall demonstrate in its grant application one or more of the following:
- (a) Recipient or Sub-Recipient ownership of the property upon which the Capital Asset will be located;
 - (b) Recipient or Sub-Recipient possession of an executed lease agreement for the property location that will be in place for the useful life of the Capital Asset;
 - (c) Recipient or Sub-Recipient possession of an executed lien on the property for the useful life of the Capital Asset;
 - (d) In the case of a Project which will utilize property owned by a local city, county or government, an executed intergovernmental agreement with the property owner guaranteeing ongoing use for the duration of the useful life of the Capital Asset; or
 - (e) In the case of a Project to purchase land, an option to purchase the land identified in the Project.
- (6) Recipients shall:
- (a) Establish useful life standards for Capital Assets acquired pursuant to their discretionary grant agreements which meet or exceed the duration of those established by the Agency.
 - (b) Use the Agency's published procedures or substantially similar procedures and ensure that Sub-Recipients use the same procedures for the disposition of Capital Assets acquired with STIF moneys.
 - (c) Retain the net proceeds from a sale or other disposition of a Capital Asset to reinvest in a future STIF capital Project or return the net proceeds to the Agency. Net proceeds are the disposal proceeds less original value, less depreciation, less disposal costs. If non-STIF funds were used in the original purchase, then only the proportion representing STIF contribution to the purchase is subject to this rule.
 - (d) Establish written procedures to ensure that a Capital Asset is maintained in safe operating condition.
 - (e) Maintain insurance coverage, or require Sub-Recipients to maintain insurance coverage, that meets or exceeds the standards in ORS 806.070.
 - (f) Ensure that vehicles purchased in whole or in part with STIF moneys are titled with the Oregon Department of Transportation Driver and Motor Vehicle Services Division pursuant to ORS 803.045 and supporting rules, with the Agency listed as a security interest holder, subject to the following additional requirements:
 - (A) If the vehicle is registered in the name of a Sub-Recipient receiving the vehicle, and the Sub-Recipient is not a Qualified Entity or Public Transportation Service Provider, then the Qualified Entity or Public Transportation Service Provider must be listed on the vehicle title as the primary security interest holder.
 - (B) If the vehicle was purchased with federal funds in addition to STIF moneys, and the federal funding source requires the vehicle to be

titled otherwise than provided in this rule, then the federal titling requirements prevail.

- (7) A Recipient shall notify the Agency of the sale, transfer or other disposition of a Capital Asset purchased with discretionary STIF moneys and shall report the use of proceeds, if any, from the sale to the Agency.
- (8) Capital Assets purchased in whole or part with STIF discretionary moneys must be managed as described in this rule, unless otherwise specified in a written grant agreement approved by the Agency.

Stat. Auth.: ORS 184.758(1)(b), ORS 184.758(3)(a), ORS 184.758(3)(b)

Stats. Implemented: ORS 184.758(1)(b), ORS 184.758(1)(c), ORS 184.758(3)(a), ORS 184.758(3)(b)