

Section 5310 – Enhanced Mobility of Seniors and Individuals with Disabilities Program

Program Management Plan



Central Midlands Council of
Governments

Columbia Area
Transportation Study
Metropolitan Planning
Organization

June 25, 2015

This Program Management Plan (PMP) is designed to identify the policies and procedures for administering the Section 5310 program in the Columbia Urbanized Area. These policies and procedures are based on program requirements issued by the Federal Transit Administration (FTA).

**Central Midlands Council of Governments
Columbia Area Transportation Study Metropolitan Planning Organization
Section 5310 Program Management Plan**

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Columbia Urbanized Area



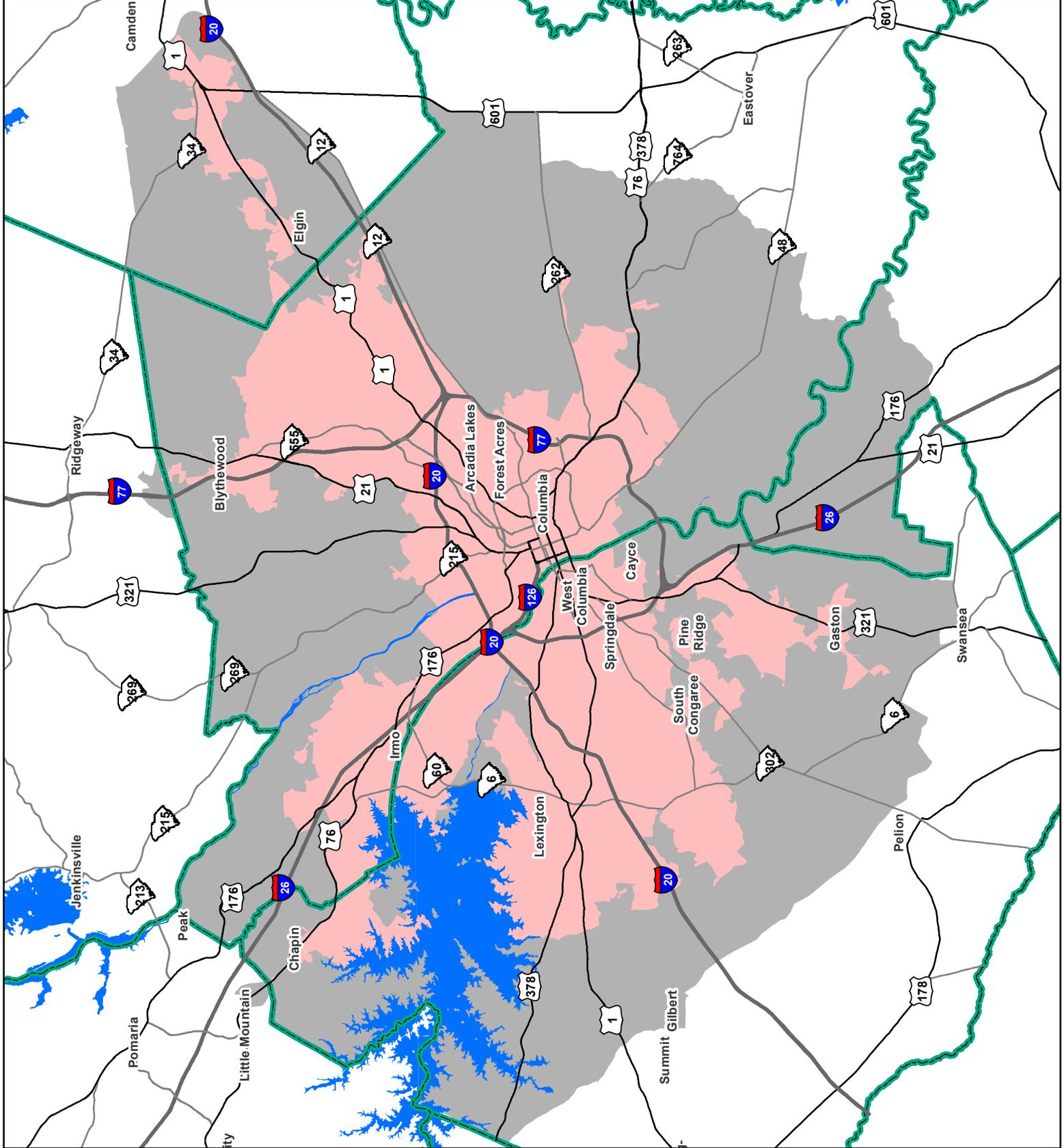
Legend

- MPO
- Census Designated Urban Area
- Interstates
- US Highways
- SC Highways
- Water
- County Boundary

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Prepared By:
 Central Midlands Council of Governments
 236 Stoneridge Drive
 Columbia, SC 29210
 Phone: (803) 376-5390



INTRODUCTION

MOBILITY PROGRAMS FOR SENIORS AND PEOPLE WITH DISABILITIES UNDER SAFETEA-LU

Under the previous federal transportation authorization legislation – the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) – there were two programs that were designed to enhance mobility for seniors and people with disabilities.

These programs were:

- Transportation for Elderly Persons and Persons with Disabilities (Section 5310), which provided federal funds to help private non-profit agencies purchase vehicles and other capital items to transport seniors and people with disabilities. In the past, funding was used to purchase vans for non-profit organizations used for transportation for seniors.
- New Freedom Program (Section 5317), which provided federal funds to expand transportation mobility options for people with disabilities. MPOs in large urbanized areas exceeding 200,000 in population such as Columbia (called Transportation Management Areas or TMAs) received a direct allocation of funding under the program. These funds were also distributed by SCDOT through a competitive application process coordinated with the Metropolitan Planning Organization (MPO), and the funds could be used by private non-profit agencies, state and local governments, and public and private transportation operators for capital purchases and operating expenses associated with new services that went beyond the requirements of the Americans with Disabilities Act (ADA).

CONSOLIDATION OF PROGRAMS UNDER MAP-21

In July of 2012, a new federal transportation authorization bill was signed into law. The new law – Moving Ahead for Progress in the 21st Century (MAP-21) – combined the two programs (Transportation for Elderly Persons and Persons with Disabilities and New Freedom Program) to create the Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310 program). This new program continues to enhance mobility for seniors and people with disabilities, and the activities that were eligible for funds under the former New Freedom Program are now eligible for Section 5310 funding.

Under SAFETEA-LU and previous legislation, Section 5310 program funds were apportioned to states for distribution to subrecipients. Another significant change instituted by MAP-21 is that Section 5310 program funds are apportioned to rural, small urban, and large urban areas. In large MPO areas (TMAs) such as Columbia, the designated recipient must be designated by the state and responsible local officials. As a result, a local administration process needed to be developed by the Central Midlands Council of Governments, which is also the Metropolitan Planning Organization (MPO), to allow the funds associated with the new program to be distributed in the Columbia Urbanized Area.

Although MAP-21 consolidated the former Section 5310 and 5317 programs, it specifies that at least 55% of program funds be used for traditional capital projects for seniors and people with disabilities, including mobility management. The remaining funds (up to 45%) may be used for similar projects with fewer restrictions.

PURPOSE OF THE PROGRAM MANAGEMENT

The Program Management Plan (PMP) is designed to identify the policies and procedures for administering the Section 5310 program in the Columbia Urbanized Area. These policies and procedures are based on program requirements issued by the Federal Transit Administration (FTA). The designated recipient (DR) is responsible for compliance with the policies and procedures as outlined in FTA Circular C 5010.1d.

FTA Circular C 9070.1G Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions provides guidance for Section 5310 projects. It covers project requirements, administration procedures, and other relevant components of the federal Section 5310 program. The PMP serves as a local companion to FTA C 9070.1G, describing the roles and mechanisms for carrying out policies and procedures in the Columbia Urbanized Area, satisfying the FTA requirement for a Program Management Plan.

SUMMARY OF THE SECTION 5310 ENHANCED MOBILITY PROGRAM

The purpose of the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program is to:

...Enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services.

– FTA Section 5310 Fact Sheet

DESIGNATED RECIPIENT

The governor of each state or an official designee must designate a public entity to be the recipient for Section 5310 funds. The designated agency must have the requisite legal, financial, and staffing capabilities to receive and administer federal funds under this program. In many cases it is appropriate for the designated recipient (DR) for the Section 5310 program to be the same as the DR for Urbanized Area Formula (Section 5307) funds. Alternatively, the DR for the former Section 5317 program, the MPO, the state, or another public agency may be a preferred choice based on local circumstances. Up to 10% of the recipient's total fiscal year apportionment may be used to fund program administration costs.

The DR is primarily responsible for applying to FTA for Section 5310 grants on behalf of itself and/or subrecipient(s). In addition, the DR is responsible for the development of a Program of Projects (POP) which identifies the subrecipients and projects for which the recipient is applying for financial assistance. In the Columbia Urbanized Area, the MPO will prepare the POP for submission to the FTA. In addition, the MPO manages all aspects of grant distribution, including reporting to the FTA.

CMCOG was identified as the most appropriate DR in the Columbia Urbanized Area because of the staff's experience with similar federal funding programs, including the Urbanized Area Formula Program (Section 5307) and Bus and Bus Facilities Program (Section 5339). The State of South Carolina designated CMCOG as the recipient of Section 5310 program funds for the Columbia Urbanized Area via a letter from Governor Haley to the FTA dated September 1, 2013.

ELIGIBLE SUBRECIPIENTS

Eligible subrecipients are entities that are allowed to apply for and receive funds through the Section 5310 program. The eligible subrecipients for this program are:

- State or local government authorities - To be eligible for "traditional 5310 capital projects", a state or local government authority must be approved by SCDOT to coordinate services for

seniors and individuals with disabilities or certify that there are no non-profit organizations readily available in the area to provide the service.

- Private non-profit organizations
- Operators of public transportation that receive a grant indirectly through a recipient - Not eligible for “traditional 5310 capital projects”

SUMMARY OF ROLES AND RESPONSIBILITIES FOR SECTION 5310 PROGRAM IN THE COLUMBIA URBAN AREA

The Central Midlands Council of Governments (CMCOG) is the designated recipient for Section 5310 and other federal funds, such as Urban Area Formula (Section 5307) grants, and has the legal, financial, and staffing capabilities to receive and administer federal funds. As the designated recipient, CMCOG is responsible for administering grant agreements, with subrecipients applying for federal funds, and satisfying documentation and reporting requirements.

CMCOG also serves as the Metropolitan Planning Organization (MPO) for the Columbia Urbanized Area. With a population of about 630,000, the Columbia Urban Area is a Transportation Management Area (TMA) as determined by the Federal Highway Administration (FHWA) and FTA. The MPO’s role in the Section 5310 program is to select and prioritize projects for funding and prepare and maintain the PMP.

ELIGIBLE ACTIVITIES

According to FTA requirements, at least 55% of the Section 5310 funding apportionment must be used for capital expenses for public transportation projects that are planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities (“traditional Section 5310 capital projects”). It is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project. Mobility management expenses, previously eligible under Section 5317, are eligible and qualify for this traditional Section 5310 project requirement.

The remaining 45 percent of the funds may be used for operating or capital expenses associated with:

- Public transportation projects that exceed the requirements of the ADA
- Public transportation projects that improve access to fixed route transit service and decrease reliance by individuals with disabilities on complementary paratransit
- Alternatives to public transportation that assist seniors and individuals with disabilities

Before a project can be awarded funds, the project must be certified by the DR that it is included in a locally developed coordinated public transit – human services transportation plan. The Coordinated Public Transit – Human Services Transportation Plan for CMCOG, prepared and published by the MPO and SCDOT, serves as this document.

SECTION 5310 PROGRAM GOALS AND OBJECTIVES

The following principles from the Coordinated Public Transit – Human Services Transportation Plan for CMCOG summarize the goals and objectives for the use of Section 5310 program funds in the Columbia Urban Area.

GOAL

To meet the special needs of elderly and persons with disabilities for whom existing mass transportation services are unavailable, insufficient or inappropriate. To promote statewide planning and regional coordination between entities who provide service to people with disabilities and elderly. Provide capital resources to these entities and communities throughout the Columbia urbanized area.

OBJECTIVES

1. To implement and administer the Large Urban Section 5310 grant program in accordance with FTA program management guidelines and procedures designed to attain the program goal;
2. To inform eligible organizations and associations within the large urbanized area of grant application opportunities;

3. To review and rank grant applications based on evaluation criteria developed by CMCOG committees representing the elderly, persons with disabilities and local planning organizations;
4. To develop Section 5310 vehicle and equipment specifications that are neither exclusionary nor discriminatory, which meet all applicable federal safety standards and Americans With Disabilities Act (ADA) requirements; to exercise the CMCOG's right to review and approve those specifications prepared by recipient organizations; and to procure through the State's Cooperative Procurement, Section 5310 vehicles and equipment in accordance with 49 C.F.R. Part 661, Federal Buy America Requirements;
5. To track and compile data on the operation and maintenance of federally funded vehicles and equipment for compliance with state approved subrecipient operations and maintenance plans; and
6. To maintain records for all federally funded capital purchases and exercise administrative coordination over leasing, transfer or final disposition of such property.

PRINCIPLES

- **Independence** – Promote and maintain the independence of older adults and people with disabilities by encouraging and supporting the use of transportation options that foster independence; provide training and resources to allow transit-dependent people the greatest possible access to the community.
- **Accessibility** – Eliminate geographical inequity in availability of transportation options; provide access to transportation services throughout CMCOG region that are open to seniors and people with disabilities and not limited to a specific group of clients or customers; connect communities and their residents to transportation services that are integrated and open to the general public.
- **Efficiency** – Develop cost effective solutions and avoid duplication; seek out cost-sharing opportunities and partnerships to extend the usefulness of transportation resources; evaluate services based on productivity and measures of cost effectiveness that exemplify good stewardship of public resources.
- **Resourcefulness** – Use a mix of resources (human, monetary, equipment, contractual) to create and sustain services that meet different transportation needs; apply innovative thinking and cultivate community relationships to address issues.

ELIGIBLE PROJECTS

Eligible projects for the required 55 percent of capital projects include the capital cost of contracting for the provision of transit services for seniors and individuals with disabilities and other specialized shared-ride transportation services. The purchase of rolling stock for the acquisition of ADA-complementary

paratransit service are eligible capital expenses that may also qualify as public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate, provided the projects are carried out by eligible subrecipients and these projects are included in the area's coordinated plan.

In addition to the above required capital projects, up to 45 percent of an area's apportionment may be utilized for additional public transportation projects that:

- a. Exceed the ADA minimum requirements,
- b. Improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service, or
- c. Provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Such projects must be targeted toward meeting the transportation needs of seniors and individuals with disabilities, although they may be used by the general public. It is not sufficient that seniors and individuals with disabilities are included (or assumed to be included) among the people who will benefit from the project. FTA encourages projects that are open to the public as a means of avoiding unnecessary segregation of services.

ELIGIBLE CAPITAL EXPENSES THAT MEET THE 55 PERCENT REQUIREMENT

Funds for the Section 5310 program are available for capital expenses as defined in Section 5302(3) to support public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Examples of capital expenses that meet the 55 percent requirement, which must be carried out by an eligible recipient or subrecipient include, but are not limited to:

- A. Rolling stock and related activities for Section 5310-funded vehicles
 - (1) Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs;
 - (2) Vehicle rehabilitation or overhaul;
 - (3) Preventive maintenance;
 - (4) Radios and communication equipment; and
 - (5) Vehicle wheelchair lifts, ramps, and securement devices.
- B. Passenger facilities related to Section 5310-funded vehicles
 - (1) Purchase and installation of benches, shelters, and other passenger amenities.

C. Support facilities and equipment for Section 5310-funded vehicles

- (1) Extended warranties that do not exceed the industry standard;
- (2) Computer hardware and software;
- (3) Transit-related intelligent transportation systems (ITS);
- (4) Dispatch systems; and
- (5) Fare collection systems.

D. Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish criteria for determining cost effectiveness in accordance with FTA regulations, “Capital Leases,” 49 CFR part 639 and OMB Circular A–94, which provides the necessary discount factors and formulas for applying the same;

E. Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary paratransit services when provided by an eligible recipient or subrecipient. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;

F. Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinate usage of vehicles with other nonprofits, but not the operating costs of service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:

- (1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
- (2) Support for short-term management activities to plan and implement coordinated services;

- (3) The support of state and local coordination policy bodies and councils;
 - (4) The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;
 - (5) The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;
 - (6) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
 - (7) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of geographic information systems (GIS) mapping, global positioning system technology, coordinated vehicle scheduling, dispatching and monitoring technologies, as well as technologies to track costs and billing in a coordinated system, and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense).
- G. Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA-complementary paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient/subrecipient and is included in the coordinated plan.

OTHER ELIGIBLE CAPITAL AND OPERATING EXPENSES.

- A. General. Up to 45 percent of a rural, small urbanized area, or large urbanized area's annual apportionment may be utilized for:
- (1) Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
 - (2) Public transportation projects (capital and operating) that exceed the requirements of ADA;
 - (3) Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or
 - (4) Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

Since the 55 percent requirement is a floor, and not a ceiling, the activities listed above are eligible expenses for all funds available to a recipient under Section 5310. For example, mobility management and ITS projects may be eligible under both categories; the difference to note, in order for the project to qualify toward the 55 percent requirement, is that the project must meet the definition of a capital project, be specifically geared toward the target population, and carried out by an eligible subrecipient, which is limited for this category of projects. The list of eligible activities is intended to be illustrative, not exhaustive. FTA encourages recipients to develop innovative solutions to meet the needs of seniors and individuals with disabilities in their communities and discuss proposed projects with FTA regional staff to confirm eligibility.

B. Public Transportation Projects that Exceed the Requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA.

- (1) Enhancing paratransit beyond minimum requirements of the ADA. ADA-complementary paratransit services can be eligible under the Section 5310 program in several ways:
- (2) Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
- (3) Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
- (4) The incremental cost of providing same day service;
- (5) The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
- (6) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
- (7) Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations, 49 CFR part 38 (i.e., larger than 30" × 48" and/or weighing more than 600 pounds), and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600-pound design load, and the acquisition of heavier duty vehicles for paratransit and/or demand-response service in order to accommodate lifts with a heavier design load; and
- (8) Installation of additional securement locations in public buses beyond what is required by the ADA.

- (9) Feeder services. Accessible “feeder” service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.
- C. Public Transportation Projects that Improve Accessibility. The following activities are examples of eligible projects that improve accessibility to the fixed-route system.
- (1) Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Section 5310 funds are eligible to be used for accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail, and rapid rail. This may include:
- i. Building an accessible path to a bus stop that is currently inaccessible, including curb cuts, sidewalks, accessible pedestrian signals, or other accessible features;
 - ii. Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
 - iii. Improving signage or way finding technology; or
 - iv. Implementation of other technology improvements that enhance accessibility for people with disabilities including ITS.
- (2) Travel training. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.
- (3) Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities with Transportation. The following activities are examples of projects that are eligible public transportation alternatives.
- i. Purchasing vehicles to support ride-sharing, and/or vanpooling programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can

be accommodated pursuant to part 38 to remain in his/her personal mobility device inside the vehicle.

- ii. Supporting the administration and expenses related to voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (federal/local) match.
- iii. Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.

LIMITS ON OPERATING ASSISTANCE

Given the 55 percent requirement for traditional Section 5310 capital projects, a recipient may allocate up to 45 percent of its apportionment for operating assistance. However, this funding is limited to eligible projects as described in 49 U.S.C. 5310(b)(1)(B-D) and described in this section above. Operating assistance for required ADA complementary paratransit service is not an eligible expense.

FUNDING FOR PROJECTS AND PROGRAM ADMINISTRATION

Section 5310 program funds are awarded on an annual calendar cycle. For example, Fiscal Year 2014 allocations are awarded in Calendar Year 2015.

The Section 5310 program can generally fund up to 80% of a project's capital costs (in some limited cases up to 90%) and up to 50% of a project's operating costs. Administrative costs (up to 10% of the federal apportionment) are funded at 100% federal share. The remaining costs can be covered by:

- Other federal (non-DOT) transportation funding sources
- State and local funding sources
- Private funding sources

It is the responsibility of the subrecipient to secure the local match and administer funds outside the 5310 program.

CMCOG is eligible to be reimbursed for Section 5310 administrative costs. Subrecipients will not be reimbursed for administrative costs related to application development, program reporting, or other activities. The administrative costs will be used for activities described in the Roles and Responsibilities section of this document

USE OF NON-DOT FEDERAL FUNDS

The local share of the total project cost may be from non-Department of Transportation federal funds derived from other federal programs that are eligible to be expended for transportation purposes.

Examples of such funds are:

- Temporary Assistance for Needy Families (TANF)
- Medicaid
- Employment training programs
- Rehabilitation Services
- Administration on Aging

To be eligible for local match against Enhanced Mobility for Seniors and Individuals with Disabilities funds, the non-DOT federal funds must be utilized for activities included in the total cost of the project. The use of other federal funds for transportation outside the scope of the project *cannot* be applied as a credit for local match against the New Freedom funds.

TRANSFER OF FUNDS

FTA has issued no provision or authority to transfer Enhanced Mobility for Seniors and Individuals with Disabilities funds apportioned to large urbanized areas to small urban or rural areas. The State of South Carolina also has issued no provision or authority to transfer Enhanced Mobility for Seniors and Individuals with Disabilities funds apportioned to large urbanized areas to small or rural areas.

ROLES AND RESPONSIBILITIES

Although CMCOG is the DR for the Columbia Urbanized Area’s Section 5310 program, CMCOG may apply for funding for projects it conducts; therefore, in this document the word “subrecipient” applies to CMCOG as well as other entities. Each entity’s administrative roles and responsibilities are summarized below.

CMCOG ROLES AND RESPONSIBILITIES

- Develop, execute, manage, and amend grant agreements with subrecipients
- Apply for federal funds on behalf of eligible subrecipients as identified by the MPO and manage the program’s federal grants
- Complete program grant reporting to the FTA on a quarterly and annual basis
- Work with subrecipients and SCDOT to procure capital items and ensure compliance with all applicable state and federal requirements
- Process payments, draw down federal funds, complete financial audits, and complete grant closeouts
- Collect and maintain financial reports, operating statistics, and vehicle data from subrecipients
- Monitor subrecipient compliance with federal requirements (Section 504, ADA, etc.)
- Conduct on-site inspections of subrecipient projects, if needed
- Amend CMCOG’s Title VI Plan, Disadvantaged Business Enterprise (DBE) Goals, and other applicable documents to include the Section 5310 program
- Review subrecipients’ Title VI, EEO, and DBE programs
- Investigate and address Title VI, EEO, and DBE complaints
- Monitor subrecipients’ adherence to maintenance plans and safety standards
- Participate in the roles and responsibilities of eligible subrecipients for project applications on behalf of CMCOG
- Develop and revise the program’s PMP
- Develop and approve the annual Program of Projects (POP) as part of the Transportation Improvement Program (TIP) process
- Develop and revise the Coordinated Public Transit – Human Services Transportation Plan
- Notify potential subrecipients of application cycles; distribute project application materials
- Determine subrecipient and project eligibility; maintain a list of potential subrecipients
- Provide technical assistance to potential subrecipients
- Develop and conduct the project selection process, which includes:
 - Develop the application form to distribute to potential subrecipients
 - Release a solicitation for project applications to potential subrecipients

- Develop project selection criteria
- Receive and review project applications from subrecipients
- Present project funding recommendations to the program’s advisory committee (the MPO Technical Committee) and to the program’s decision-making body (MPO Board). Utilize the Transportation Improvement Program (TIP) process in the MPO’s Public Participation Plan for providing the public and private transportation providers with notice and an opportunity to comment on projects selected for funding.
- Notify successful subrecipients of their award amounts and reporting requirements
- Ensure compliance with Section 5310 program requirement that at least 55% of the federal funding apportionment is used for “traditional 5310 capital projects”
- Provide demographic data to help subrecipients comply with Title VI requirements.

SUBRECIPIENT ROLES AND RESPONSIBILITIES

- Inform CMCOG staff of intention to apply for Section 5310 program funds, complete and submit application(s) and/or provide project description(s) and funding information, provide follow-up information, and participate in interviews and/or on-site visits if conducted
- Work with CMCOG and SCDOT to procure capital items; assure the procurement regulations are met
- Develop and maintain a Maintenance Plan to be held on file with CMCOG
- Inspect, insure, and maintain all vehicles funded through the program
- Complete and submit acceptance certifications to CMCOG upon vehicle delivery
- Deliver the project as described in the grant project application, including local management and administration
- Provide financial management of the project, including provision of non-Section 5310 funds and assurance that Section 5310 funds are used for the project identified in the project application
- Submit financial reports, operating statistics, and vehicle data to CMCOG
- Maintain a Title VI plan and comply with federal Title VI requirements
- Submit to on-site inspections as requested by CMCOG
- Comply with private sector participation requirements
- Maintain a Data Universal Numbering System (DUNS) profile and provide the DUNS number to CMCOG. DUNS numbers can be requested at no charge at www.dnb.com.
- Comply with all additional applicable state and federal requirements

PROJECT SELECTION CRITERIA AND PROCESS

PROJECT PLANNING AND COORDINATION

Projects submitted for Section 5310 must derived from the Coordinated Public Transit – Human Services Transportation Plan. A competitive process is then used to select and prioritize projects for Section 5310 program funding in the Columbia urban area. The CMCOG will solicit project applications from eligible subrecipients.

The Coordinated Public Transit – Human Services Transportation Plan includes an assessment of available services that identify current transportation providers; an assessment of the transportation needs for individuals with disabilities, older adults and people with low incomes; strategies or activities to address the identified gaps between current services and needs; and opportunities to improve efficiencies in service delivery and priorities for implementation.

The process for establishing the long-term goals for providing service to individuals with disabilities in Columbia is based in part on:

- The locally developed coordinated public transit-human service transportation plans developed at the level of the Metropolitan Planning Organizations for large urbanized areas. CMCOG is the MPO for the Columbia Urbanized Area.
- MPO Long Range Transportation Plan
- MPO Transportation Improvement Plan and Unified Planning Work Program

PROJECT PARTNERS

Applications must also indicate coordination by the applicant with one or more organizations in an effort to develop a comprehensive transportation network in the

PROJECT APPLICATION PROCESS

The application process will be led by the CMCOG. Specific tasks, deadlines, and meeting dates will be identified in the materials that are distributed to eligible subrecipients as appropriate.

- CMCOG staff informs eligible subrecipients of upcoming application cycle. - CMCOG staff will inform some or all eligible subrecipients on its potential subrecipient list based on transportation needs and whether or not a competitive process is used.
- Eligible subrecipients notify CMCOG staff of intention to apply.
- CMCOG staff distributes application materials to interested eligible subrecipients.
- Completed applications are due to CMCOG staff.
- CMCOG staff assembles an evaluation panel with objective individuals who do not represent any of the applicants, that scores the applications.
- CMCOG staff prepares a draft POP based on the scores, funding available, and requirements of the Section 5310 program.
- CMCOG staff distributes letters to applicants informing them of whether or not they are included in the draft POP. Appeals are due to the MPO staff contact one week prior to the scheduled adoption of the POP.
- CMCOG board approves the POP with any changes as part of approval of the TIP or a TIP amendment.
- Applicants work with CMCOG to develop project agreements.
- CMCOG applies to the FTA for funding for the projects on behalf of the subrecipients.

Project application materials are developed by SCDOT. CMCOG staff has the option of using these application materials as they are or developing alternative application materials to distribute. The benefit of using application materials developed by SCDOT is that applicants that do not immediately know whether they should apply for state-managed Section 5310 funds or CMCOG-managed Section 5310 funds can fill out one standard application.

Applicants that are approved for vehicle capital funds should contact CMCOG as soon as possible to begin the procurement process. Applicants that are approved for operating funds should contact CMCOG as soon as possible to develop project agreements.

PROJECT SELECTION CRITERIA

The projects that receive funds through the Columbia Urbanized Area's Section 5310 program are selected by the MPO based on published criteria.

The evaluation criteria used by the evaluation panel to score project applications are as follows:

Description of Project	Evaluation Criteria
1. Statement of Need and Organizational Capacity (20 Points)	
<ul style="list-style-type: none"> • Describe the unmet transportation need that the proposed project seeks to address. Relate this to the Coordination Plan. • Describe the specific population this project will serve. As appropriate, add tables, charts, maps and data to support this project. Will the project also help meet transportation needs outside this population? (Explain how) • Estimate the number of people within the target population the project will serve and briefly describe the rationale for the projection – total number of individuals to be served and average number of one-way trips provided (if applicable) per month. If this is building upon an existing service, provide the current number of passenger trips served. 	<ul style="list-style-type: none"> • Does the project address a recognized need in the community? • What unmet need(s) are identified in relation to the regional Coordinated Public Transit-Human Services Transportation Plan? • Which strategy(ies) does the project focus on from the Plan? • Does the project increase or enhance availability of transportation of the targeted population? • Does the project help meet transportation needs outside this population?
2. Project Budget and Cost Effectiveness (20 Points)	
<ul style="list-style-type: none"> • Provide a budget for the proposed project. Clearly indicate all funding sources, especially the local share for the project. • Provide evidence of financial capability and the stability of the local share. • Identify reasonable sources for on-going funding – clearly indicate all funding sources if there is more than one. 	<ul style="list-style-type: none"> • Was a clearly defined budget submitted for each of the proposed projects? • Does the project budget list the source(s) of local share? Is the local share stable? • Does the applicant report a long-term commitment to the project to continue the effort beyond the availability of the requested grant resources?
3. Coordination and Program Outreach (20 Points)	
<ul style="list-style-type: none"> • Coordination among agencies is very important, describe how the project will be coordinated with other social service programs and/or transit providers in the area. This could include: <ul style="list-style-type: none"> ➢ Share vehicles with other agencies; ➢ Share dispatching or scheduling duties; ➢ Share in maintenance costs; ➢ Coordinate client trips; ➢ Coordinate staff training programs; ➢ Other strategies. • Were private sector providers included in 	<ul style="list-style-type: none"> • What coordination efforts did the project employ? (More points should be awarded for multiple shared activities – program planning, operations, communications and/or planning) • Does the project involve multiple partners? (More points awarded for greater partnership) • Was private sector involvement explored? • Does the project indicate how stakeholders will be involved throughout the project?

Description of Project	Evaluation Criteria
<p>developing the project? If so, how?</p> <ul style="list-style-type: none"> In addition to the Coordinated Public Transit-Human Services Transportation Plan, provide ways which will continue to involve key stakeholders on a consistent basis. 	
4. Implementation Plan (20 Points)	
<ul style="list-style-type: none"> Provide an operational plan for providing service. Include time tables and route maps (if applicable) showing the service coverage from the project. Provide a description on how the agency intends to implement the project – describe process. Include a timeline for project implementation. Explain how the project relates to other services or programs provided by the agency and demonstrate how it can be achieved within the agency’s technical ability. Description on how the agency will market the project to the target population and promote public awareness of the program. 	<ul style="list-style-type: none"> Does the operational plan correspond with the project goals/objectives? Does the implementation plan seem feasible? Does the timeline seem feasible?
5. Customer Service and Accessibility (20 Points)	
<ul style="list-style-type: none"> Provide the number of years the applicant has provided services for its targeted clientele (elderly, low-income populations, and/or individuals with disabilities). Provide information on the number of personnel – existing drivers and administrative staff to support the project. Will the agency hire additional personnel to support the project? List the training courses and the drivers who have completed these courses. Describe the agency’s vehicle maintenance program (if applicable), addressing the following: <ul style="list-style-type: none"> ➤ Pre-trip inspections ➤ Preventive maintenance ➤ Routine maintenance ➤ Contingency plan for when equipment is out of service 	<ul style="list-style-type: none"> Does the applicant display sufficient experience in providing services for the targeted clientele? Does the agency have adequate staff resources to handle the project? If applicable, are drivers properly trained? If applicable, does the agency display the ability to maintain vehicles?

Once scored, projects will be selected by the MPO for inclusion in the POP based on their scores and the extent to which they fulfill the general funding priorities and address specific service needs identified in the coordinated public transit – human services transportation plan, including:

1. Maintain existing service levels of viable operations
 - a. Priority #1 supports existing transportation services and projects that:
 - i. Have shown to be effective in meeting transportation needs of seniors, people with disabilities
 - ii. Require ongoing capital and operating assistance to maintain the current level of service
 - iii. Continue to demonstrate effective transportation operations within the county’s coordinated network
2. Respond to growth within existing services by allowing for measured increases where demand shows an unmet need within the current limits of the service
 - a. Priority #2 supports existing and new services and projects that:
 - i. Require capital and operating assistance to meet growing demand for the service(s) within present boundaries
 - ii. Are able to improve efficiency and functionality by building on existing infrastructure
 - iii. Allow for growth, but not automatically add new service without a careful evaluation of transportation needs across populations and jurisdictions
3. Respond to emerging community needs by taking action on opportunities to coordinate and expand service, creating new partnerships and reacting to newly identified transportation needs and gaps
 - a. Priority #3 supports projects that:
 - i. Are under development and bring new resources
 - ii. Address identified transportation needs and gaps and/or focus on underserved seniors and people with disabilities
 - iii. Improve the efficiency and effectiveness of the overall system
 - iv. Provide an added benefit to the transportation services network and riders
 - v. Are innovative in their approach in reaching out to new users

Additionally, the MPO will select and prioritize projects based on their ability to satisfy the Section 5310 Program Goals and Objectives of independence, accessibility, efficiency, and resourcefulness.

ANNUAL PROGRAM OF PROJECTS DEVELOPMENT, APPEAL, APPROVAL, AND AMENDMENT PROCESS

The MPO is responsible for developing and amending the Program of Projects (POP) since it has the responsibility for selecting the projects and prepares the seven-year Transportation Improvement Program (TIP). The POP also serves as the TIP and the federal share cannot exceed the allocation of Section 5310 program funds; however, it may include projects that do not yet have completed and accepted project applications. The requirements for the POP include:

- Identification of each subrecipient, including whether they are governmental authorities, private non-profit agencies, or Indian tribal governments or tribal transit agencies
- A description of each project
- The total project cost and the federal share
- Whether each project is a capital or an operating expense and whether or not it meets the requirements for a “traditional Section 5310 capital” project

MPO staff develops a draft POP after project applications are reviewed and scored by the evaluation panel. The draft POP and a description of any projects not selected for funding are presented to the project’s advisory committee (Technical Committee).

MPO staff distributes letters to each applicant with the draft POP, informing them whether or not their project is included. Applicants may appeal the decision of MPO staff to include or not include any project in the draft POP. Applicants must submit their appeal in writing by one calendar week prior to the scheduled adoption of the POP. Appeals must be submitted to the MPO staff contact. Any appeals will be included in the meeting packet for the MPO Policy Committee, (a.k.a., CMCOG Board). The Policy Committee will make the final decision on which projects are included in the POP.

Following review and a recommendation by the MPO advisory committees, the MPO Policy Committee may approve the project recommendations (with or without modifications), or direct staff to develop alternative proposals. The approved POP is then forwarded to FTA. Amendments to the POP are conducted as needed using the same process.

SCHEDULE

The overall timeline for the development of the Annual Program of Projects is detailed below:

<u>Task</u>	<u>Timeline</u>
Call for Projects Opens	Will occur in February
Call for Projects Closes	(Approximately 6 weeks) Ends in March
Selection Committee Evaluate & Select Proposals	Will occur in April
MPO Technical Committee (Action Item)	Will review in April/May
MPO Transportation Subcommittee (Action Item)	Will review in May/June

MPO Policy Committee (Action Item)	Will review in May/June
CMCOG MPO Submits Grant Applications to FTA	Will occur in June
FTA Awards CMCOG MPO Grant Application	Expected to occur in September
CMCOG Prepares Agreements	Expected to occur in October
CMCOG submits agreements to COG Attorney	Expected to occur in October
CMCOG submits agreements to recipients	Expected to occur in October/November
CMCOG MPO Executes Agreements	Expected to occur in November

PRIVATE SECTOR PARTICIPATION

The FTA requires that local recipients provide private for-profit transit and paratransit operators a fair and timely opportunity to participate to the maximum extent feasible in the planning and provision of proposed transportation services. Therefore, each applicant for funds from the Columbia Urbanized Area's Section 5310 program must make efforts to comply with this policy and provide documentation of these efforts in its application.

Applicants who utilize in-house resources or other methods to deliver projects must demonstrate that they made reasonable efforts to include participation by private for-profit operators if applicable.

CIVIL RIGHTS

Recipients of the Columbia Urban Area's Section 5310 program funds are required to meet civil rights requirements under Title VI, as well as Equal Employment Opportunity (EEO) and Disadvantaged Business Enterprise (DBE) regulations.

The MPO maintains a record of funding requests for the Section 5310 Program received from private non-profit organizations, state or local governmental authorities, and Indian tribes. The record identifies those applicants that would use grant program funds to provide assistance to predominantly minority and low income populations. The record shall also indicate which applications were rejected and accepted for funding.

CMCOG utilizes SCDOT to assist in overseeing civil rights issues. CMCOG will be the liaison between subrecipients, SCDOT, and the FTA.

TITLE VI

The elements of a Title VI Program are determined by FTA Circular 4702.1B (Appendix A) and include, but are not limited to:

- Title VI notice to the public, including a list of locations where the notice is posted
- Title VI complaint procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint) and Title VI complaint form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program.

CMCOG prepares a Title VI Program Update for submission to the FTA every three years.

Section 5310 Program subrecipients must submit their Title VI Programs to CMCOG. CMCOG will develop a schedule that outlines the frequency with which subrecipients must submit their Title VI programs. A subrecipient's Title VI program must be approved by the subrecipient's appropriate governing entity or official(s) responsible for policy decisions (e.g., board of directors, mayor, tribal executive, city administrator, etc.). Subrecipients must submit a copy of the board resolution, meeting minutes, or similar documentation as evidence of approval.

Contractors and subcontractors are not required to submit a Title VI report. However, they are responsible for complying with the Title VI Program of the recipient with whom they are contracting. Recipients and subrecipients are responsible for ensuring that their contractors are complying with their Title VI Program and Title VI regulations.

CMCOG and SCDOT are available to assist subrecipients with Title VI compliance. CMCOG will provide demographic data to assist subrecipients in conducting their analysis and subsequently developing their Title VI Program.

CMCOG, in coordination with the SCDOT, oversees subrecipient compliance with Title VI as follows:

- **Grant Agreements** – Through annual grant agreements, the subrecipient agrees to comply with applicable civil rights statutes and regulations, including Title VI of the Civil Rights Act, Equal Employment Opportunity (EEO), and Disadvantaged Business Enterprise (DBE). As subrecipients to CMCOG, Section 5310 Program subrecipients must comply with the FTA’s Annual List of Certifications and Assurances signed annually by CMCOG.
- **Review of Subrecipient’s Title VI Program** – CMCOG reviews the contents of Title VI Program materials as submitted by subrecipients, including public notification language, LEP, complaint procedures and complaint form, and public participation and outreach. CMCOG provides sample materials and technical assistance to subrecipients in developing a compliant Title VI Program.
- **Investigation and Monitoring of Title VI Complaints (or potential complaints and/or lawsuits)** – As part of its annual application, CMCOG requires subrecipients to report any Title VI complaints or lawsuits. Subrecipients may contact CMCOG at any time during the year to report Title VI complaints, potential complaints, and/or lawsuits. CMCOG may also receive complaints regarding subrecipients or their contractors directly from the public. When a complaint is determined to be a civil rights issue, CMCOG staff will consult with the SCDOT Civil Rights office as appropriate.
- **On-Site Visits** – CMCOG and/or SCDOT Civil Rights Department staff may conduct on-site visits as necessary to monitor subrecipient compliance. During on-site visits, staff will verify the location of the public notification language as stated in the subrecipient’s Title VI Program. During this time, staff may also discuss with the subrecipient any new or potential opportunities for public participation and public outreach that may present themselves since the previous submission of the subrecipient’s Title VI Program.

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

The objectives of the US Department of Transportation’s (DOT’s) DBE regulations, as specified in 49 CFR Part 26, are to:

- Ensure nondiscrimination in the award and administration of DOT-assisted contracts
- Create a level playing field on which DBEs can compete fairly for DOT-assisted contracts

- Ensure that the DBE Program is narrowly tailored in accordance with applicable law
- Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs
- Help remove barriers to the participation of DBEs in DOT assisted contracts
- Assist the development of firms that can compete successfully in the market place outside the DBE Program

CMCOG has developed and administers its DBE Program Plan. The plan outlines policies and procedures established to satisfy the DBE requirements. CMCOG's DBE Program Plan is on file with the FTA. Any plan updates with significant changes are submitted to FTA. All DBE submissions to the FTA, including the DBE Program Plan and all required reporting, are completed by CMCOG staff.

CMCOG staff works closely with subrecipients to address DBE requirements. In goal setting, three-year goals are established based on anticipated FTA-funded contracting opportunities by both subrecipients and CMCOG. Contract-specific goals may also be established, and these goals may require a greater amount of subrecipient technical assistance from CMCOG and/or SCDOT. Work with subrecipients also includes the ongoing collection of data for contract monitoring and reporting on FTA-funded contracts.

Prior to awarding Section 5310 Program funds, subrecipients may be asked to identify potential contracting and procurement opportunities and CMCOG staff works with subrecipients to identify potential DBE participation. CMCOG staff also ensures that subrecipients use appropriate DBE contract language in their solicitations. SCDOT Office of Business Opportunity provides assistance to potential DBEs to become certified and maintains the Unified Certification Program Directory. Subrecipients must report to CMCOG as required on DBE goal achievement on all FTA-funded contracting.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

CMCOG and Section 5310 Program subrecipients must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to, discrimination in employment under any project, program, or activity receiving federal financial assistance under the federal transit laws.

Each Section 5310 Program contract between CMCOG and a subrecipient for the provision of FTA funding shall contain language that requires the subrecipient to comply with FTA regulations related to EEO. In addition, private providers under contract with subrecipients are required to comply with these regulations.

If a subrecipient's transit-related staff reaches 15 or more and/or the dollar threshold for capital, operating, or planning assistance is met, CMCOG will require the subrecipient to submit a formal Affirmative Action (AA) / EEO Plan to CMCOG for review and approval. CMCOG will withhold the approval of future grants until it receives the AA / EEO Plan from the subrecipient. The Equal Employment Opportunity Act by definition explicitly exempts Indian tribes from its provisions.

MAINTENANCE

Consistent with federal requirements, each subrecipient must maintain its facilities (and substantial facility components), vehicles, and other substantial assets.

Subrecipients are required to develop maintenance plans covering their federally-funded vehicles and facilities and to provide CMCOG with a copy of their plan(s). Subrecipients must maintain all federally-funded property in good operating order and maintain ADA accessibility features.

Subrecipients are expected to develop their own maintenance plans, although FTA provides extensive written guidance on developing maintenance plans as well as sample plans upon request. Once adopted, subrecipients are monitored for adherence to the plans by CMCOG staff for compliance during on-site visits.

CMCOG requires subrecipients to design and operate maintenance programs that include:

- Preventative maintenance practices and schedules for vehicles
- Preventative maintenance practices for accessibility equipment
- Preventative maintenance practices for facilities
- A system for recording maintenance and repair activities
- A process for authorizing and controlling maintenance activities and costs
- Quality control for outsourced maintenance
- A procedure for pursuing warranty recoveries

CMCOG must have an up-to-date maintenance plan on file from Section 5310 program subrecipients prior to applying for grants from the FTA. Subrecipients will not be required to resubmit maintenance plans with each application cycle, but are required to submit updated plans when necessary, e.g., when they have acquired new vehicles or other substantial assets not addressed in previously submitted plans or when the plan on file is out-of-date.

All transit vehicles are required to meet safety standards and undergo inspections based on program and/or vehicle capacity. CMCOG requires that all vehicles purchased with Section 5310 program funds be registered as human service vehicles (HSVs) or municipal vehicles, and be plated accordingly. All vehicles are considered HSVs and are subject to annual HSV inspections and the initial inspections right after vehicle delivery. These inspections cover the integrity of vehicle safety and mechanical features.

ASSURANCES

CMCOG annually signs the FTA Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements, which binds CMCOG to all civil rights requirements.

Through annual grant agreements, subrecipients agree to comply with all applicable civil rights statutes and regulations. These include Title VI of the Civil Rights Act, Equal Employment Opportunity, and Americans with Disabilities Act. As subrecipients to CMCOG, Section 5310 Program subrecipients must comply with the FTA's Annual List of Certifications and Assurances as stated in their grant agreements with CMCOG.

SECTION 5310 PROGRAM MANAGEMENT

VEHICLE PROCUREMENT

Although CMCOG is the DR for the Columbia Urban Area's Section 5310 Program, all procurement activities will be coordinated with SCDOT's Office of Public Transit through its statewide procurement process. Subrecipients will work with CMCOG and SCDOT to arrange procurement of vehicles that meet the needs of the project. All grant agreements require subrecipients to comply with all relevant federal procurement laws and regulations and submit all third party contracts to CMCOG for review.

SCDOT will provide technical assistance to subrecipients for most common procurements including architecture and engineering services according to the Brooks Act requirements.

BUY AMERICA

Title 49 U.S.C. 5323(j) provides that with limited exceptions, FTA may not obligate funds for a public transportation project unless the steel, iron, and manufactured goods used in the project are produced in the United States. Section 5310 recipients and subrecipients must comply with FTA regulations, 49 CFR part 661. FTA's Buy America requirements at 49 CFR part 661 differ from Federal Buy American regulations at 48 CFR part 25. The former applies to all purchases, including materials or supplies funded as operating costs when funded by FTA, if the purchase exceeds the threshold for small purchases (currently \$100,000), whereas the latter applies to direct federal procurements. FTA strongly advises recipients to review 49 CFR part 661 as well as the current FTA Circular 4220.1, "Third Party Contracting Guidance," before undertaking any procurement. In addition, 49 U.S.C. 5323(j)(9) allows a party adversely affected by an FTA action the right to seek review. FTA has created a Buy America website to provide an overview of these requirements as well as policies, procedures, and letters of interpretation: <http://www.fta.dot.gov/buyamerica>.

PRE-AWARD AND POST-DELIVERY REVIEWS

Procurements for vehicles, other than sedans or unmodified vans, must be audited in accordance with 49 CFR part 663, "Pre-Award and Post-Delivery Audits of Rolling Stock Purchases." Additional guidance is available in the manual, "Conducting Pre-Award and Post-Delivery Reviews for Bus Procurement" on FTA's website: www.fta.dot.gov/legislation_law/12921_5424.html. The regulation requires any recipient or subrecipient that purchases rolling stock for use in revenue service with funds obligated after October 24, 1991, to conduct a pre-award and post-delivery review to ensure compliance with its bid specifications, Buy America requirements, and federal motor vehicle safety requirements, and to complete specific certifications. Purchase of more than twenty vehicles for use in areas under 200,000 in population (more than ten, for large urbanized areas), other than unmodified vans or sedans, requires in-plant inspection. In the case of consolidated state procurements on behalf of multiple subrecipients, the in-plant inspection requirement is triggered only if a single subrecipient will receive more than ten or more than twenty vehicles, depending on area size.

FINANCIAL MANAGEMENT

CMCOG is responsible for managing grants, contracts, and interagency agreements to ensure that expenditures comply with federal rules and regulations for all FTA grant programs. Financial management responsibilities include:

- Investigating and resolving accounting problems to ensure compliance with state and federal rules.
- Managing the documentation associated with individual grants, contracts, and interagency agreements.
- Submitting federal financial reports.
- Rectifying and closing out FTA grants when projects are completed.

CMCOG uses the Electronic Clearing House Operation System (ECHO Web) process to request FTA grant awards so that transactions are processed in a timely manner and accounts are balanced and documented.

CMCOG maintains records for vehicles, facilities, and other substantial assets purchased with Section 5310 Program funds. CMCOG ensures that all equipment used by subrecipients that is purchased with federal funds through the Section 5310 Program is used for the program or project for which it was acquired. Records are updated and appropriate equipment use is assured through reporting by subrecipients and on-site reviews.

DISPOSITION OF ASSETS

In the event that a subrecipient no longer needs equipment purchased with federal funds through the Section 5310 Program and useful life remains, the equipment is transferred to another subgrantee/agency that can use it for transit purposes for the remaining useful life.

In the event a vehicle or other substantial asset with a fair market value of \$5,000 or more has reached the end of its useful life, the subrecipient must receive approval from CMCOG to dispose of the asset.

ACCOUNTING SYSTEMS

Subrecipients will establish a set of accounts in which all transit related costs, revenues and operating sources are recorded and clearly identified, easily traced and substantially documented. The DR does not mandate a particular accounting system for use by sub-recipients; however, financial records should be maintained in accordance with the appropriate generally accepted accounting principles.

The DR will make payments to sub-recipients on a reimbursement basis. Upon receipt of a properly completed billing reimbursement request, sub-recipients will receive reimbursement within 30 days.

AUDIT AND PROJECT CLOSE OUT

Sub-recipients are required to obtain an independent audit in accordance with OMB Circular A-133, if they expend \$500,000 or more in federal funds annually. The DR may request a copy of this audit if there is evidence of a lack of fiscal and/or managerial capability on the part of the sub-recipient. The DR will require that a sub-recipient provide an audited financial statement or certified Balance Sheet and Profit/Loss Statement prior to project close-out.

The DR is responsible for project close-out and will submit information to the FTA as outlined in FTA C 5010.1d, including:

- A final budget reflecting actual project costs by scope and activity;
- A final FFR;
- Final Milestone Report; and
- A request to de-obligate any unexpended funds, if any.
- A final DBE report.

The DR is responsible for ensuring that records are maintained three years from grant close-out except in the case of property, where records are maintained for three years following property disposition.

PROJECT MONITORING AND REPORTING

The goal for monitoring and reporting for Section 5310 program funds is to ensure effective use of program funds, provide useful information for the planning and prioritization of future projects, and fulfill federal requirements without placing an excessive burden on the designated recipient or subrecipients.

CMCOG REPORTING

CMCOG will submit required Section 5310 reports to the FTA by October 31st of each year, covering a 12-month period ending on September 30th, as well as quarterly reports, as required by the FTA.

Subrecipients are required to submit required information to CMCOG so that CMCOG can consolidate the information to include in the report to the FTA. CMCOG will act as a liaison between the FTA and subrecipients during audits. Annual reports filed by CMCOG will include:

- An updated POP (prepared by the MPO)
- Civil rights compliance issues (such as Title VI, EEO, or DBE complaints)
- A milestone activity report
- A Federal Financial Report
- Program measures, including:
 - Gaps in service filled by Section 5310 projects
 - Ridership
 - Physical improvements (such as sidewalks, transportation facilities, or technology)

In addition, CMCOG will fulfill National Transit Database (NTD) reporting requirements.

REPORTING REQUIREMENTS FOR SUBRECIPIENTS

Quarterly Reports

Quarterly reports are due to CMCOG 10 business days following the end of each quarterly period – January 1st through March 31st, April 1st through June 30th, July 1st through September 30th, and October 1st through December 31st. The following data must be submitted to CMCOG on a quarterly basis for each vehicle, transportation program, or other service funded through the Columbia Urbanized Area's Section 5310 program:

- A narrative describing accomplishments and/or problems and changes to milestones and budgets
- A copy of all recorded civil rights or Title VI complaints
- The actual or estimated number of one-way unlinked passenger trips (if applicable), and the categorical purpose of each trip (if known, optional)

- The actual or estimated statistics related to delivering mobility management, fixed-route orientation, client eligibility, or similar services; such as contacts through call centers, website visits, and training sessions
- The number of individual clients served
- Physical improvements completed (such as sidewalks, transportation facilities, or technology)
- Quarterly revenues and sources of revenue for the project
- Quarterly capital and operating costs (separated)
- Quarterly actual or estimated vehicle revenue miles (required) and hours (if known)
- Fleet summary including year, mileage, make/model, and relevant features
- Inventory of related facilities

ANNUAL REPORTS

CMCOG will submit required annual Section 5310 reports to the FTA by October 31st of each year, covering a 12-month period ending on September 30th. CMCOG will be responsible for consolidating this data from monthly reports and may request additional information from subrecipients.

NATIONAL TRANSIT DATABASE (NTD) REPORTING

Subrecipients must provide CMCOG with information necessary for CMCOG to file annual NTD reports. The necessary information, which commonly includes vehicle miles and hours, passenger trips, and financial information, will vary depending on the project and subrecipients must coordinate with CMCOG to determine what is necessary. NTD information is due to CMCOG by March 15th annually.

CMCOG will use these reports to monitor subrecipient fiscal and operational management and to satisfy federal reporting requirements.

CMCOG will schedule on-site visits with subrecipients on a triennial cycle to review operations and maintenance records. In addition, to improve subrecipient monitoring procedures, CMCOG staff may request and review supporting documentation, including local match documentation, for one subrecipient's reimbursement request per quarter. Selection of the reimbursement request will be based on either a risk assessment or random selection.

SECTION 504 AND ADA REPORTING

The annual Federal Certifications and Assurances for FTA Assistance, which is signed by all subrecipients, contains the ADA certification. CMCOG staff verifies compliance with Section 504 and ADA requirements while reviewing annual grant applications and during on-site visits.

OTHER PROVISIONS

ENVIRONMENTAL PROTECTION

Most projects and activities funded through the Section 5310 Enhanced Mobility Program do not involve significant environmental impacts. Typically, projects are considered categorical exclusions because they are types of projects that have been “categorically” (i.e., previously) excluded in regulations from the requirements to conduct environmental reviews and prepare environmental documentation.

FTA classifies categorical exclusions (CE) into two groups:

- CE under 23 CFR 771.118(c) – activities and projects which have very limited or no environmental effects at all (e.g., planning studies, preliminary design work, program administration, operating assistance and the purchase of transit vehicles).
- CE under 23 CFR 771.118(d) – activities and projects involving construction and/or have a greater potential for off-site environmental impacts (e.g., construction of transit facilities, parking, etc.). These projects may be designated CE after review of documentation. In order to receive a documented CE, a subrecipient must complete a CE checklist, including an Environmental Justice (EJ) analysis. CMCOG will first review the completed checklist before sending it to FTA, which has final authority to grant the CE.

Even if a project is determined to be a CE, there may be other relevant state and federal environmental protection requirements that must be satisfied (depending on the project’s type and location).

For projects with environmental impacts that are determined not to be a CE, FTA requires the preparation of an environmental assessment (EA) for public comment and FTA review. In the unlikely event that significant environmental impacts are identified with a project, an environmental impact statement (EIS) is required.

SCHOOL TRANSPORTATION

Consistent with federal laws, Section 5310 program funds may not be used for exclusive school bus service. The Federal Certifications and Assurances for FTA grants require the subrecipient to certify compliance with each annual sub-grant agreement.

CMCOG oversees compliance with the prohibition by monitoring route schedules submitted with application materials, on websites, and/or in promotional materials with route schedules. CMCOG staff also looks for signs that might indicate exclusive school bus service (e.g., a school route only) during vehicle inspections.

DRUG AND ALCOHOL TESTING

Subrecipients that receive Section 5310 program funds are not subject to FTA's drug and alcohol testing rules. However, these subrecipients must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for employees who hold commercial driver's licenses (49 CFR Part 382).

RESTRICTIONS ON LOBBYING

Recipients of federal funds exceeding \$100,000 must certify compliance with restrictions on lobbying before they can receive funds. The DR certifies its compliance with the Restrictions on Lobbying with the annual Certifications and Assurances. The DR will require subrecipients to certify their compliance with this requirement by including the appropriate clauses within all contract agreements.

CHARTER BUS REGULATION

Subrecipients of Section 5310 federally funded vehicles are prohibited from providing charter bus service. Subrecipients agree to not compete with charter operators in their grant contract. Subrecipients are required to submit a service design of their operations including geographic area served and hours of operation. The state monitors charter operations during yearly site visits. For additional guidance subrecipients are referred to FTA Charter Regulations and the FTA Charter Registration Website.

APPENDIX A – DESIGNATED RECIPIENT LETTER



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IV
Alabama, Florida, Georgia,
Kentucky, Mississippi,
North Carolina, Puerto
Rico, South Carolina,
Tennessee, Virgin Islands

230 Peachtree St., N.W.,
Suite 800
Atlanta, GA 30303
404-865-5600
404-865-5605 (fax)

APR 16 2014

Christy A. Hall, P.E.
Acting Secretary of Transportation
South Carolina Department of Transportation
955 Park Street
Columbia, South Carolina 29201

Re: Section 5310 Designated Recipient for Columbia, South Carolina Urbanized Area

Dear Ms. Hall:

In response to your correspondence pertaining to the Section 5310 designation for the Central Midlands Council of Governments (CMCOG), we are pleased to acknowledge the designation of CMCOG as Designated Recipient of the Federal Transit Administration's Section 5310 formula funds apportioned to the Columbia, SC urbanized area.

If we can be of further assistance please contact Ms. Jennifer Hibbert of my staff at 404-865-5632.

Sincerely,

A handwritten signature in black ink that reads "Yvette G. Taylor".

Yvette G. Taylor, Ph.D.
Regional Administrator

cc: Reginald Simmons, Transportation Director/Deputy Director, CMCOG

APPENDIX B – MPO BOARD RESOLUTIONS



RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF GRANT APPLICATIONS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE EXECUTION OF GRANT AGREEMENTS THAT MAY RESULT FROM THE CENTRAL MIDLANDS COUNCIL OF GOVERNMENT GRANT APPLICATIONS.

WHEREAS, the United States Department of Transportation (USDOT) and the South Carolina Department of Transportation (SCDOT) are authorized to make grants for transportation and mass transit planning programs and projects and intermodal transportation programs and projects; and

WHEREAS, the Central Midlands Council of Governments (CMCOG) is eligible to receive capital, operating/administrative, and planning/special studies funding assistance from the USDOT and the SCDOT, in accordance with the Code of Laws of South Carolina; and

WHEREAS, contracts for planning/special studies, operating/administrative, and capital assistance will impose certain obligations upon the applicant, including the provision, as applicable, of the local share of the project costs; and

WHEREAS, it is required by the USDOT and the SCDOT in accordance with the provisions of Title VI of the Civil Rights Act of 1964, as amended, that the applicant gives assurance that it will comply with Title VI and other pertinent USDOT and SCDOT requirements; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with these projects, and that procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts.

NOW, THEREFORE BE IT RESOLVED BY THE CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS:

- 1) that the Executive Director of the Central Midlands Council of Governments is authorized to execute and file grant applications on behalf of the Central Midlands Council of Governments with the U.S. Department of Transportation and the South Carolina Department of Transportation to aid in the financing of projects.
- 2) that the Executive Director is authorized to execute and file with such applications any assurances or any other documents required by the U.S. Department of Transportation and the S.C. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

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3) that the Executive Director is authorized to furnish such information as the U.S. Department of Transportation and/or the S.C. Department of Transportation may require in connection with the applications for the programs listed above.

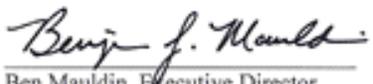
4) that the Executive Director is authorized to set forth and execute affirmative minority business policies in connection with the program's procurement needs.

5) that the Executive Director is authorized to execute grant agreements on behalf of the Central Midlands Council of Governments with the U.S. Department of Transportation and the S.C. Department of Transportation for aid in the financing of transportation planning/special studies, capital, and operating/administrative assistance programs.

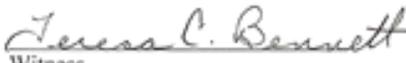
THE UNDERSIGNED is the duly qualified Executive Director of Central Midlands Council of Governments, and hereby certify that the foregoing is a true and correct copy of a resolution adopted at a meeting of the Central Midlands Council of Governments held on December 12, 2013.



John N. Hardee, Chairman
Central Midlands Council of Governments



Ben Mauldin, Executive Director
Central Midlands Council of Governments



Teresa C. Bennett
Witness



Reginald Edwards
Witness

APPENDIX C – REFERENCES

- Fact Sheet - Enhanced Mobility of Seniors and Individuals with Disabilities Section 5310 (FTA)
 - http://www.fta.dot.gov/documents/MAP-21_Fact_Sheet_-_Enhanced_Mobility_of_Seniors_and_Individuals_with_Disabilities.pdf

- Proposed Circular FTA C 9070.1G Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions (FTA)
 - <http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/5310/fta.2014%20circular.c9070.1g.pdf>

- Best Practices Procurement Manual (FTA)
 - http://www.fta.dot.gov/13057_6037.html

- Online Tools and Resources for Procurement and Contracting
 - http://www.fta.dot.gov/grants/13054_6038.html

- Americans with Disabilities Act (US Department of Justice)
 - <http://www.ada.gov/ta-pubs-pg2.htm>

- Fiscal Year 2015 Annual List of Certifications and Assurances for FTA Grants and Cooperative Agreements (FTA)
 - http://www.fta.dot.gov/documents/Fiscal_Year_2015_Annual_List_of_Certifications_and_Assurances_for_FTA_Grants_and_Cooperative_Agreements.pdf

- Circular FTA 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients (FTA)
 - http://www.fta.dot.gov/documents/FTA_Title_VI_FINAL.pdf

- Title VI of the Civil Rights Act of 1964 (US Department of Justice)
 - <http://www.justice.gov/crt/about/cor/coord/titlevi.php>

- 49 CFR Part 26 Sample Disadvantaged Business Enterprise Program (US DOT)
 - <http://www.dot.gov/osdbu/disadvantaged-business-enterprise/49-cfr-part-26-sample-disadvantaged-business>

- ECHO-Web User Manual (FTA)
 - <http://www.fta.dot.gov/documents/ECHOWebGranteeUserManual.pdf>

APPENDIX D – INDEX OF PROGRAM MANAGEMENT PLAN REQUIREMENTS

FTA Circular C 9070.1G Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions specifies that the Project Management Plan should address the following topics. The reference page numbers of the topics are shown at the right.

a. Program Goals and Objectives	5
b. Roles and Responsibilities	15
c. Coordination.....	17
d. Eligible Subrecipients	3
e. Local Share and Local Funding Requirements	13
f. Project Selection Criteria and Method of Distributing Funds	19
g. Annual Program of Projects Development and Approval Process	22
h. State Administration, Planning and Technical Assistance (use of administrative costs).....	13
i. Transfer of Funds (applies to State Management Plans.....	14
j. Private Sector Participation	24
k. Civil Rights	25
l. Section 504 and ADA Reporting.....	34
m. Program Measures (method for collecting and reporting data)	33
n. Program Management.....	30
o. Other Provisions.....	35

APPENDIX E – ACRONYMS AND ABBREVIATIONS

DR – Designated Recipient
 ECHO Web – Electronic Clearing House Operation
 FTA – Federal Transit Administration
 LEP – Limited English Proficiency
 MAP-21 – Moving Ahead for Progress in the 21st Century
 CMCOG – Central Midlands Council of Governments
 MPO – Metropolitan Planning Organization
 PMP – Program Management Plan
 NTD – National Transit Database
 POP – Program of Projects
 SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users
 SCDOT – South Carolina Department of Transportation
 TEAM – Transportation Electronic Award and Management (online web reporting for the FTA)
 TIP – Transportation Improvement Program