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Appendix C to 49 CFR part 604 provides the following additional guidance: Q: If I receive funds under 49 U.S.C. Sections 5310, 5311, 5316, or 5317, may I provide charter service for any purpose? A: No. You may only provide charter service for “program purposes,” which is defined in this regulation as “transportation that serves the needs of either human service agencies or targeted populations (elderly, individuals with disabilities, and/or low income individuals) \* \* \*” 49 CFR Section 604.2(e). Thus, your service only qualifies for the exemption contained in this section if the service is designed to serve the needs of targeted populations. Charter service provided to a group, however, that includes individuals who are only incidentally members of those targeted populations, is not “for program purposes” and must meet the requirements of the rule (e.g., an individual chartering a vehicle to take their relatives including elderly aunts and a cousin who is a disabled veteran to a family reunion).

11. **DRUG AND ALCOHOL TESTING.** Recipients or subrecipients that receive only Section 5310 program assistance are not subject to FTA’s drug and alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver’s licenses (49 CFR part 382). Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program.

An FTA compliant testing program, as required by the receipt of FTA operating or capital funding (5307, 5309, 5311), may be used for Section 5310 employees; there is no need to have separate testing programs. Employees of a subrecipient of Section 5310 funds from a state or designated recipient of another FTA program (e.g., 5307 or 5311) should also be included in the designated recipient’s testing program.

States and designated recipients that receive funds for Sections 5307, 5309, or 5311, in addition to Section 5310, should consult FTA’s regulation at 49 CFR part 655, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.” The regulation applies to recipients of funds identified above. The regulation requires that FTA recipients follow the drug and alcohol testing procedures found in applicable FTA (49 CFR part 655) and DOT (49 CFR part 40) regulations.

Technical assistance materials and training information to help recipients implement the rules are available at FTA’s website <http://www.fta.dot.gov> or through contacting the FTA Office of Safety and Oversight, FTA Headquarters.

12. **DRUG-FREE WORKPLACE.** In accordance with the Drug-Free Workplace Act of 1988 (41 U.S.C. 701 *et seq.*), and 49 CFR part 32, each recipient is required to maintain a drug-free workplace for all employees and to have an antidrug policy and awareness program. The recipient must agree that it will provide a drug-free workplace and comply with all

requirements of 49 CFR part 32. These provisions apply only to FTA's direct recipients and do not extend to subrecipients.

The recipient is required to provide a written drug-free workplace policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and stating specific actions that will be taken for violations. The Department of Labor provides a drug-free workplace advisor to assist users in developing tailored policy statements at the following link: <http://www.dol.elaws/drugfree.htm>. The ongoing drug-free awareness program must inform employees about the dangers of drug abuse; about any available drug counseling, rehabilitation, and employee assistance programs; about penalties that may be imposed; and that employees are to be aware that the recipient operates a drug-free workplace.

An employee of an FTA recipient is required to report in writing any conviction for a violation of a criminal drug statute occurring in the workplace, and the recipient/employer is required to provide written notice to FTA within ten days of having received the notice. Within thirty days of receiving the notice of a conviction, the recipient/employer must have taken appropriate action against the employee or have required participation in a drug abuse assistance or rehabilitation program.

Technical assistance materials and training information to help recipients implement the drug-free workplace and drug and alcohol testing rules are available on FTA's website <http://www.fta.dot.gov> or by contacting FTA's Office of Safety and Oversight, FTA Headquarters, 1200 New Jersey Ave. SE, Washington, DC 20590.

13. **RESTRICTIONS ON LOBBYING.** Federal financial assistance may not be used to influence any member of Congress or an officer or employee of any agency in connection with the making of any federal contract, grant, or cooperative agreement. The state, subrecipients, and third party contractors at any tier awarded FTA assistance exceeding \$100,000 must sign a certification so stating and must disclose the expenditure of nonfederal funds for such purposes (49 CFR part 20).

Other federal laws also govern lobbying activities. For example, federal funds may not be used for lobbying congressional representatives or senators indirectly, such as by contributing to a lobbying organization or funding a grass-roots campaign to influence legislation (31 U.S.C. 1352). These laws do not prohibit general advocacy for transit. Providing information to legislators about the services a recipient provides in the community is not prohibited, nor is using nonfederal funds for lobbying, so long as the required disclosures are made.

14. **PRE-AWARD AUTHORITY.**

- a. **General.** FTA provides blanket, or automatic, pre-award authority in certain program areas. This pre-award authority allows recipients to incur certain project costs before grant approval and retain their eligibility for subsequent reimbursement after grant

approval. The recipient assumes all risk and is responsible for ensuring that all conditions are met to retain eligibility. This automatic pre-award spending authority permits a recipient to incur costs on an eligible transit capital or planning project without prejudice to possible future federal participation in the cost of the project or projects.

The authorization of formula funds or appropriation of funds for discretionary projects and publication of those projects in FTA's annual *Federal Register* Notice of Apportionments and Allocations triggers pre-award authority for design and environmental work on the project. Following authorization of formula funds or appropriation and publication of discretionary projects, pre-award authority for other capital projects including property acquisition, demolition, construction, and acquisition of vehicles, equipment, or construction materials is triggered by completion of the environmental review process with FTA's signing of an environmental ROD, FONSI, or a determination that the project is a categorized exclusion, and included in the STIP.

FTA strongly encourages all recipients to consult with the appropriate FTA regional office regarding the eligibility of the project for future FTA funds and the applicability of the conditions and federal requirements.

Pre-award authority for operating and planning projects under the formula grant programs is not limited to the authorization period.

- b. Conditions. In general, all federal grant requirements must be met at the appropriate time for the project to remain eligible for federal funding. Specifically,
- (1) Pre-award authority is not a legal or implied commitment that the project(s) will be approved for FTA assistance or that FTA will obligate federal funds. Furthermore, it is not a legal or implied commitment that all activities undertaken by the applicant will be eligible for inclusion in the project(s).
  - (2) All FTA statutory, procedural, and contractual requirements must be met.
  - (3) The recipient must take no action that prejudices the legal and administrative findings that FTA must make in order to approve a project.
  - (4) Local funds expended by the recipient pursuant to and after the date of the pre-award authority will be eligible for credit toward local match or reimbursement if FTA later makes a grant for the project(s) or project amendment(s). Local funds expended by the recipient before the date of the pre-award authority will not be eligible for credit toward local match or reimbursement. Furthermore, the expenditure of local funds on activities such as land acquisition, demolition, or construction before the date of pre-award authority for those activities (i.e., the completion of the environmental review process) would compromise FTA's ability to comply with federal environmental laws and may render the project ineligible for FTA funding.

- (5) The federal amount of any future FTA assistance awarded to the recipient for the project will be determined on the basis of the overall scope of activities and the prevailing statutory provisions with respect to the federal/local match ratio at the time the funds are obligated.
- (6) For funds to which the pre-award authority applies, the authority expires with the lapsing of the fiscal year funds.
- (7) When a grant for the project is subsequently awarded, the Federal Financial Report must indicate the use of pre-award authority.
- (8) More information regarding pre-award authority can be found in FTA's annual apportionment notice published in the *Federal Register*.

15. SAFETY AND SECURITY. MAP-21 amended 49 U.S.C. 5329 to provide FTA with the authority to establish a new comprehensive framework to oversee the safety of public transportation throughout the United States. The law requires, among other things, that FTA issue a National Public Transportation Safety Plan, establish safety performance criteria for all modes of public transportation, define a "state of good repair," establish minimum safety performance standards for public transportation vehicles, and a safety certification training program for transit agency and state safety oversight (SSO) staff responsible for safety oversight. States are required to strengthen their SSO programs and submit the programs to FTA for certification. In addition, public transportation agencies must establish comprehensive agency safety plans for their rail and bus operations. FTA will issue interim guidance and regulations to implement these new requirements in consultation with public transportation industry stakeholders.

**Note:** FTA has entered into a Memorandum of Understanding (MOU) with the American Association of State Highway and Transportation Officials (AASHTO), the American Public Transportation Association (APTA), and the Community Transportation Association of America (CTAA) that supports the transit industry and federal commitment to bus safety, and supports a model bus safety program to which all the signatories of this agreement have agreed to subscribe. The program also focuses on addressing the needs of rural and small urban providers. The MOU is available on FTA's bus safety website: [http://bussafety.fta.dot.gov/show\\_resource.php?id=3949](http://bussafety.fta.dot.gov/show_resource.php?id=3949)

16. LEASE VERSUS BUY CONSIDERATIONS. A recipient may use capital funds to lease capital assets from another party in cases where it is determined that leasing would be more cost effective than either purchasing or constructing the asset. All recipients, including those using pre-award authority, must conduct the cost comparison before entering into the lease. Recipients should refer to regulations for further details on conducting the cost effectiveness comparison (49 CFR part 639).

Recipients should submit the cost comparison to the appropriate FTA regional office for review before entering into the lease or before approval of the grant that supports the lease.



The cost comparison should be retained on file for later review or audit. When a recipient intends to enter into a lease of considerable duration (rather than paying for the lease in a lump sum at the beginning of the lease period), the recipient must be able to complete the acquisition with local funds in the event FTA funds are not available in later years.

17. SCHOOL BUS TRANSPORTATION. Title 49 U.S.C. 5323(f) prohibits the use of FTA funds for exclusive school bus transportation for school students and school personnel. The implementing regulation (49 CFR part 605) does permit regular service to be modified to accommodate school students along with the general public (“tripper service”). For the purpose of FTA’s school bus regulation, Head Start is considered a social service, not a school program. Rules for the Head Start program limit the types of vehicles that may be used to transport children participating in a Head Start program.
18. COMMERCIAL DRIVER’S LICENSE (CDL). All drivers of motor vehicles designed to transport sixteen or more passengers (including the driver) or of vehicles which have a gross combination weight rating of 26,001 pounds or more must have a CDL. Mechanics that drive the vehicles must also have a CDL.

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## APPENDIX A

### **INSTRUCTIONS FOR PREPARING A GRANT APPLICATION TO FTA**

#### 1. PRE-APPLICATION STAGE.

- a. System Access. Applications for FTA grant program funds must be submitted electronically through the electronic grant management system. Applicants must have access to FTA's electronic grant management system in order to enter a grant. If an applicant does not have access to the system, the applicant's representative should contact the appropriate FTA regional office for assistance. Contact information for FTA regional offices can be found in Appendix F.
- b. Planning. Before grant application submission, project planning requirements should be complete and properly documented. Project activities to be funded must be included in a federally approved STIP and TIP, a applicable, for capital and/or operating projects or a Unified Planning Work Program for planning projects. In addition, all projects included in Section 5310 grant applications shall be included in a locally developed, coordinated public transit-human service transportation plan, which should be integrated into and consistent with the metropolitan and statewide planning processes. (See Chapter V for more details.) The coordinated public transit-human service transportation plan must be developed and approved through a process that includes participation by seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public.
- c. Environmental Determination. The impact that a proposed FTA assisted project will have on the environment shall be evaluated and documented in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), before grant application.
- d. Annual Submission of Certifications and Assurances. A grant applicant applying for assistance under the Section 5310 program, or any other FTA grant program, must annually submit certifications and assurances that are applicable to the grant applicant's active and new grants during the fiscal year. The certifications and assurances are discussed in Chapter IV, "Program Development." The certifications and assurances should be examined annually for changes and additions resulting from legislation.
- e. Civil Rights Submissions. Civil rights submissions that may be required include a Title VI Program, Equal Employment Opportunity (EEO) Program, Disadvantaged Business Enterprise (DBE) Program and annual goal, and ADA Paratransit Plan. The FTA regional civil rights officer must verify that all required civil rights submissions are current at the time that the grant application is entered into the electronic grant management system. The required documentation must be submitted before the official submission of the

grant. A grant applicant should maintain readily available records of FTA approvals of civil rights submissions in the event a question concerning compliance should arise. (See Chapter VIII, “Other Provisions,” Section 10, “Civil Rights.”)

- f. Transferred Funds. The request for transfer of funds should be made before applying for a grant, if the grant application will fund projects using funds transferred from other programs. This includes funds flexed from FHWA. (See Chapter II, “Program Overview,” Section 6, “Relationships to Other Programs.”)

19. APPLICATION STAGE. Applicants for Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310) funds should submit their grant applications electronically through the electronic grant management system. This is a database system, which is accessible via the Internet. The user guide covers the creation, submission, award, and execution of a grant application. The user guide also addresses reporting requirements, grant amendments, budget revisions, and close-out procedures. Information entered into the system when preparing an application includes:

- a. Recipient Information. Applicants shall enter all required information about their organization in the appropriate fields, including: recipient address, union information, urbanized area identification number (UZA ID), congressional district(s), data universal numbering system (DUNS) number, etc. The information shall be current and accurate for each grant and periodically updated as changes occur.
- b. Project Information. Applicants shall identify whether the application is a new grant, a grant amendment, or a budget revision. In addition, applicants shall identify the project start/end date, program date, EO 12372 review date, MPO concurrence date (if applicable), and grant project costs.
  - (1) Project Description. This information must be in sufficient detail for FTA to obtain a general understanding of the nature and purpose of the planned activities. The POP will be included in this section. At a minimum, the project description must identify subrecipients funded through the grant application and the projects being implemented by each subrecipient. The applicant must clearly identify the capital projects satisfying the 55 percent minimum requirement. (See Chapter III, General Program Information, Section 13, “Eligible Activities”). There is a project description field as well as a specific text field for this information associated with each activity line item. Project activities shall be sufficiently described to assist the reviewer in determining eligibility under the program, and shall include the page number of the coordinated plan where the project was included, as well as the date the plan was adopted.
  - (2) Program DATE and PAGE (STIP/UPWP). All projects for capital and operating funds in the grant application must be included in the current STIP. The STIP is jointly approved by FTA and FHWA. FTA funds cannot be obligated unless FTA has approved the STIP. The application should note the page(s) in the most recently

approved STIP on which the project(s) contained in the application are listed. The electronic grant system has a field designated “program date” where the date of the most recent FTA/FHWA STIP approval must be entered.

- c. Budget. The appropriate scopes and activity line items shall be used when developing the project budget. All sources of funds shall be identified and confirmed. All rolling stock procurements shall include vehicle description and fuel type; expansion activities shall include discussion on vehicle needs. The project budget should reflect the precise activities for which the grant funds will be used, and the budget should be prepared in accordance with requirements for specific funding programs.

At least 55 percent of the annual apportionment must be identified for traditional 5310 projects, as defined in Chapter III of this circular. The extended budget descriptions should confirm which activities are supporting this requirement. For public transportation projects that exceed the requirements of the ADA or for alternatives to public transportation that assist seniors and individuals with disabilities (e.g., New Freedom type projects), the applicant should use scope 647-00.

If the grant contains funding for tribal governments, the non-add scope (992-00) should also be added to the budget and identify the amount of funding in the application allocated to each tribe. The non-add scope does not affect the total funds in the budget; it simply allows FTA to query the funding amounts upon request. Other non-add scopes are used for ITS, security funds, and other special emphasis areas.

- d. Project Milestones. Estimated completion dates for all milestones should be provided; revenue vehicles have particular milestone requirements. If milestones are not prepopulated by the system for a particular activity line item, use the add function to add milestones for that activity line item to the grant application.
- e. Environmental Findings. The application should include a proposed classification of each activity line item in accordance with FHWA/FTA Environmental Impact and Related Procedures. (See 23 CFR parts 771.115 and 771.118.) Grant applicants should refer to 23 CFR 771.118(c) and (d) for a listing of the Class II projects. Most Section 5310 funded projects meet the criteria for a categorical exclusion (CE) and require no further action. However, if a project does not clearly meet the criteria for a CE, a grant applicant is strongly encouraged to contact the appropriate FTA regional office for assistance in determining the appropriate environmental review process and level of documentation necessary.
- f. Fleet Status. Fleet status data is not required for Section 5310 grant applications.
- g. Application Submission. Once FTA deems the activities eligible and determines that all pre-application requirements have been satisfied, FTA assigns a grant number. At this point, the grant is ready to be pinned (approved) and submitted in the electronic grant management system by the designated recipient/recipient.

- h. Certification of Labor Protective Arrangements. Section 5310 grants are not submitted to the Department of Labor (DOL) for certification.
  - i. Grant Approval. Once FTA staff determines through a final review of the application that FTA program requirements have been met, FTA awards and obligates funds requested in the grant.
  - j. Grant Execution. After FTA has approved and awarded the grant, the applicant must execute the award before funds can be drawn down from the grant. The applicant must execute the grant within 90 days of its approval. Grants that indicate the use of pre-award activity require the submission of a federal financial report before grant execution. Execution constitutes acceptance of the grant agreement terms and conditions.
20. APPLICATIONS CONTAINING SAFETEA-LU FUNDS. An applicant may submit a grant application containing unobligated SAFETEA-LU funds prior to their lapse date as part of a grant application also including projects to be funded under MAP-21. Any such application must explicitly identify the projects to be funded under each source in addition to identifying the grant year. This information must be contained in the project description and the extended budget descriptions. SAFETEA-LU funds may only fund eligible activities pursuant to Section 5310 under SAFETEA-LU; thus, only traditional 5310 projects (capital only) would be eligible if any SAFETEA-LU funds are combined in a grant with MAP-21 funds.

21. SECTION 5310 APPLICATION CHECKLIST.

<b>Part I—Recipient Information</b>		<b>Part IV—Budget</b>	
1.	Are annual certifications and assurances pinned?	1.	Are activity line item (ALI) codes entered under the appropriate scope codes?
2.	Is the recipient contact and other information complete?	2.	Have funding percentages been verified to ensure that federal funds are not over the allowable share?
3.	Is UZA/congressional district information entered and accurate?	3.	Does the funding amount entered in the budget match financial information entered in the “project information” field?
4.	Has Civil Rights Program Documentation been approved by FTA?	a.	Federal funds
5.	Has the applicant’s DUNS number been entered in the appropriate field?	b.	Local match
		4.	Does the rolling stock (vehicle) line item contain accurate information such as:
<b>Part II—Project Details</b>		a.	Description
1	Does the project description (including the POP and other attachments) include adequate descriptive information of funded subrecipients and projects?	b.	Fuel type
<b>Part III—Project Information</b> Have the following fields been completed if applicable?		5.	Details (extended budget description)
1	New application or amendment?	a.	Has descriptive information been added in the details section of each ALI that identifies the items being funded using the line item?
2.	Start/end date?	6.	Have the appropriate non-add scopes been included (e.g., ITS, tribal, etc.)?
3.	Program date (STIP and TIP date) (UPWP if planning activities included)?	<b>Part V—Project Milestones</b>	
4.	Have control totals been entered by the recipient?	1.	Are milestones listed for each ALI? (If an ALI does not have milestones, they should be added.)
5.	If pre-award authority is applicable, has “yes” been selected?	2.	Have estimated completion dates been entered?
6.	Has the EO 12372 review been completed, if applicable?	<b>Part VI—Environmental Findings (NEPA)</b>	
7	Has the 55 percent floor for traditional Sec. 5310 (capital only) projects been identified?	1.	Has an environmental finding been entered for each ALI?
8	Are New Freedom type projects appropriately listed under scope 647-00?		

## 22. ECHO INFORMATION.

- a. Title 49 CFR parts 18 and 19, and 31 CFR part 205, govern payments to recipients for financing operations under federal grant and other programs. These regulations require that payment to a recipient be limited to the minimum amounts needed and timed so as to be in accord only with the actual, immediate cash requirements of the recipient in carrying out the approved project. For further information regarding cash management procedures, refer to the FTA “ECHO System Users’ Manual for Recipients”: <http://www.fta.dot.gov/documents/ECHOWebRecipientUserManual.pdf>.
- b. Instructions for completing form:
  - (1) Fill in your ECHO control number. If this is an initial ECHO setup, FTA will assign ECHO control number.
  - (2) Check appropriate box(es).
  - (3) Initial setup.
  - (4) Change in bank information.
  - (5) Change in recipient information.
  - (6) Fill out information in the appropriate section(s) listed below:
    - (a) Recipient information section—Print or type the name of the recipient and address that will receive ECHO/ACH payments. Also include a contact person’s name, date, and telephone and FAX numbers.
    - (b) Financial institution information section—Have your bank fill out this section. They should print or type the name and address of the financial institution that will receive the ECHO/ACH payment. Also included are the ACH coordinator’s name, telephone number, nine-digit routing transit number (ABA #), depositor (recipient) account title, depositor (recipient) account number, and type of account (type can ONLY be designated as checking or savings), signature and title of representative, date, and FAX number.
  - (7) Mail the form to the name and address shown in the agency information section. This section also includes a contact person’s name and telephone number.



ECHO Control Number (ECN) \_\_\_\_\_

(For initial ECHO setup agency will assign ECN Number, for non ECHO payments enter "N/A").

Initial Setup 

Info. Change 

Grantee Information Change 

Information from this form is required under the provision of 31 U.S.C. 3322 and 31 CFR 210. Treasury uses this to transmit payment data by electronic means to a company's or a grantee's financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Treasury ACH Payment System.

Note: See the bottom for instructions on completing this form.

<b>RECIPIENT INFORMATION</b>		
NAME:		
ADDRESS:		
CITY/STATE/ZIP:	TELEPHONE NUMBER: ( )	
CONTACT PERSON NAME:		
SIGNATURE OF AUTHORIZED OFFICIAL IN FTA		TELEFAX NUMBER: ( )
	DATE: / /	
<b>AGENCY INFORMATION</b>		
NAME: <i>Federal Transit Administration</i>		
ADDRESS: <i>1200 New Jersey Avenue, SE Washington, DC 20590</i>		
CONTACT PERSON NAME:	<i>202-366-9748</i>	
<b>FINANCIAL INSTITUTION INFORMATION (Note: Have Your Bank Complete This Section)</b>		
NAME:		
ADDRESS:		
CITY/STATE/ZIP:		
CONTACT PERSON NAME:	TELEPHONE NUMBER: ( )	
NINE DIGIT ROUTING TRANSIT NUMBER: _____		
DEPOSITOR ACCOUNT TITLE:		
DEPOSITORS ACCOUNT NUMBER:		
TYPE OF ACCOUNT: CHECKING SAVING		
SIGNATURE AND TITLE OF REPRESENTATIVE:	DATE: / /	FAX NUMBER: ( )



**APPENDIX B**

**SAMPLE SECTION 5310 PROGRAM OF PROJECTS**

State: \_\_\_\_\_

5310: FY \_\_\_\_ Apportionment (DS, DM, DL): \$ \_\_\_\_\_; Carryover: \_\_\_\_\_  
(DS = Rural Areas (under 50,000); DM - Small Urbanized Areas (50,000-200,000); DL = Large Urbanized Areas (200,000 or more))

Transfer Funds (plus or minus): \_\_\_\_\_

Total Funds Available: \_\_\_\_\_

Total number of subrecipients funded in this Program of Projects: \_\_\_\_\_

**LIST OF PROJECTS**

Required subrecipient information includes: name of entity receiving the award, amount of award, location of the entity receiving the award and the primary location of performance under the award, including the city and/or county and Congressional District.

**CAPITAL, OPERATING, AND PROGRAM ADMINISTRATION**

(Projects may include reasonable contingencies)

(Subrecipient Types may include: a non-profit organization or a local governmental authority).

Program of Projects & Subrecipients	City	Service Area Urban/Rural	Sub Type		Project Description/ALI	Quantity	FTA Amount	Local Amount	Total Amount	Coordination Plan Date & Page	Eligible Project Type *	Capital / Operating
			Private	Public								
Category A												
Sub A											(A)	
Sub B											(C)	
Sub C											(D)	
Sub D											(A)	
Sub E											(B)	
Total												
Category B												
Sub F											(A)	
Total												
Program Admin												
Grand Total												
Total Traditional 5310 55% Capital Amount												
Total Other Capital Amount												
Total Operating Expense Amount												

\* Eligibility Project Type refers to 49 U.S.C. 5310  
(b)(1) criteria

STATE ADMINISTRATION, PLANNING AND TECHNICAL ASSISTANCE

Not to exceed 10 percent of Section 5310 apportionment and any flex funds transferred to the Section 5310 account may be used to provide a 100 percent Federal share.

Subtotal State Administration (funded at 100 percent) \_\_\_\_\_

SUBTOTAL STATE ADMINISTRATION \_\_\_\_\_

## APPENDIX C

### TECHNICAL ASSISTANCE IN HUMAN SERVICE TRANSPORTATION

The Department of Transportation (DOT), the Federal Transit Administration (FTA), and partners at the Departments of Health and Human Services, Labor, and Education support a range of technical assistance initiatives for coordinating human service transportation. These programs and centers are charged with providing training, resources, and direct assistance to communities and states interested in enhancing the mobility and transportation options for all citizens, including seniors, individuals with disabilities, and people with low incomes. The following list includes technical assistance and training resources available for various aspects of human service transportation.

#### National Rural Transportation Assistance Program

C/O American Public Works Association

1401 K Street NW, 11th Floor

Washington, DC 20002

202-408-9542

[www.APWA.net](http://www.APWA.net)

The National Rural Transportation Assistance Program (RTAP) was established by FTA in 1987 to provide a wide range of professional services and products. The National RTAP, administered by the American Public Works Association, provides outreach and training to each state's RTAP and coordinates with other organizations involved in rural transit. The National RTAP also works collaboratively with the Community Transportation Association of America to operate a national toll-free telephone line, a Web page, a national peer-to-peer technical assistance network, and various presentations and publications and fulfillment services for national RTAP products.

#### Project ACTION

1425 K Street, Suite 200

Washington, DC 20005

1-800-659-6428

[www.projectaction.org](http://www.projectaction.org)

Easter Seals Project ACTION (Accessible Community Transportation in Our Nation) is a national technical assistance project funded through a cooperative agreement with FTA. The mission of Easter Seals Project ACTION is to encourage and facilitate cooperation between the disability and transportation communities with the goal of achieving universal access through transportation for people with disabilities nationwide.

Easter Seals Project ACTION offers various resources, including a toll-free hotline, website, publications clearinghouse, and quarterly newsletter, as well as training and technical assistance, in an effort to make the Americans with Disabilities Act of 1990 (ADA) work for everyone, every day.

National Job Links Employment Transportation Initiative

341 G Street NW, 10th Floor  
Washington, DC 20005  
1-800-527-8279

<http://www.ctaa.org/ntrc/atj/joblinks/index.asp>

The National Joblinks Employment Transportation Initiative, known as Joblinks, is funded by the Departments of Transportation and Labor. Joblinks is a program designed to help communities overcome one of the most significant barriers preventing individuals with low incomes from getting and keeping jobs: transportation. Joblinks has a national peer-to-peer network that links local agencies with experienced practitioners familiar with the human services and workforce development environments and knowledgeable about special client transportation needs.

Through Joblinks, communities can receive access to technical assistance and training specialists who can provide solid problem-solving technical support, particularly in the areas of coordinating client transportation resources and operations, marketing, system start-up and financing, human resource management, and developing accessible services. Joblinks also supports an online information center that connects you with employment transportation news, resources and ideas. Joblinks is administered by the Community Transportation Association of America.

National Technical Assistance Center in Senior Transportation

1425 K Street, Suite 200  
Washington, DC 20005  
1-800-659-6428

[www.projectaction.org](http://www.projectaction.org)

The National TA Center in Senior Transportation focuses on the transportation needs of seniors. The Center conducts analysis of technical assistance needs assist local communities and states. Through analysis and assessment, the national center also provides technical assistance and training on specific strategies for enhancing senior mobility. The Center focuses on a family of services that includes driving transition, travel training for fixed-route bus, paratransit services, and alternative transportation options including door through door, volunteer, and taxi programs.

Intelligent Transportation System (ITS) Peer to Peer Program

Federal Highway Administration  
1200 New Jersey Ave. SE

Washington, DC 20590  
1-866-367-7487  
[www.its.dot.gov](http://www.its.dot.gov)

The ITS Peer-to-Peer program provides assistance through its network of over one hundred and twenty DOT approved ITS professionals who have planned, implemented, and operated ITS in urban and rural areas. Most of the program's peers are public sector ITS practitioners. The Peer-to-Peer program delivers short-term assistance according to an agency's ITS needs. Assistance may include telephone consultations, off-site document reviews, presentations, and visits to the site. The program continues to assist metropolitan and rural clients to create solutions for a variety of highway, transit, and motor carrier interests. The program offers assistance in virtually all areas of ITS planning, design, deployment, and operations.

National Transit Institute  
120 Albany Street 7th Floor  
New Brunswick, NJ 08901  
732-932-1700  
[www.ntionline.com](http://www.ntionline.com)

The National Transit Institute at Rutgers University was established in 1992 to conduct training and educational programs related to public transportation. Funded by FTA, NTI's mission is to provide training, education, and clearinghouse services in support of public transportation and quality of life in the United States. Training is available to public transportation agencies, metropolitan planning organizations (MPOs), state departments of transportation, and other agencies providing transportation services.

Transit Cooperative Research Program  
C/O American Public Transportation Association  
1666 K Street NW, 11th Floor  
Washington, DC 20006  
202-496-4800  
[www.TCRPonline.org](http://www.TCRPonline.org)

The Transportation Cooperative Research Program (TCRP) is your ticket to information central. Practical research that yields near term results can do much to help—by solving operational problems, adoptions of useful technologies from related industries, and, in general, finding ways for public transportation to be innovative. Funded by DOT and FTA, the program places primary emphasis on putting the results in the hands of organizational and individuals that can use them to solve problems. The information is easily accessible through print, Web documents, CD ROMS, and diskettes, and it is free through the American Public Transportation Association's TCRP Dissemination Center.

Multi-State Technical Assistance Program  
C/O American Association of Highway and Transportation Officials

444 North Capitol Street NW, Suite 249  
Washington, DC 20001  
Telephone: 202-624-3625  
FAX: 202-624-3625  
[www.mtap.org](http://www.mtap.org)

The purpose of Multi-State Technical Assistance Program (MTAP) is to provide a forum through which state-level public transportation agencies can communicate with each other about federal transit regulations, grant program management, and technical issues pertaining to everyday administration of public transportation service. MTAP was developed to benefit the member states as well as their federal program counterparts and local transit operators. Networking among the states is conducted through two annual meetings, peer-to-peer assistance, conference calls, and electronic communication. MTAP is administered by the American Association of State Highway and Transportation Officials (AASHTO).



**APPENDIX D**

**RELATIONSHIP BETWEEN COORDINATED PLANNING AND METROPOLITAN AND STATEWIDE PLANNING (TABLE)**

<p><b>Coordinated Public Transit - Human Services Transportation Plan</b></p>	<p>49 U.S.C. 5310 requires preparation of a locally developed, coordinated public transit-human services transportation plan (coordinated plan) for all FTA human service transportation programs.</p> <p>The coordinated plan is required to be developed and approved through a process that includes participation by seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public. The services funded will be coordinated with transportation services assisted by other federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services to the maximum extent feasible. This plan includes:</p> <ul style="list-style-type: none"> <li>• An assessment of available services that identifies current transportation providers (public, private, and nonprofit);</li> <li>• An assessment of transportation needs for individuals with disabilities, seniors, and people with low incomes;</li> <li>• Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to improve efficiencies in service delivery; and</li> <li>• Priorities for implementation based on resources (from multiple program sources), time, and feasibility for implementing specific strategies and/or activities identified.</li> </ul> <p>The coordinated plan serves as the foundation for the program of projects and should be integrated into the metropolitan and statewide transportation planning processes and documents to demonstrate local policy support and federal fund eligibility.</p>
<p><b>Metropolitan Transportation Plan or Statewide Long-Range Transportation Plan</b></p>	<p>The metropolitan transportation plan (MTP) is the official multimodal transportation plan that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process. The MTP represents the consensus of state and local officials in metropolitan areas of long-range (no less than twenty years) policies and investment priorities for the transportation system. The MTP includes both long-range and short-range program strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods.</p> <p>The statewide long-range transportation plan is a comparable plan including rural portions of the state as well as the MTP.</p> <p>The MTP or statewide long-range transportation plan has several elements, for example:</p> <ul style="list-style-type: none"> <li>• Identify policies, strategies, and projects for the future;</li> <li>• Determine project demand for transportation services over twenty years;</li> <li>• Focus at the systems level, including roadways, transit, nonmotorized transportation, and intermodal connections;</li> </ul>

	<ul style="list-style-type: none"> <li>• Estimate costs and identify reasonably available financial sources for operation, maintenance, and capital investments; and</li> <li>• Articulate regional land use, development, housing, mobility, and employment goals and plans.</li> </ul> <p><i>Connections to the coordinated plan: Projects or strategies serving human service transportation needs over the twenty-year planning horizon should be referenced in the MTP or statewide long-range transportation plan , by direct inclusion or by explicit reference to the coordinated plan.</i></p>
<p><b>Transportation Improvement Program</b></p>	<p>The transportation improvement program (TIP) is a prioritized, financially constrained four-year program of federally supported projects addressing the most immediate implementation priorities from the MTP. The TIP is developed and adopted by the MPO as part of the metropolitan transportation planning process, thereby representing the consensus of state and local decision makers for allocating funds among the various capital and operating needs of the area.</p> <p>Under federal law, the TIP:</p> <ul style="list-style-type: none"> <li>• Covers a minimum four-year period of investment and is updated at least every four years;</li> <li>• Is realistic in terms of available funding (known as a fiscally constrained TIP) and is not just a “wish list” of projects;</li> <li>• Is incorporated into the statewide transportation improvement program (STIP); and</li> <li>• Has projects that are drawn from, or consistent with, the MTP.</li> </ul> <p><i>Connections to the coordinated plan: All strategies proposed for funding under FTA’s human services transportation programs are required to be listed in the TIP, which may include discrete projects or more aggregated program-level information. For example: a nonprofit seniors vanpool service could be listed in the TIP if it received a Section 5310 funding federal grant, or the TIP may just reference the amount of Section 5310 funding available to the area on an annual basis.</i></p>

<p><b>Statewide Transportation Improvement Program</b></p>	<p>The statewide transportation improvement program (STIP) is a statewide prioritized, financially constrained four-year program of federally supported projects that is consistent with the statewide long-range transportation plan, MTPs, and TIPs. Joint approval by FTA and FHWA of the STIP renders the projects, programs, and strategies contained eligible for funding under FTA and FHWA programs.</p> <p>Under federal law, the STIP:</p> <ul style="list-style-type: none"> <li>• Covers a minimum four-year period of investment and is updated at least every four years;</li> <li>• Is realistic in terms of available funding (known as a fiscally constrained STIP) and is not just a “wish list” of projects; and</li> <li>• Contains the projects, strategies, and programs of TIPs from throughout the state, as well as projects, programs, and strategies from non-metropolitan areas.</li> </ul> <p><i>Connections to the coordinated plan: All strategies proposed for funding under FTA’s human services transportation programs are required to be listed in the STIP, which may include discrete projects or more aggregated program-level information. For example: a nonprofit seniors vanpool service could be listed in the STIP if it received Section 5310 funding federal grant, or the STIP may just reference the amount of Section 5310 funding available to the area on an annual basis. Strategies and/or projects that receive federal funding are required to be listed in the STIP—verbatim or by reference to—the project listing included in TIPs of metropolitan areas of the state.</i></p>
<p><b>Program of Projects</b></p>	<p>FTA requires a program of projects for processing Section 5310 grants.</p> <p>The POP is submitted to FTA for approval with the electronic grant management grant application. The POP lists the subrecipients and indicates whether they are private nonprofit agencies, governmental authorities, or private operators of public transportation services and, in the case of a state application, designates whether they serve urbanized or rural populations, and identifies any Indian tribal agencies. In addition, the POP includes a brief description of the projects, total project costs, and the 5310 share for each project. The amount of funds required for planning, technical assistance, and program administration is also laid out in the POP.</p>



**APPENDIX E**

**SAMPLE DESIGNATED RECIPIENT LETTER**

Governor of ABC State

December 7, 2012

Regional Administrator  
Federal Transit Administration  
Regional Office

Dear Regional Administrator,

In compliance with changes required by Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), the Governor of ABC State has officially designated a recipient to administer the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. 5310). The **Regional Transportation Authority (RTA)** will serve as the designated recipient for the urbanized area for Federal Transit Administration Section 5310 funds. This designation was endorsed by the ABC MPO Transportation Policy Committee, acting as the designated policy board of the MPO on December 6, 2012.

As the designated recipient, the RTA will be responsible for administering the program by ensuring that all subrecipients comply with Federal requirements, notifying eligible local entities of funding availability, developing a program selection processes, determining project eligibility, and developing the yearly program of projects. We thank RTA for their leadership and ongoing contribution in supporting our area's efforts to reduce congestion, enhance safety, and provide individual mobility.

Should you have any questions related to this matter, I am available to assist you.

Sincerely,

GOVERNOR



**APPENDIX F**

**FTA REGIONAL AND METROPOLITAN CONTACT INFORMATION**

<b><u>Office</u></b>	<b><u>Area Served</u></b>	<b><u>Contact Information</u></b>
Region I	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont	Transportation Systems Center Kendall Square 55 Broadway, Suite 920 Cambridge, MA 02142-1093 Phone: 617-494-2055 Fax: 617-494-2865
Region II	New York and New Jersey	One Bowling Green Room 429 New York, NY 10004-1415 Phone: 212-668-2170 Fax: 212-668-2136
Region III	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia	1760 Market St Suite 500 Philadelphia, PA 19103-4124 Phone: 215-656-7100 Fax: 215-656-7260
Region IV	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and U.S. Virgin Islands	230 Peachtree Street NW Suite 800 Atlanta, GA 30303 Phone: 404-865-5600 Fax: 404-865-5605
Region V	Illinois, Indiana, Minnesota, Michigan, Ohio, and Wisconsin	200 W Adams St Suite 320 Chicago, IL 60606 Phone: 312-353-2789 Fax: 312-886-0351
Region VI	Arkansas, Louisiana, New Mexico, Oklahoma, and Texas	819 Taylor St Room 8A36 Fort Worth, TX 76102 Phone: 817-978-0550 Fax: 817-978-0575

<b><u>Office</u></b>	<b><u>Area Served</u></b>	<b><u>Contact Information</u></b>
Region VII	Iowa, Kansas, Missouri, and Nebraska	901 Locust, Suite 404 Kansas City, MO 64106 Phone: 816-329-3920 Fax: 816-329-3921
Region VIII	Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming	12300 W Dakota Ave. Suite 310 Lakewood, CO 80228-2583 Phone: 720-963-3300 Fax: 720-963-3333
Region IX	Arizona, California, Hawaii, Nevada, Guam, American Samoa, and Northern Mariana Islands	201 Mission St Room 1650 San Francisco, CA 94105-1839 Phone: 415-744-3133 Fax: 415-744-2726
Region X	Alaska, Washington, Oregon, and Idaho	Jackson Federal Building 915 Second Ave, Suite 3142 Seattle, WA 98174-1002 Phone: 206-220-7954 Fax: 206-220-7959
Lower Manhattan Recovery Office	Lower Manhattan	One Bowling Green, Room 436 New York, NY 10004 Phone: 212-668-1770 Fax: 212-668-2505
New York Metropolitan Office	New York Metropolitan Area	One Bowling Green, Room 428 New York, NY 10004-1415 Telephone: 212-668-2201 Fax: 212-668-2136
Chicago Metropolitan Office	Chicago Metropolitan Office	200 West Adams Street Suite 2410 (24th floor) Chicago, IL 60606 Telephone: 312-886-1616 Fax: 312-886-0351
Los Angeles Metropolitan Office	Los Angeles Metropolitan Area	888 S. Figueroa, Suite 1850 Los Angeles, CA 90012 Telephone: 213-202-3950 Fax: 213-202-3961



<b><u>Office</u></b>	<b><u>Area Served</u></b>	<b><u>Contact Information</u></b>
Washington, DC Metropolitan Office	Washington, DC Metropolitan Area	1990 K Street NW Suite 510 Washington, DC 20006 Telephone: 202-219-3562/3565 Fax: 202-219-3545



## **APPENDIX G**

### **REFERENCES**

- a. Federal Transit Laws, Title 49, United States Code, Chapter 53.
- b. Federal-aid highway and surface transportation laws, Title 23, United States Code.
- c. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, (SAFETEA-LU) (Pub. L. 109–59, 119 Stat. 1144, Aug. 10, 2005).
- d. Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105–178, 112 Stat. 107, June 9, 1998).
- e. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) (Pub. L. 102–240, 105 Stat. 1914, Dec. 18, 1991).
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- g. Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*
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- j. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d.
- k. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e.
- l. Clean Air Act, as amended, 42 U.S.C. 7401 *et seq.*
- m. Section 404 of the Clean Water Act, as amended, 33 U.S.C. 1344.
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- o. Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f.
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- q. Lobbying Restrictions, 31 U.S.C. 1352.
- r. Disadvantaged Business Enterprises, 23 U.S.C. 101 note.

- s. Congressional Declaration of Policy Respecting Insular Areas, 48 U.S.C. 1469a.
- t. Program Fraud Civil Remedies Act, 31 U.S.C. 3801 *et seq.*
- u. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, 42 U.S.C. 4601 *et seq.*
- v. Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 *et seq.*
- w. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 *et seq.*
- x. National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 *et seq.*
- y. Federal Funding Accountability and Transparency Act of 2006 (Pub. L 109–282, 120 Stat. 1186, Sept. 26, 2006).
- z. Davis-Bacon Act, as amended, 40 U.S.C. 3141 *et seq.*
- aa. Drug-Free Workplace Act of 1988, as amended, 41 U.S.C. 701 *et seq.*
- bb. U.S. DOT regulations, “Organization and Delegation of Powers and Duties,” 49 CFR part 1.
- cc. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR part 18.
- dd. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” 49 CFR part 19.
- ee. U.S. DOT regulations, “New Restrictions on Lobbying,” 49 CFR part 20.
- ff. U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964,” 49 CFR part 21.
- gg. U.S. DOT regulations, “Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs,” 49 CFR part 24.
- hh. U.S. DOT regulations “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25.
- ii. U.S. DOT regulations, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 CFR part 26.

- jj. U.S. DOT regulations, “Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 27.
- kk. U.S. DOT regulations, “Government wide Debarment and Suspension (Nonprocurement),” 49 CFR part 29.
- ll. U.S. DOT regulations, “Government wide Requirements for Drug-Free Workplace (Financial Assistance),” 49 CFR part 32.
- mm. U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 CFR part 37.
- nn. U.S. DOT regulations, “Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles,” 49 CFR part 38.
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- tt. U.S. Department of Treasury regulations, “Rules and Procedures for Efficient Federal-State Funds Transfers,” 31 CFR part 205.
- uu. U.S. Environmental Protection Agency regulations, “Determining Conformity of Federal Actions to State or Federal Implementation Plans,” 40 CFR part 93.
- vv. Executive Order 12372, “Intergovernmental Review of Federal Programs,” July 14, 1982.
- ww. Executive Order 12898, “Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations,” Feb. 11, 1994.
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- zz. Office of Management and Budget Circular A-94, “Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs,” Oct. 29, 1992.
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- hhh. FTA Circular 9030.1C, “Urbanized Formula Program Guidance and Application Instructions,” Oct. 1, 1998.
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