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## **STATE MANAGEMENT PLAN**

# **Federal Transit Administration Section 5310:**

# **Enhanced Mobility of Seniors and Individuals with Disabilities**

**SFY2017**

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## STATE MANAGEMENT PLAN

The program (49 U.S.C. 5310) provides formula funding to States for the purpose of assisting private nonprofit groups in meeting the transportation needs of the elderly and persons with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. Funds are apportioned based on each State's share of population for these groups of people.

Funds are obligated based on the annual program of projects included in a statewide grant application. The State agency ensures that local applicants and project activities are eligible and in compliance with federal requirements, that private not-for-profit transportation providers have an opportunity to participate as feasible, and that the program provides for as much coordination of federally assisted transportation services, assisted by other Federal sources. Once FTA approves the application, funds are available for state administration of its program and for allocation to individual sub recipients within the state.

The Georgia Department of Human Services (DHS) administers the Section 5310 Program for the State of Georgia employing federal and state funding authorized for the implementation of public transportation programs.

It is not the intent of the Federal Transit Administration (FTA) or of DHS that funds provided herein should supplant or be substituted for other federal funds available and previously used for the purposes of these grant programs.

### **DHS Coordinated Transportation System**

The DHS Coordinated Transportation System is administered by the Transportation Services Section within the Office of Facilities and Support Services. The system is designed to provide services to DHS and other eligible clients and citizens, and therefore is a human service transportation system. The system provides services to the DHS Division of Aging, Division of Family and Children's Services (DFCS) (Temporary Assistance to Needy Families (TANF)) and the Department of Behavioral Health and Developmental Disabilities (DBHDD) clients. The system also serves clients from the Georgia Vocational Rehabilitation Agency.

The state is divided into twelve regions. A Regional Transportation Office (RTO) is staffed in each of the state's regions. The RTO is the focal point within each region, and is responsible for transportation provider monitoring and compliance. Three Field Operations Coordinators (FOCs) oversee the RTOs. Each FOC is responsible for one of three districts. Each district contains four of the twelve regions.

The coordinated system operates through a series of purchase of service contracts within each region. Providers are a mix of governmental entities, for-profits, and private non-profits. In many regions a lead provider is the prime contractor. A prime contractor, such as a Regional Commission, provides overall contract management in coordination with the RTO and subcontracts with additional entities to provide the transportation services.

Each region has a Regional Transportation Coordinating Committee (RTCC). The purpose of the committee is to establish policies and procedures within each region. In addition, the committee is responsible for contractor oversight and approval of new contracts each year. The Committee is made of regional division and human service provider representation and others with vested interest in transportation in each area.

### **49 U.S.C. Section 5310/MAP-21 Section 2009 (FFY 2013 and 2014)**

On July 6, 2012, the President signed into law the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP 21), with an effective date of October 1, 2012. MAP-21 provides funding for Federal surface transportation programs for fiscal years (FY) 2013 and 2014. Most of the Federal transit provisions of MAP-21 are codified in chapter 53 of title 49, United States Code.

Title 49 U.S.C. 5310 authorizes the formula assistance program for the Enhanced Mobility of Seniors and Individuals with Disabilities Program and provides formula funding to States and designated recipients to improve mobility for seniors and individuals with disabilities.

The program provides grant funds for capital and operating expenses to recipients for:

- Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;

- Public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.);
- Public transportation projects that improves access to fixed route service and decrease reliance on complementary para-transit; and
- Alternatives to public transportation projects that assist seniors and individuals with disabilities with transportation.

Under MAP-21 the program no longer provides a single apportionment to each State; it now provides apportionments specifically for large urbanized, small urbanized and rural areas, and will require new designations of designated recipients in large UZAs. Consistent with the type of projects eligible under the former New Freedom program, MAP-21 expanded the eligible activities to include operating expenses. FTA refers to these formula programs as “the Section 5310 program.” Funds authorized by 49 U.S.C. 5310 are subject to annual appropriations.

The Governor of Georgia has designated the Georgia Department of Human Services (GDHS) as the designated recipient of all Federal Transit Administration (FTA) MAP-21, Section 5310 grant, for the purposes of administering the funds, in accordance to state and federal laws, statutes, and regulations. GDHS administers Section 5310 funds allocated to small urbanized areas (50,000 – 200,000); non-urbanized areas (<50,000 population); and large urban area (>200,000 population).

Section 5310(b) provides that of the amounts apportioned to States and designated recipients, not less than 55 percent shall be available for traditional Section 5310 projects – those 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. Further, the law provides that a recipient may allocate the funds apportioned to it to:

#### **Eligible Recipients**

- a. States (for all areas under 200,000 in population) and designated recipients.
- b. Subrecipients: states or local government authorities, private non-profit organizations, or operators of public transportation that receive a grant indirectly through a recipient.

#### **Eligible Activities**

At least 55% of program funds must be used on capital projects that are:

- Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.
- The remaining 45% may be used for:

The remaining 45% may be used for:

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

These provisions, found at 49 U.S.C. 5310(b)(1) and (b)(2), essentially maintain the status quo for traditional Section 5310 projects and the eligible sub-recipients for traditional Section 5310 projects.

#### **49 U.S.C. Section 5310/FAST Act Section 3006 (FFY 2016 thru 2020)**

On December 4, 2015, the President signed into law the Fixing America’s Surface Transportation Act (FAST Act), with an effective date of October 1, 2015. It is the first law enacted in over ten years that provides long-term funding certainty for surface transportation, meaning States and local governments can move forward with critical transportation projects, like new highways and transit lines, with the confidence that they will have a Federal partner over the long-term bill, underscoring the needed sense of urgency to the American people. Funding is authorized for five years (FY) 2016 thru (FY) 2020. Most of the Federal transit provisions of FAST Act are codified in chapter 53 pf title 49, United States Codes.

[Section 3006\(b\) of the FAST Act](#) created a discretionary pilot program for innovative coordinated access and mobility -- open to 5310 recipients -- to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation (NEMT) services; such as: the deployment of coordination technology, projects that create or increase access to community, One-Call/One-Click Centers, etc. In the first year of the discretionary program (2016) Congress appropriated \$2 million, followed by \$3 million in 2017, \$3.25 million in 2018, and \$3.5 million in 2019. For more information about the 2016 competitive program for

innovative coordinated access and mobility grant, visit the Rides to Wellness Demonstration and Innovative Coordinated Access and Mobility Grants program 2016 Notice of Funding Opportunity.

### **Eligible Recipients**

Formula funds are apportioned to direct recipients:

- a. States for rural and small urban areas (small UZAs) and designated recipients chosen by the Governor of the State for large urban areas (large UZAs); or
- b. State or local governmental entities that operates a public transportation service.

Direct recipients have flexibility in how they select subrecipient projects for funding, but their decision process must be clearly noted in a state/program management plan.

The selection process may be: Formula-based, Competitive, or Discretionary and subrecipients can include: States or local government authorities, private non-profit organizations, or operators of public transportation.

### **Eligible Activities**

At least 55 percent of program funds must be used on capital or "traditional" 5310 projects. Examples include:

- o Buses and vans, wheelchair lifts, ramps, and securement devices; transit-related information technology systems including scheduling/routing/one-call systems; and mobility management programs.
- o Acquisition of transportation services under a contract, lease, or other arrangement. 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.

The remaining 45 percent is for other "nontraditional" projects. Under MAP-21 was modified to include projects eligible under the former 5317 New Freedom program, described as: Capital and operating expenses for new public transportation services and alternatives beyond those required by the ADA, designed to assist individuals with disabilities and seniors. Examples include:

- o Travel training, volunteer driver programs; building an accessible path to a bus stop including curb-cuts, sidewalks, accessible pedestrian signals or other accessible features; improving signage, or way-finding technology; incremental cost of providing same day service or door-to-door service; purchasing vehicles to support new accessible taxi, rides sharing and/or vanpooling programs; and mobility management.

### **A. PROGRAM GOAL**

The goal of the Section 5310 program is to help in meeting the transportation needs of elderly and disabled persons where public transportation services are unavailable, insufficient or inappropriate. Specifically, the program goal is to help with the purchase of passenger trips for the transportation of elderly and disabled persons by private nonprofit organizations, state or local government authorities, or operators of public transportation, in urbanized, small urban and rural areas.

DHS, as Section 5310 program administrator for the State of Georgia has instituted the policy that all federal and state funds used in the delivery of transportation services in this program will be applied in the purchase of services rather than in capital expenditures. No program funds will be used to purchase vehicles or related equipment. States have the option to designate the use of funds to meet the transportation needs of the target population. Within the state of Georgia, a Coordinated Transportation System has been developed to increase efficiency of transportation efforts / resources. The use of Section 5310 funds within a coordinated effort is considered a high priority objective. Where applicable, and in the best interests of the client population served, Section 5310 funds are only solely used for purchase of service agreements and are used in lieu of vehicle purchases. Under this state management plan no funds will be made available to sub-recipients for the purchase of capital equipment.

## **Eligible Use of Program Funds**

MAP-21 and FAST Act require that all 5310 projects are included in a locally developed, coordinated public transit-human service transportation plan developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and non-profit transportation and human service providers, and other members of the public. The plan identifies existing services, needs, strategies and priorities for seniors and individuals with disabilities.

## **Eligibility**

### **1. Eligible Applicants**

- a. Private non-profit organizations;
- b. A State or local governmental authority that:
  - 1 Is approved by a State to coordinate services for seniors and individuals with disabilities; or
  - 2 Certifies that there are no private nonprofit organizations readily available in the area to provide services authorized under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, or
  - 3 Operators of public transportation

### **2. Eligible Services:** The following types of transportation services are eligible:

- a. Trips dedicated to the special needs of elderly and disabled citizens.
- b. Regular community-wide fixed route/fixed schedule service.
- c. Community-wide demand responsive or route deviation service as required, to satisfy individual trip needs and to maximize economies of operation.
- d. Contract or subscription service to maximize revenue and provide a community service.

### **3. Eligible Project Expenses (Activities)**

At least 55% of program funds must be used on capital or “traditional” 5310 projects that are:

- Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.

The remaining 45% may be used for “nontraditional” projects that are:

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

## **What’s Changed?**

- Consolidates New Freedom Program (5317) and Elderly and Disabled Program (5310).
- Operating assistance is now available under this program.
- A State or local governmental entity that operates a public transportation service and that is eligible to receive direct grants under 5311 or 5307 is now an eligible direct recipient for Section 5310 funds.
- Section 3006(b): a new discretionary pilot program for innovative coordinated access and mobility-open to 5310 recipients and sub recipients-to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation (NEMT) service;

such as: the deployment of coordination technology, projects that create or increase access to community One-Call/One-Click Centers, etc.

### **Funding**

- Funds are apportioned for urbanized and rural areas based on the number of seniors and individuals with disabilities.
- Federal share for capital projects (including acquisition of public transportation services) is 80%.
- Federal share for operating assistance is 50%.

Adopts New Freedom (5317) funding allocations:

- 60% to designated recipients in urbanized areas with a population over 200,000.
- 20% to states for small urbanized areas.
- 20% to states for rural areas.
- States can transfer small urban or rural allocations to large UZA's but not the other way around.

### **Federal/Local Match Requirements**

Section 5310 funds may be used to finance capital and operating expenses:

The Federal share of eligible capital costs shall be in an amount equal to 80% of the net cost of the activity. The Federal share of the eligible operating costs may not exceed 50% of the net operating costs of the activity.

The local share of eligible capital costs shall be not less than 20% of the net cost of the activity, and the local share for eligible operating costs shall be not less than 50% of the net operating costs. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: State or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; toll revenue credits; and net income generated from advertising and concessions. Non-cash share such as donations, volunteered services, or in-kind contributions is eligible to be counted toward the local match as long as the value of each is documented and supported, represents a capital cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget.

Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for Section 5310 operating assistance. In either case, the cost of providing the contract service is included in the total project cost. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service.

The local share 20% capital costs / 50% operating costs is required to be met by potential applicants.

### **Evaluation Criteria for Project Approval**

GDHS will use the following criteria for the evaluation and selection of applicants for Section 5310 assistance. Carefully plan the development of your project description based on the points below. Describe efforts to meet these criteria in as much detail as possible to help us determine the quality of service provided by your agency and its financial capability. Each applicant will be evaluated on the points assigned to each of the below categories. Applicants must meet basic qualifications and will be scored in each category. Applicants with the highest overall score will be eligible for award. Selection / non-selection notifications will be provided all applicants, and will be maintained on file within the Office of Facilities and Support Services, Transportation Services Section for three years.

1. **Ability to Service Target Population** (25%) Describe the target population which this project is designed to serve and what gap in public services will be filled using these funds. Describe as part of the project description the measures which will be taken to ensure that qualitative services will result. Since program funds are limited, the project review process is designed to identify projects of exceptional merit. Among factors considered will be linkages with other transportation services to fill gaps in existing transportation infrastructure, and providing services that are affordable, useable, safe, clean, comfortable, and responsive to the travel patterns of local citizens.

2. **Coordination** (30%) Describe any working relationships you have with local governments, public agencies, or the private sector to ensure the best use of existing transportation resources, include: a listing of any public and private transit

providers in the area to be served, and the ability of your clients to access these services; report on the degree of coordination with local transportation providers and any agreements you may have with public or private maintenance facilities to ensure both maximum use and operating efficiency of vehicles you operate; relate any other areas (such as driver training) where you work closely with other organizations; submitting a joint application with other applicants in your area; or sharing vehicles with other transportation providers in your area whenever possible. Applicants that maximize transportation benefits to all of the elderly persons and persons with disabilities in their community will be ranked highest.

3. **Need and Use of Proposed funds** (25%) Applicant must include: the degree and urgency of need for funds and as it relates to the applicant's ability to expand or continue program services; the proposed use of funds and ridership projections. Priority will be given to those projects which maximize financial resources available through good coordination and establish or expand financial relationships with other providers.

4. **Fiscal and Managerial Capability** (20%) Applicant must describe: its ability to provide efficient/effective transportation services, this would include scheduling, dispatching, compliance with reporting requirements; its fiscal accountability; process for hiring and training of drivers and other personnel; and funding sources which will enable the applicant to provide required local match, if needed. In addition, projects should maximize use and operating efficiency of existing vehicles, eliminate duplicative services and establish or expand financial relationships with other HST providers. Projects should also use or share vehicles during off-peak times.

Agencies presently participating in GDHS programs may have their ratings reduced for failing to comply with reporting procedures prescribed by those programs.

Applications are rated based upon the above criteria. The department expects, at a minimum, that applicants submit a complete project description. Failure to adequately address every requirement will adversely affect the rating and may eliminate the project from further consideration. The department intends to concentrate review time on the merits and technical aspects of a project and not on compiling missing or inadequate information. Department staff is available to assist applicants with project descriptions.

**B. STATE ROLE IN PROGRAM ADMINISTRATION**-The Georgia Department of Human Services has the principal responsibility and authority for administration of the Section 5310 Program, including developing program criteria. The department's role in working with transportation providers includes:

1. Ensuring adherence to federal program guidelines by all recipients;
2. Notifying eligible local recipients of the availability of the program;
3. Developing project selection criteria;
4. Soliciting applications;
5. Ensuring fair and equitable distribution of program funds;
6. Ensuring maximum coordination of public transportation;
7. Ensuring a process whereby private transit and para-transit operators are provided an opportunity to participate to the maximum extent feasible.

**C. PROGRAM MANAGEMENT** – Recipients of Section 5310 funding must comply with the following Federal Regulations and Certifications:

1. **Lobbying**

**Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65 [to be codified at 2 U.S.C. § 1601, et seq.]**

Contractors who apply or bid for award of \$100,000 or more shall file the certification required by 49 CFR part 20, "New Restrictions on Lobbying." Each tier certifies to the tier above that it will not and has not used Federal appropriated

funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose the name of a registrant under the Lobbying Disclosure Act of 1995 who had made lobbying contacts on its behalf with non-Federal funds with respect to that Federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier up to the recipient.

APPENDIX A, 49 CFR PART 20-CERTIFICATION REGARDING LOBBYING Certification for Contracts, Grants, Loans, and Cooperative Agreements (To be submitted with each bid of offer exceeding \$100,000) The undersigned [Contractor] certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form—LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions [as amended by “Government wide Guidance for New Restrictions on Lobbying,” 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)]
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

## **2. School Bus and Charter Bus Requirements**

### **Charter Service**

Title 49 U.S.C. Part 604.5 defines Charter Service as transportation using buses or vans, or facilities funded under the Acts of a group of persons who pursuant to a common purpose, under a single contract, at a fixed charge (in accordance with the carrier's tariff) for the vehicle or service, have acquired the exclusive use of the vehicle or service to travel together under an itinerary either specified in advance or modified after having left the place of origin. This definition includes the incidental use of FTA funded equipment for the exclusive transportation of school students, personnel, and equipment.

This is not applicable to any FTA 5310 funds used in the administration of the DHS Coordinated Transportation Program. Charter Service transportation service is not offered as a service in any of the DHS programs.

### **School 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 (so called “tripper service”). For the purpose of FTA’s school bus regulation, Head start is a social service, not a school program. Rules for the Head start program limit the types of vehicles which may be used to transport children participating in the Head start program. FTA recipients may operate multi-functional vehicles which meet the safety requirements for school transportation, but may not provide exclusive school service.

This is not applicable to any FTA 5310 funds used in the administration of the DHS Coordinated Transportation Program. School transportation service is not offered as a service in any of the DHS programs.

### **3. Procurement**

#### **Procurement of Supplies, Equipment, or Services by State [49 CFR Part 18; FTA C 9040.1E (VL3); FTA C 9070.1E; FTA C 4220.1F]**

When procuring supplies, equipment, or services using FTA funds, a state will follow the same policies and procedures it uses for procurements with non-Federal funds and will comply with the following Federal statutory requirements:

- Ensure that every purchase order and contract executed using Federal funds includes all clauses required by Federal statutes and executive orders and their implementing regulations.
- Conduct all procurement transactions in a manner providing full and open competition.
- Exclude the use of statutorily or administratively imposed in-state or local geographical preferences in the evaluation of bids or proposals except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference.
- Obtain prior written FTA approval before entering into any contract with a period of performance exceeding five years inclusive of options.
- Use competitive proposal procedures based on the Brooks Act when contracting for architectural and engineering services if the state has not adopted a state governing the procurement of such services.

#### **Procurement of Supplies, Equipment or Services by Sub recipients [49 CFR Part 18; 49 CFR Part 19; FTA C 4220.1D; FTA C 9040.1E; FTA C 9070.1E; FTA C 4220.1F]**

Sub-recipients of states which are public bodies (local or Indian tribal governments) follow state law and procedures and Federal statutory requirements when awarding and administering FTA assisted contracts. Sub recipients of states which are non-profit organizations follow state law and procedures, Federal statutory requirements and FTA third party contracting requirements when awarding and administering FTA assisted contracts. States are responsible for ensuring that sub recipients are aware of and comply with these requirements.

#### **Certification [FTA C 4220.1F]**

States must annually certify to FTA that they will: 1) comply with all applicable requirements imposed by Federal laws, executive orders, or regulations and the requirements of FTA Circular 4220.1F, Third Party Contracting Requirements, and other implementing guidance or manuals FTA may use; 2) include in contracts financed in whole or in part with FTA assistance all clauses required by Federal laws, executive orders, or regulations; and 3) ensure that each sub recipient and contractor will include in its sub agreements and contracts financed in whole or in part with FTA assistance all applicable clauses required by Federal laws, executive orders, or regulations.

DHS insures sub-recipients uphold the FTA requirements by requiring all purchases made with 5310 funds be recorded on a spreadsheet that is reviewed annually with the sub-recipient. Sub-recipients are required to have written procurement policies which are submitted with 5310 applications and reviewed by DHS staff.

### **4. Civil Rights Requirements - The following is necessary documentation for compliance with civil rights requirements:**

FTA requires recipients to report certain general information to determine compliance with Title VI. The collection and reporting of this program constitute the recipients' Title VI Program. To ensure compliance with 49 CFR Section 21.9(b) as well as Circular 4702.1.A, FTA requires that all recipients document their compliance with this chapter by submitting a Title VI Program to FTA's regional civil rights officer once every three years. DHS has a Title VI plan specific to the Transportation Services Section. All sub-recipients are required to have their own plan and/or provide written documentation that they will comply with the DHS plan. The DHS TSS Title VI plan and DHS Limited English Proficiency Policy and Procedures are included as appendices to this document.

## **Disadvantaged Business Enterprise (DBE)**

In order to meet the requirements of the U. S. Department of Transportation's Disadvantaged Business Enterprise Program (49 CFR, Part 23), DHS has a DBE separate plan specific to the Transportation Services Section.

**LOCAL MATCH REQUIREMENTS:** As stated in paragraph C.3.a., above, the department will request state appropriations in an amount sufficient to provide the entire non-federal **required match of 20%**. Should this amount not be appropriated in full, applicants may be required to provide some portion or the entire non-federal share. If this should occur, applicants for capital projects will be required to certify that funds are available for payment of the local share before the application can be approved. The department will notify potential applicants of the local share requirement as a part of the application review and approval process. The local share must be from sources other than federal funds except where specific legislative language of a federal program permits its fund to be used to match other federal funds.

**EVALUATION CRITERIA FOR PROJECT APPROVAL:** The department will use the following criteria for the evaluation and selection of applicants for Section 5310 assistance. Each applicant will be evaluated on the points assigned to each of the below categories. Applicants must meet basic qualifications and will be scored in each category. Applicants with the highest overall score will be eligible for award.

1. **Ability to Service Target Population** (25%) Describe the target population which this project is designed to serve and what gap in public services will be filled through the use of these funds. Describe as part of the project description the measures which will be taken to insure that qualitative services will result. Since program funds are limited, the project review process is designed to identify projects of exceptional merit. Among factors considered will be linkages with other transportation services to fill gaps in existing transportation infrastructure, and providing services that are affordable, useable, safe, clean, comfortable, and responsive to the travel patterns of local citizens.

2. **Coordination** (30%) Describe any working relationships you have with local governments, public agencies, or the private sector to ensure the best use of existing transportation resources, include: a listing of any public and private transit providers in the area to be served, and the ability of your clients to access these services; report on the degree of coordination with local transportation providers and any agreements you may have with public or private maintenance facilities to ensure both maximum use and operating efficiency of vehicles you operate; relate any other areas (such as driver training) where you work closely with other organizations; submitting a joint application with other applicants in your area; or sharing vehicles with other transportation providers in your area whenever possible. Applicants that maximize transportation benefits to all of the elderly persons and persons with disabilities in their community will be ranked highest.

3. **Need and Use of Proposed funds** (25%) Applicant must include: the degree and urgency of need for funds and as it relates to the applicant's ability to expand or continue program services; the proposed use of funds and ridership projections. Priority will be given to those projects which maximize financial resources available through good coordination and establish or expand financial relationships with other providers.

4. **Fiscal and Managerial Capability** (20%) Applicant must describe: its ability to provide efficient/effective transportation services, this would include scheduling, dispatching, compliance with reporting requirements; its fiscal accountability; process for hiring and training of drivers and other personnel; and funding sources which will enable the applicant to provide required local match, if needed. In addition, projects should maximize use and operating efficiency of existing vehicles, eliminate duplicative services and establish or expand financial relationships with other HST providers. Projects should also use or share vehicles during off-peak times.

Agencies presently participating in DHS programs may have their ratings reduced for failing to comply with reporting procedures prescribed by those programs.

Applications are rated based upon the above criteria. The department expects, at a minimum, that applicants submit a complete grant application. Failure to adequately address every requirement will adversely affect the rating and may eliminate the application from further consideration. The department intends to concentrate review time on the merits and technical aspects of an application and not on compiling missing or inadequate information. Department staff is available to assist applicants with the application process.

Previous assistance for the purchase of passenger trips will receive some consideration in the review process. However, no applicant will be assured funding solely on the basis that they were previous Section 5310 recipients.

Since program funds are limited, the applicant review process is designed to identify projects of exceptional merit.

5. **Appeals-** Applicants may appeal any decision reached in the award of grant funds by filing a written grievance to the Office of Facilities and Support Services, Transportation Services Section, 2 Peachtree Street NW, Atlanta, Georgia 30303

**G. DISTRIBUTION OF FUNDS-** Funds for the Section 5310 Program are distributed among the twelve DHS regions. If there is a lack of demand for Section 5310 funds in a service area, the monies for that area are distributed by the department to programs in other service areas.

**H. ANNUAL PROGRAM OF PROJECTS-**The Department submits to FTA an annual program of projects. As program administrator, DHS certifies the eligibility of applicants and project activities, reviews applications, selects projects for funding, ensures compliance with federal requirements, monitors local projects, and oversees project audit and closeout.

The Program of Projects (POP) is a listing of projects that have been approved to be funded using the 5310 grant. The process for developing the POP starts with the FTA releasing the year's appropriations. Once the appropriations are known, the DHS Regional Transportation Offices (RTOs) prepare the publication for the newspapers notifying eligible local recipients of the availability of the funds. The RTOs receive responses from interested entities and provide application packets to them. Entities complete the applications and return to the RTOs for review. The RTOs review and score the application, using identified gaps in service from local needs assessments as a gauge to determine how to best meet the needs in their areas. Applications are then submitted to the TSS Atlanta office for final approval. Approved applicants are notified by the RTOs. Sub-recipients are notified of their funding amounts based on the Federal allocations for the UZAs by the State Office via e-mail or. The POP is developed listing the approved applicants and the amount of funding approved for each. The POP is then attached to the 5310 application and submitted to the FTA in TEAM.

**I. COORDINATED TRANSPORTATION-** A system that combines relevant transportation under a single entity with direct operating control. The system transports a variety of DHS customers together in order to meet everyone's needs in the most cost effective way possible. By doing so, the system is able to serve more people.

1. For human services programs "relevant transportation" includes transportation for passengers who can safely and feasibly be transported in a coordinated system. It does not include transportation for those passengers who, because of the nature of their condition, cannot safely be transported in a coordinated system. Human service providers are responsible for determining which consumers are appropriate for services under the coordinated system, based on the local system design and the individual consumer's needs.
2. For public and private service "relevant transportation" means any such service that can feasibly be coordinated with DHS trips. The coordinated system may incorporate the use of private non-profit or public systems where such service is available, and based on local systems designs.
3. A "single provider that has direct operating control" means that a single operator is held responsible for the delivery of varying types of transportation service over a defined geographical area. The provider has control over day-to-day operations necessary for accomplishing direct transportation service delivery.

The department recognizes that there may be a need in a given county for both a Section 5310 program as well as other specialized or broader-scope transportation programs. In such cases, funding may be authorized, provided a satisfactory operating plan is submitted to the department. The plan will assure (1) there is no duplication of services, (2) the service is a cost-effective use of transportation sources; and (3) that the service benefits the maximum number of citizens.

**Planning Requirements** - In urbanized areas, planning is coordinated with the Metropolitan Planning Organization (MPO). Projects are identified in the MPO's Transportation Improvement Program (TIP). DHS maintains current files for documentation purposes.

**MAP 21 and FAST Act Planning Process and Requirements, per FTA C 9070.1G**

MAP 21 and FAST Act requires that projects selected for funding be "derived from a locally developed, coordinated public transit-human services transportation plan" and that the plan be "developed through a process that includes representatives of public, private and non-profit transportation and human services providers and participation by members of the public". An integral part of the planning process is soliciting public input regarding local issues, needs and possible solutions. The DHS Coordinated Transportation System has, in each region of the state, a Regional Transportation Coordinating

Committee (RTCC). These local committees are uniquely set to address gaps in service and other transportation service delivery issues. Membership is comprised of key transportation personnel who perform limited planning and provide oversight of local human service transportation. Representatives from the public, private and non-profit transportation and human services providers are included in the planning process. All of the human service client groups affected by transportation in their local areas are part of these committees. This includes those who serve the elderly, the disadvantaged, and the developmentally disabled.

Since all areas of the state are covered by an RTCC, local human service transportation planning is truly local, but encompasses the entire state in its process. All human service client groups are represented as well as the needs of the public, including the disability community. Through the individual committees' examining local issues and developing solutions to their problems, the State of Georgia developed a Coordinated Public Transit-Human Services Transportation Plan. The plan is locally derived and reflects the needs of citizens in each area of the state.

In conjunction with RTCC, needs assessments, questionnaires and evaluations are conducted within each region to determine the transportation resources available, number of unmet needs, and resources needed to meet the needs. The RTCCs are able to identify program shortfalls and develop solutions that meet the identified needs. Additionally, the needs assessment determines how current transportation resources are being used, classify unmet need by population group and classify additional providers by type.

### **Private Enterprise Coordination**

To ensure that all private for-profit providers have been notified of the proposed project, and that they have had adequate opportunity to present their views and to offer their own service proposals for consideration, DHS places public notices in newspapers across the state. The notice allows a minimum of 15 days for public comment after date of publication.

### **Complaint Notification and Resolution Process**

When possible, complaints are resolved at the local level via pre-determined procedures established to resolve disputes. Correspondence related to the complaint is retained by the regional transportation office. If the complaint is not satisfactorily resolved, the originating party may appeal directly to the state office.

**J. STATE ADMINISTRATION-** DHS provides technical assistance in the preparation of grant applications as well as program development, administration and operation. It does so through its Office of Facilities and Support Services, Transportation Services Section, which coordinates these functions as they are performed by statewide DHS organizational units and by local and area planning agencies.

1. **Program Monitoring-** Monitoring of service is an established part of the program. The various monitoring activities assure compliance with the contract agreement, service goals, objectives, types of service provided and service criteria. Examples of monitoring techniques include site inspections, riding vehicles and interviews with system directors, transportation coordinators, dispatchers and drivers. DHS Regional Transportation Office Staff are responsible for program monitoring.

Written reports are an integral part of the monitoring process. Each individual operating agency will submit monthly reports which include such data as passenger trip cost associated with a purchase of services contract, mileage, ridership, operating revenues and expenses, and days in service. Agencies submitting incomplete or late reports will not be favorably considered for additional funds for the purchase of passenger trips.

2. **Service Goals** The following represents the state's goals for the program:
  - a. To develop and maintain an effective and efficient network of transportation services available to all Georgians with priority given to the needs of elderly and disabled.
  - b. To offer the best possible level of service consistent with travel demand and resources available.
  - c. To achieve efficient utilization through coordination with other transportation providers within both the private and public sectors.

3. **Service Objectives**

- a. To provide for the accessibility of transportation for essential trip purposes.
- b. To provide a service that is affordable, available and usable.
- c. To provide a service that is safe, clean and comfortable.
- d. To provide a service that is responsive to the travel patterns of local citizens.

4. **Service Criteria**

- a. The service should be complementary and not duplicate other transportation services.
- b. All services for passenger trips should be available on a daily basis.
- c. All appropriate policies and procedures set forth in the Georgia Department of Human Services, Office of Facilities and Support Services, Transportation Services Section, Transportation Manual will be adhered to at all times.

5. **Program Measures**

- c. As indicated in FTA Circular 9070.1F Chapter 2, the State will be capturing overall program measures to be used with the Government Performance Results Act (GPRA) and the Performance Assessment Rating Tool process for the Office of Management and Budget. The following indicators are targeted to capture overarching program information as part of the annual report that DHS will submit to the FTA. Quantitative and qualitative information, as available, will be provided on each of the following measures:
  - (1) Gaps in Service Filled. Provision of transportation options that would not otherwise be available for older adults and individuals with disabilities measured in numbers of older adults and people with disabilities afforded mobility they would not have without program support. For DHS services provided using the FTA 5310 funds this will be measured by clients served. Data will be captured by the DHS Regional Transportation Offices.
  - (2) Ridership. Actual or estimated number of rides (as measured by one-way trips) provided annually for individuals with disabilities and older adults using Section 5310 funds.

DHS will ensure that the above information is reported for all Section 5310 funded projects selected.

6. **Property & Vehicle Management, Recordkeeping and Reporting**

- a. The department manages property and vehicles, maintains records and reports in accordance with the policies and procedures set forth in the Georgia Department of Human Services, Office of Facilities and Support Services, Transportation Manual.

7. **Financial Management**

- a. The department expends and accounts for grant funds in accordance with the laws of the State of Georgia and procedures set forth in the department's Administrative Policy and Procedure Manual.
- b. The state contracts with local recipients for approved projects. The contracting and subsequent procurement will conform to guidelines set out in OMB Circular A-102, (49 CFR Part 18), FTA'S Third Party Contracting Guidelines (FTA Circular 4220, 1B, issued May 5, 1988), and the Federal Transit Project Management Guidelines for Grantees (FTA Circular 5010.1A).
- c. Annual audit compliance is documented in accordance with OMB Circular A-128 by the Georgia Department of Audits.

d. A Financial Status Report (SF269A) is submitted annually to FTA on each active grant. This report is also used to notify FTA of grant closeout.

8. **Section 504/ADA Reporting-** The department submits assurances to the FTA that it will conduct any project in compliance with all applicable requirements. These assurances are maintained on file by the department and the FTA. Program staff also conducts random on-site monitoring visits to assure 504/ADA compliance.

9. **Other Provisions**

**Assurances for Certifications** - The department also submits assurances that all requirements are met for certifications, whether they be certifications by the state, vendors, manufacturers of vehicle or local recipients of capital assistance. These include, but are not limited to, the drug-free workplace certification, non-procurement suspension and debarment certification, bus testing certifications and certification of restrictions on lobbying.

**K. Use of Sub-contractor**

Grant recipients selected for funding will insure that if any sub-contractors of grant recipients are used in the delivery of services that all provisions of the FTA Master Agreement will be adhered to by the sub-contractor. The FTA Master Agreement is the official document that contains standard terms and conditions governing the administration of a project supported with federal assistance. All sub-contractors will agree to all the terms, conditions, certifications, applicable assurances, and federal laws contained in the Master Agreement. Any funding to a sub-contractor provided by way of a grant recipient using FTA Section 5310 funds will adhere to these provisions.

L. APPLICATION PACKAGE

**APPLICATION PACKAGE SPECIAL INSTRUCTIONS**

Applications for funding under Section 5310 can be obtained by contacting the DHS Office of Facilities and Support Services, Transportation Services Section, 2 Peachtree Street, Atlanta, Georgia 30303 or through one of the DHS Regional Transportation Offices by mail or e-mail.

**A. SPECIAL INSTRUCTIONS**

1. **Application Format-** Please organize your application materials in the order indicated on the checklist as shown in **(Exhibit 24)**. Answers should be clear, complete and concise. The application should be bound or stapled together (if mailed), or sent electronically. All notarized and signature pages must be mailed.

2. **Signatures-** Only the person designated in the Board Resolution is authorized to sign legal documents.

3. **Legal Names-** Where legal names are required, special attention should be given to ensure that the correct legal name is used. The correct legal name (including exact abbreviations, commas, periods, etc.) should be used throughout the document.

**B. APPLICATION REQUIREMENTS-** An application is required of eligible recipients for Section 5310 funds. New applicants and current sub-recipients are both required to submit an application. Incomplete or applications not containing all the required information may be unfavorably considered for funding.

All applications must include the following:

1. **Project Description- (Exhibit 17)** - Instructions for Exhibit 17 is included on the page following the exhibit. **(Reminder: this is where you are to address your local share contribution).**

2. **Estimated Budget** (all estimates will be based on a State Fiscal Year (1 July – 30 June)

a. **Transportation Needs:** Estimate the number of one-way passenger trips for clients needing service. Provide by client category the estimated number of trips you would anticipate for current service plus new clients.

Provide an estimate of the total number of one-way passenger trips for clients currently receiving services. This figure will be the number you are now serving.

Provide an estimate of the total number of one-way passenger trips to be provided, per year if this project is approved.

- b. **Transport Cost:** (all estimates should be based on the total cost for the fiscal year). Estimate the total cost for services needed; the cost per trip multiplied by the number of trips equals the total cost.

What percent of current funding is covered by another funding source(s)? Give the percentage and the amount it is costing for the current clients receiving service. Identify the balance of the funding source (co-pay, Medicaid, Aging, etc.) If there should be more than one funding source, use the next area to identify the percentage and source.

Estimated cost for the Section 5310. Identify the percentage you are requesting from the 5310 funds. Base this estimate on the number of one-way passenger trips per year if the project is approved.

3. **Applicant Certifications-** Submit the following certifications together. The certifications are to be signed by the applicant's executive director or chief administrative officer.

a. **Applicants** must submit written certification that the agency is one of the following:

1. A private nonprofit organization determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. Section 501(c) which is exempt from taxation under 26 U.S.C. Section 501(a) or Section 101.
2. A public body that certifies to the Governor that no nonprofit corporations or associations are readily available in an area to provide the service.
3. A public body approved by the state to coordinate services for elderly persons and persons with disabilities.

Please note that certifications for 2 or 3 above will require, as a minimum, the following documents dated no more than six months earlier than the application for assistance:

- c. A resolution by a recognized public board certifying that there are no private non-profit organizations in the subject area willing to provide services.

4. **Private Enterprise Coordination-** A requirement of the Section 5310 Program is to ensure, to the maximum extent feasible, that private-for-profit transportation providers have been given a fair and timely opportunity to participate in the development of the local transportation plans and programs, and have been afforded every feasible opportunity to provide the proposed transit service.

To ensure that all private for-profit providers have been notified of the proposed project, and that they have had adequate opportunity to present their views and to offer their own service proposals for consideration, the applicant should satisfy the requirement to notify private providers through one of the following methods:

- (1) Public Notice published in the newspaper.

OR

- (2) Send a letter to each private provider in the area to be served.

# APPENDICES

## **APPENDIX A**

### **PRIVATE ENTERPRISE COORDINATION REQUIREMENTS**

Requirements 1-3 are addressed in the application process.

1. The current participation of private providers in Section 5310 supported services.
2. All efforts to provide written notice to private providers of proposed services.
3. All forums, meetings, hearings, or other opportunities for involving the private sector early in the project development process.

The remaining requirements 4-9 are to be addressed, as appropriate, maintained on file and kept current by the applicant.

4. Description of private sector proposals, if any, offered for consideration, and the rationale for inclusion or exclusion.
5. Methods for periodically reviewing existing services to determine whether they can be provided more efficiently by the private sector.
6. Any locally established criteria for making public/private service decisions.
7. The local methodology for making true cost comparisons when there are two or more operators interested in providing service.
8. Any complaints from private operators and how these were resolved, and the local mechanism for resolving complaints.

## APPENDIX B

### LISTS OF STATUTES, REGULATIONS, EXECUTIVE ORDERS, AND ADMINISTRATIVE REQUIREMENTS APPLICABLE SECTION 5310

(Briefly described and provided for the convenience of the applicant.)

#### STATUTES

Section 3(e) of the FTA Act, 49 U.S.C. 1602(E) which requires, among other things, the recipient to provide to the maximum extent feasible for the participation of private mass transportation companies.

Section 12(c) of the FTA Act, 49 U.S.C. 1608(C) Which, among other things, prohibits discrimination on the basis of race, color, creed, national origin, sex or age.

Section 5310 of the FTA Act, 49 U.S.C. 1612 which provides, among other things, for the planning and design of mass transportation facilities to meet the special needs of the elderly and disabled.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) which, among other things, prohibits discrimination on the basis of race, color or national origin by recipients of Federal financial assistance.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000(a) which, among other things, prohibits discrimination in employment.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 which, among other things, prohibits discrimination on the basis of handicap by recipients of Federal financial assistance.

"Hatch Act," 5 U.S.C. 1501, et seq. which, among other things, imposes certain restrictions on political activities of recipients of federal financial assistance.

"Buy America Requirements," Section 5310 of the Surface Transportation Assistance Act of 1982, P.L. 97-424 which, among other things, requires that steel, cement and manufactured products procured under FTA-funded contracts of a certain size be of domestic manufacture or origin (with four exceptions).

Contract Work and Safety Standards Act, 40 U.S.C. 327-333 which, among other things, establishes the required basis and conditions for hours of work and for overtime pay of laborers and mechanics, and directs the Department of Labor to formulate construction safety and health standards.

National Environmental Policy Act of 1969, 42 U.S.C. 4321, ET. SEQ. which, among other things, prohibits Federal assistance that will adversely affect the quality of the environment.

Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977, 33 U.S.C. 1251, ET SEQ which, among other things, sets limits on pollutants discharged in international waterways and requires safeguard against spills from oil storage facilities.

Clean Air Act of 1955, as amended, 42 U.S.C. 7401, ET SEQ. which, among other things, establishes national standards for vehicle emissions  
Energy Policy and Conservation Act, 42 U.S.C. 6321 which, among other things, authorizes development and implementation of state energy conservation plans.

National Flood Insurance Act of 1969, 42 U.S.C. 4011, ET SEQ. which, among other things, authorizes a national flood insurance program.

Flood Disaster Protection Act of 1973, 42 U.S.C. 4012A, ET SEQ. which among other things, requires the purchases of flood insurance by recipients of federal financial assistance who are located in areas having special flood hazards.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act, a Legacy for Users (Public Law 109-059) signed into law on August 10, 2005, and codified in 49 U.S.C. Chapter 53.

## APPENDIX B (continued)

### REGULATIONS

49 C.F.R. Part 600, et seq. regulations promulgated by FTA 49 C.F.R. Parts 18,20,21, 23, 24, 25, 27, 29, 37, 38,639,661,663 and 665 regulations promulgated by the Department of Transportation governing Title VI of the Civil Rights Act of 1964, Minority Business Enterprise, Relocation and Land Acquisition, Uniform Relocation Assistance and Real Property Acquisition, Nondiscrimination on the Basis of Handicap, Drug-Free Workplace Act of 1988, Bus Testing, Transportation for Individuals with Disabilities, Pre-award and Post-delivery audits, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, New Restrictions on Lobbying, Capital Leases, 56 Fed. Reg. 51786, dated 10-15-91, Buy America Requirements: Surface Transportation Assistance Act of 1982, respectively.

0 C.F.R. Part 601 regulations promulgated by the Department of Energy governing Restrictions on Lobbying. 36 C.F.R. Part 800 regulations promulgated by the Advisory Council on Historic Preservation.

46 C.F.R. Part 381 regulations promulgated by the Maritime Administration governing cargo preference requirements.

31 C.F.R. Part 205 regulations promulgated by the Department of Treasury governing letter of credit.

40 C.F.R. Part 15 regulations promulgated by the Environmental Protection Agency pertaining to administration of Clean Air and Water Pollution requirements for grantees.

### EXECUTIVE ORDERS

E.O. 11988 which establishes certain specific requirements related to flood protection and control.

E.O. 12372 which rescinds OMB Circular A-95 and establishes new requirements currently being implemented.

### ADMINISTRATIVE REQUIREMENTS

Office of Management and Budget (OMB) Circular A-87 which provides costs principles applicable to grants and contracts with State and local governments.

Office of Management and Budget (OMB) Circular A-102 which provides uniform requirements for assistance to State and local governments.

Federal Transit Administration Circular FTA C 9070.IF Dated May 1, 2009, Elderly Individuals and Individuals with disabilities Program Guidance and application Instructions.



## APPENDIX C

### DEFINITIONS

Applicant - A private nonprofit organization or public body which applies to the department for financial assistance under the Section 16 capital assistance program.

Capital Equipment - Vehicles and ancillary support equipment with a multi-year usable life. For the purpose of this program this includes, but is not limited to vehicles, radios, passenger shelters, etc.

Elderly Person - All persons age 60 and over.

Eligible Services - Transportation services intended for regular non-emergency passenger use with priority given to the elderly and disabled. Other services (e.g., special charters) are allowed, however, these must be incidental and not in conflict with regular schedules or services.

Disabled Person - Individuals who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, including those who are non-ambulatory wheelchair bound and those with semi-ambulatory capabilities are unable, without special facilities or special planning or design, to utilize mass transportation facilities and services effectively.

Incidental Use - The use of equipment or facilities purchased under this grant program for other than principle grant related purposes.

Metropolitan Planning Organization (MPO) - Organizations designated by the Governor which, together with the state, are responsible for transportation planning in urbanized areas.

Program of Projects means a list of projects to be funded in the grant application submitted to FTA by a State. The program of projects (POP) lists the sub-recipients and indicates whether they are private nonprofit agencies or local government authorities, designates the areas served (including rural areas), and identifies any tribal entities. In addition, the POP includes a brief description of the projects, total project cost and Federal share for each project, and the amount of funds used for program administration from the 10 percent allowed.

Human Service Transportation means transportation services provided by or on behalf of a human service agency to provide access to agency services and/or to meet the basic, day-to-day mobility needs of transportation-disadvantaged populations, especially individuals with disabilities, older adults, and people with low incomes.

Locally Developed Coordinated Public Transit-Human Services Transportation Plan means a plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.

Minority Communities – A community that has a percentage of minority population greater than the percentage of minority population in the state.

Minority Individual – A person whose origins are in any of the black racial groups of Africa; a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race; a person who is an American Indian, Eskimo, Aleut, or Native Hawaiian; a person whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam,

the US Trust Territories of the Pacific, or the Northern Marianas; or a person whose origins are from India, Pakistan, or Bangladesh.

Minority Organization – A small business concern which is at least 51 percent owned by one or more minority individuals or, in the case of a publicly owned business, at least 51 percent of the stock of which is owned by one or more minority individuals, and whose management and daily business operations are controlled by one or more of the minority owners.

Nonprofit Organization - A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 USC Section 501(C) which is exempt from taxation under Section 501(a) or 101 or one which has been determined under state law to be nonprofit and for which the department has received documentation certifying the status of nonprofit organization.

Non-Urbanized Areas - Areas with a population of less than 50,000.

Private - means nonpublic, to wit: bodies which are not municipalities or other political subdivisions of states; are not public agencies or instrumentalities of one or more states; are not Indian tribes; are not public corporations, boards, or commissions established under the law of any state; or are not subject to control by public authority, state or municipal.

Recipient - An applicant which has been awarded financial assistance under the Section 5310 capital assistance program.

Sub-Recipient – means a private non-profit organization, if the public transportation service provided is unavailable, insufficient, or inappropriate; or a governmental authority that is approved by the State to coordinate services for elderly individuals and individuals with disabilities or certifies that there is not any non-profit organizations readily available in the area to provide services.

Service Area – Is the geographic area which elderly and disabled clients will be served using funds from this grant.

Transportation Improvement Program (TIP) - A list of transportation projects for which funding will be sought over a three to five year period prepared by the MPO representing an urbanized area.

Urbanized Areas - Areas designated by the Bureau of Census, with a population of 50,000 or more.