

GEORGIA STATE MANAGEMENT PLAN

AND

APPLICATION PACKAGE

FOR

TRANSPORTATION

OF

ELDERLY PERSONS AND PERSONS
WITH
DISABILITIES

B. J. Walker
Commissioner
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PART I

STATE

MANAGEMENT

PLAN

**DEPARTMENT OF HUMAN RESOURCES
OFFICE OF FACILITIES AND SUPPORT SERVICES
TRANSPORTATION SERVICES SECTION**

**ASSISTANCE PROVIDED UNDER SECTION 5310
FEDERAL TRANSIT ACT, AS AMENDED**

ASSISTANCE PROVIDED UNDER SECTION 5310 FEDERAL TRANSIT ACT, AS AMENDED

I - 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 Resources (DHR) 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 DHR that funds provided for herein should supplant or be substituted for other federal funds available and previously used for the purposes of these grant programs.

A. PROGRAM GOAL

1. The goal of the Section 5310 Program is to provide assistance 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 provide assistance for the purchase of passenger trips for the transportation of elderly and disabled persons by private nonprofit organizations or public bodies in urbanized, small urban and rural areas.

2. The DHR, 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 purchase of service agreements 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.

B. STATE ROLE IN PROGRAM ADMINISTRATION The Georgia Department of Human Resources 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 paratransit operators are provided an opportunity to participate to the maximum extent feasible.

C. PROGRAM MANAGEMENT – Federal Requirements and Certifications
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 Requirements

School Bus Operations – Pursuant to 49 U.S.C. 5323(f) and 49 CFR Part 605, recipients and sub recipients of FTA assistance may not engage in school bus operations exclusively for the transportation of students and school personnel in competition with private school bus operators unless qualified under specified exemptions. When operating exclusive school bus service under an allowable exemption, recipients and sub recipients may not use federally funded equipment, vehicles, or facilities.

3. Procurement

Procurement of Supplies, Equipment, or Services by State [49 CFR Part 18; FTA C 4220.JD; FTA C 9040.1E (VL3); FTA C 9070.1E]

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]

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 4220.1DJ]

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 4220.1D, 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.

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

Data collection and Reporting Requirements for Title VI . The Federal Transit Administration has issued program guidelines for Title VI in FTA Circular 1160.1A. Recipients are required to maintain current files on the information outlined below. Recipients should update information as conditions warrant.

Recipients shall maintain and submit upon request to the DHR the following general information as it pertains to transit service.

- a. A list of any active lawsuits or complaints naming the party which allege discrimination on the basis of race, color, or national origin with respect to service or other transit benefits. The list should include the date the lawsuit or complaint was filed; a summary of the allegation; and the status of the lawsuit or complaint, including whether the parties of a lawsuit have entered into a consent decree.
- b. A description of all pending application for financial assistance and all financial assistance currently provided by other Federal agencies.
- c. A summary of all civil rights compliance review activities conducted in the last 3 years. The summary should include: the purpose or reason for the review; the name of the agency or organization that performed the review; a summary of the findings and recommendations of the review; and, a report on the status and/or disposition of such findings and recommendations.

Disadvantaged Business Enterprise (DBE). Local recipients of Section 5310 funds must meet the requirements of the U. S. Department of Transportation's Minority Business Enterprise Regulation (49 CFR, Part 23) which intends that ten percent of the amount appropriated under the Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals.

D. ELIGIBILITY

1. **Eligible Applicants** Private nonprofit organizations which provide or which desire to provide transportation services to elderly and/or disabled persons are eligible to apply to the department for funding under the Section 5310 program. While the assistance is intended primarily for private non-profit organizations, public bodies approved by the state to coordinate services for the elderly and disabled, or any public body that certifies to the satisfaction of the state that private non-profit organizations in the area are not readily available to carry out the services, may be eligible to receive Section 5310 funds through the state.

Certification to the state will require, as a minimum, the following documents dated no more than six months earlier than the application for assistance.

- a. A resolution by a recognized public board certifying that there are no private non-profit organizations in the subject area willing to provide services.
- b. Evidence of public notice announcing the public body's intent to apply for eligibility for Section 5310 funding.
- c. Written request by the public body to the state requesting approval of eligibility to receive Section 5310 funds, to include assurance that all reasonable efforts to encourage private nonprofit participation have been exhausted.

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**

Capital Projects Funding ratios of capital projects for Section 5310 are as follows:

Federal	80% (maximum allowable)
Other	20% (includes state and/or local)

The funding ratio for the federal share indicates the maximum allowed funding. At the department's option, this share may be less. The department will request state appropriations in an amount sufficient to provide a level of funding of 20%. Applicants are encouraged to provide as much as possible in order to maximize statewide services.

E. 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.

F. EVALUATION CRITERIA FOR PROJECT APPROVAL The department 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 a 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 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 DHR 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 for the Section 5310 Program are distributed between DHR regions as reflected on the regional map provided at Appendix E. The actual distribution of funds is determined by the percentage of elderly and disabled clients who reside in each respective region. The latest census data is used to determine the number and percent of elderly and disabled clients residing in a given region. 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, DHR 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.

I. COORDINATED/CONSOLIDATED TRANSPORTATION A system of transportation that combines all relevant transportation under a single transportation provider who has direct operating control. The system transports a variety of DHR 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 DHR trips. The coordinated system may incorporate the use 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 should be coordinated with the Metropolitan Planning Organization (MPO). Projects should be identified in the MPO's Transportation Improvement Program (TIP). The applicant is required to maintain current files for documentation purposes.

Private Enterprise Coordination As part of the application approval process each applicant must assure that all affected for-profit providers have been notified of the proposed project and that they have had adequate opportunity to present their views and offer service proposals for consideration.

Applicants should resolve complaints from transportation providers at the local level. Some local mechanism should be established to resolve disputes. The applicant is to keep correspondence related

to the complaint. If the complaint is not satisfactorily resolved, the originating party may appeal directly to the state.

In order for a state review to take place, the originating party must send, by certified mail, a description of the issues involved, all related information and the results obtained at the local level within 15 calendar days of the Section 5310 application deadline date. The Section 5310 Program Manager and the Director of the Office of Facilities and Support Services (OFSS) will review appeals to the state. The OFSS Director will make the final decision on the appeal. The DHR staff will review all pertinent information, interview all sides concerned and issue a written notification of its decision to the originating party and the applicant within 15 calendar days of receipt of the complaint.

Other requirements of the ongoing program are reviewed annually in the program compliance certification review described later in this document.

J. STATE ADMINISTRATION DHR 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 DHR 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. Regional Transportation Coordination staff assigned to each transportation region is responsible for program monitoring. A list of the regional offices is provided at Appendix F.

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 paratransit programs:

- a. To develop and maintain an effective and efficient network of public 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 Resources, Office of Facilities and Support Services, Transportation Services Section, Transportation Manual will be adhered to.

5. **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 Resources, Office of Facilities and Support Services, Transportation Manual.

6. **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.

7. **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.

8. **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 vehicles, 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 certification and certification of restrictions on lobbying.

K. Use of Sub-contractors

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

Applications for funding under Section 5310 can be obtained by contacting the Office of Facilities and Support Services, Transportation Services Section, 2 Peachtree Street, Atlanta, Georgia 30303 or through one of the Regional Transportation Offices (TRO) listed in Appendix E by mail or e-mail. Applications are usually available in January of each year and completed applications are normally due in April. The application packet for each year will specify a due date.

For current subrecipients who are currently providing transportation services to DHR clients, applications may also be submitted, as part of the proposal package, with a contract for DHR Coordinated Transportation Services in regions where Section 5310 funds are allocated for that purpose.

Applicants must submit two (2) originals or an electronic copy of the application to the RTO's office. If the electronic method is used for sending the application, two (2) originals each of all notarized and signature pages must also be received by the RTO's office to complete the application process.

PART II

APPLICATION

PACKAGE

II – APPLICATION PACKAGE

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 subrecipients 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 fiscal year July-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 must meet eligibility requirements set forth in part I.D (Eligibility) of the State Management Plan.

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.

If the applicant chooses to publish a newspaper notice, the notice should allow a minimum of 15 days for public comment after date of publication. Applicants must submit a summary of any comments received and a copy of the notice. A sample public notice is shown in **(Exhibit 18)**.

Note: The preceding requirements do not fully address all of the private enterprise coordination requirements. Other private enterprise requirements, which are not a part of the formal application process, are outlined in Appendix A. The applicant is required to satisfy those additional requirements and maintain those files for documentation purposes.

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

a. **Federal Transit Administration Civil Rights Assurance** This assurance must be signed and included in the grant application **(Exhibit 19)**.

b. **Title VI Ridership** Applicants must include a racial and national origin breakdown of the persons likely to receive service **(Exhibit 20)**.

c. **Department of Transportation Title VI Assurance** This Assurance must be signed and included in the grant application (**Exhibit 21**).

d. **Data Collection and Reporting Requirements for Title VI** The Federal Transit Administration has issued program guidelines for Title VI in FTA Circular 1160.1A. Recipients are required to maintain current files on reporting requirements for Title VI information as outlined below. Recipients should update information as conditions warrant and shall maintain and submit upon request to DHR the following general information as it pertains to transit service.

1. A list of any active lawsuits or complaints naming the party which allege discrimination on the basis of race, color, or national origin with respect to service or other transit benefits. The list should include the date the lawsuit or complaint was filed; a summary of the allegation; and the status of the lawsuit or complaint, including whether the parties of a lawsuit have entered into consent decree.

2. A description of all pending applications for financial assistance and all financial assistance currently provided by other Federal agencies.

3. A summary of all civil rights compliance review activities conducted in the last 3 years. The summary should include: the purpose or reason for the review; the name of the agency or organization that performed the review; a summary of the findings and recommendations of the review; and, a report on the status and/or disposition of much findings and recommendations.

e. **DBE (Disadvantaged Business Enterprise)** Local recipients of Section 5310 funds must meet the requirements of the U.S. Department of Transportation's Minority Business Enterprise Regulations (49 CFR, Part 23) which intends that ten percent of the amount appropriated under the Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals.

6. **Private Nonprofit or Public Body Board Resolution** The applicant should include an original Resolution from the Private Nonprofit or Public Body Board (**Exhibit 22**). The correct legal name should be used.

7. **Federal Fiscal Year Certifications and Assurances** The above assurances must be completed, signed and included in the grant application to comply with FTA requirements (Appendix A,B &C).

8. **Checklist (Exhibit 23)** This exhibit lists the necessary components for a grant application and should be used to determine if all paperwork has been included. Please include the name and telephone number of the person responsible for compilation of the application as a point of contact for subsequent coordination and clarification.

C. **SUBMISSION OF THE APPLICATION** Applicants should submit two (2) originals or an electronic copy of the application to the Transportation Services Section, Regional Transportation Coordinator's office.

Applications can also be submitted, as part of the package, with the Transportation Proposal for coordinated transportation services.

All notarized and original signature pages must be sent by mail to the Regional Transportation Coordinator's office to complete the application process.

**APPLICATION PACKAGE
GRANT 32
Elderly Persons and Persons with Disabilities
FTA Section 5310 Program**

Client Transportation Profile

Legal Name of Applicant Organization:	
Street Address:	
City, State & Zip:	
Contact Name:	
Telephone #:	
FEI #:	

Organization is Minority Owned/Operated: Yes No
(See Appendix C for definitions of minority and minority organizations)

Organization Provides Assistance to Minority Communities: Yes No
(See Appendix C for definition of minority community)

Organization Service Area Includes the Following Counties:

_____	_____
_____	_____
_____	_____

Following this page are the forms that will complete your application for the Section 5310 project. Complete each form using the legal name of your agency and have each form signed and notarized as required. Submit two (2) originals by mail or send an electronic copy of the completed application to the Transportation Services Section, Regional Transportation Coordinator's office as listed in Appendix F.

Applications can also be submitted, as part of the package, with the Transportation Proposal for coordinated transportation services.

DO NOT SEND copies of the State Management Plan (Part I) or the Application Package Instructions (Part II)

Date Received by Regional Coordinator _____

Client Transportation Profile

Human Service Provider

Name:	Contact Name:
Address:	DHR Division of Service:
City/State/Zip:	DHR Service Region:
Phone #:	County(s) Name:

- Urban Non-Urban
 Type of Service Needed: Fixed Route Demand-Response
 Project Intent: New Service Expansion

Transportation Needs in the DHR Service Area. (Data is in number of One-Way Passenger Trips per year):

Client's Category	Estimate Number of One-Way Passenger Trips for Clients Needing Service	Total Number of One-Way Passenger Trips For Clients Currently Receiving Service	Estimate Number of Total One-Way Passenger Trips Per Year if Project is Approved
Mental Disabilities			
Physical Disabilities			
Elderly			

Transportation Cost for this agency. (Data is an estimate of current cost per One-Way Passenger Trip):

Client's Category	Total Cost Services Needed Cost Per Trip X Total Trips = Total Cost	What Percentage is Covered by Another Funding Source(s)? % of What Source?	Estimated Cost for the Section 5310 % Cost
Mental Disabilities			
Physical Disabilities			
Elderly			

If more than one funding source is applicable, then list the other source indicating the percentages.

Days of Transportation Services Needed Weekly: _____ (Example: Monday-Friday)

Number of Days Transportation Services Needed Annually: _____ (Example: 250 Days)

Hours of Transportation Services Needed Daily: _____ (Example: 8am – 5pm)

EXHIBITS

EXHIBIT 17
SECTION 5310 PROJECT DESCRIPTION
(See Instructions on next page)

1. Applicant: _____

2. Address: _____

3. Contact Person: _____

4. Telephone: _____ 5. New Applicant: _____ (Yes/No)

6. Urban Status: Non-urbanized area Urban area

7. County(s) to be served: _____

8. Total project cost: _____

9. Types of service provided:

- | | |
|--|---|
| <input type="checkbox"/> Demand Responsive | <input type="checkbox"/> Expand existing service |
| <input type="checkbox"/> Fixed Route | <input type="checkbox"/> Start new service |
| <input type="checkbox"/> Other (specify) _____ | <input type="checkbox"/> Replace existing service |

10. Operations:
Hours of service: _____ Days of Service: _____

11. Clients Served: (%)
Elderly: ___ Disabled: ___ Other (specify): _____

12. Number of passenger seats available in your fleet as of 10/1/2005:

13. Description of current vehicle fleet: include DHR owned, and all other vehicles. (attach additional sheets, if needed)

14. Project description narrative: (attach additional sheets)

15. Does your agency contract with DHR? (Yes/No) If yes, for which DHR Program?

PROJECT DESCRIPTION NARRATIVE

(See Instructions on next page for Completing Project Description)

INSTRUCTIONS FOR COMPLETING PROJECT DESCRIPTION

- 1-5. **General Information** – Enter the name of applicant organization, address, contact person and telephone number - if applicant is not the agency which will provide services, please provide an explanation in your Project Description.
6. **Urban Status** - An urbanized area has a population of 50,000 or more and is so designated by the U.S. Bureau of Census. Non-urbanized, rural or small urban area - these terms are used interchangeably to mean any area outside an urbanized area with a population of less than 50,000.
7. **County(s) to be served** - List the county(s) in which service is to be provided in.
8. **Project cost** – Enter the total project cost from your estimated budget.
9. **Types of service** - Demand responsive includes dial-a-ride and door-to-door specialized service. Fixed route refers to service following an established route or schedule.
10. **Operations** - Specify the routine hours of service (example: 9:00 a.m. to 3 p.m.) and days of service (example: Monday to Friday).
11. **Clients Served** - Estimate the percent, within each client category, that your agency serves.
12. **Project description** - Fully discuss the items listed in section II-Application Package, B. Application Requirements. This section is your opportunity to describe the service to be provided and demonstrate the fiscal, managerial and operational capabilities of your organization. Describe the clientele that will be receiving the service; estimate the monthly number of passenger trips to be provided; document your organizations' ability to provide transportation service in an efficient and effective manner, including data such as operating cost/mile, passenger trips/vehicle mile, operating cost/passenger trip and any other information that reflects the quality and efficiency of your organization; list the type and number of personnel such as, drivers, dispatchers, mechanics, etc. and if the employees are paid or are volunteers and if they are full or part time; describe provisions made to ensure proper maintenance of vehicles and indicate who will provide the maintenance; describe the driver hiring process and training given to the drivers; **specify the percentage and dollar amount your organization is willing to contribute towards the total cost of your project (this is also your certification that the local match dollars are available) Once again, your application will be rated on your response to the elements in part I.D. of this guide.**
13. **Contractor status** - circle yes if your organization provides services to DHR as a contractor or subcontractor. If your response is yes, then list the DHR program that you provide services for. Examples of these programs would be Aging Services, Mental Health, Developmental Disabilities and Addictive Diseases, DFCS, Rehabilitative Services, etc.

EXHIBIT 18
SAMPLE PUBLIC NOTICE FOR SECTION 5310

The _____ is applying for funding under the Section 5310
(Private Nonprofit or Public Body)

Elderly and Disabled Transportation Program to meet the special needs of the elderly and disabled
located in _____. To assure that private for-profit transportation providers have a fair and
(City/County)

timely opportunity to participate in the development of this program, the
_____ solicits private sector input and participation during the
(Private Nonprofit or Public Body)
planning process.

Any private for-profit transportation operator interested in providing any or all of the above services or
participating in any or all of the above services should submit a written notice of intent by 15 days
from date of this publication to:

EXHIBIT 19
FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

The _____ hereby certifies that, as a condition to receiving
(Private Nonprofit or Public Body)

Federal financial assistance under the Federal Transit Act of 1964, it will ensure that:

1. No person on the basis of race, color, or national origin, will be subjected to discrimination in the level and quality of transportation services and transit related benefits.

2. The _____ will compile, maintain, and submit in a timely
(Private Nonprofit or Public Body)

manner Title VI information required by FTA Circular 1160.1A and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.Z

3. The _____ will make it known to the public that those person
(Private Nonprofit or Public Body)

or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person whose signature appears below is authorized to sign this assurance on behalf of the recipient.

DATED: _____

Signature

Name and Title of Authorized Officer

EXHIBIT 20
TITLE VI RIDERSHIP INFORMATION

COUNTY: _____

AGENCY: _____

Number of Persons likely to receive service. (Estimate).

Percentage of
Service Area Population
By Minority Group

Number of
Persons Expected
To Be Served

_____ %

White

_____ %

Black

_____ %

Hispanic

_____ %

Asian-Pacific

_____ %

Asian-Indian

_____ %

Native American

_____ 100 %

TOTAL

EXHIBIT 21
STANDARD ASSURANCE OF COMPLIANCE WITH
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

The _____ (hereinafter referred to as the
(Private Nonprofit or Public Body)

"Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000D-42 U.S.C. 2000D-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, Nondiscrimination Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration (FTA), and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the project:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with a project under the Federal Transit Act of 1964, (The FTA Act) and, in adapted form in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000D to 2000D-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties; (a) for the subsequent transfer of real property acquired or improved under this

project, and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under this project.

8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the project, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, and Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under Federal Transit Programs and is binding on it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Transit Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATED: _____
Signature of Authorized Officer

Name and Title of Authorized Officer

Attachments:

Appendices A, B, and C

(Appendix A to Title VI Assurance)

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter, referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Transit Administration (FTA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information is required or a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Recipient, or the Federal Transit Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the Federal Transit Administration may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination or suspension of the contract in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the Urban Mass Transportation Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(Appendix B to Title VI Assurance)

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the Recipient will accept title to the lands and maintain the project constructed thereon, in accordance with the Federal Transit Act and the policies and procedures prescribed by the Federal Transit Administration of the Department of Transportation and, also in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000D TO 2000D-4), does hereby remise, release, quitclaim and convey unto the

_____ (hereinafter referred to as the

(Name of Applicant)

"Recipient") all the right, title, and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the Recipient and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the Recipient, its successors and assigns.

The Recipient, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over and under such land hereby conveyed (,) (and)* (2) that the Recipient shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

(Appendix C to Title VI Assurance)

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the _____ (hereinafter referred to as the "Recipient")

(Name of Applicant)

pursuant to the provisions of Assurance 10(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (add, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantees, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964; and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, the Recipient shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, the Recipient shall have the right to re-enter said lands and the facilities thereon, the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the Recipient and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Recipient pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the ground of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964), and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, the Recipient shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, the Recipient shall have the right to re-enter said lands and the facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the Recipient and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

EXHIBIT 22

Appendix A

**DERAL FISCAL YEAR 2007 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT
ADMINISTRATION ASSISTANCE PROGRAMS**

(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: _____

The Applicant agrees to comply with applicable provisions of Categories 01 - 23. _____

OR

The Applicant agrees to comply with the applicable provisions of the following Categories it has selected:

<u>Category</u>	<u>Description</u>	
01.	For Each Applicant.	
02.	Lobbying.	X
03.	Procurement Compliance.	X
04.	Private Providers of Public Transportation.	
05.	Public Hearing.	X
06.	Acquisition of Rolling Stock.	X
07.	Acquisition of Capital Assets by Lease.	
08.	Bus Testing.	X
09.	Charter Service Agreement.	X
10.	School Transportation Agreement.	
11.	Demand Responsive Service.	X
12.	Alcohol Misuse and Prohibited Drug Use.	X
13.	Interest and Other Financing Costs.	
14.	Intelligent Transportation Systems.	X
15.	Urbanized Area Formula Program.	
16.	Clean Fuels Grant Program.	
17.	Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program.	X
18.	Nonurbanized Area Formula Program.	

19. Job Access and Reverse Commute Program.
20. New Freedom Program.
21. Alternative Transportation in Parks and Public Lands Program.
22. Infrastructure Finance Projects.
23. Deposits of Federal Financial Assistance to a State Infrastructure Banks.

(Both sides of this Signature Page must be appropriately completed and signed as indicated.)

FEDERAL FISCAL YEAR 2007 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: _____

Name and Relationship of Authorized Representative: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and directives applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2007.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in this document, should apply, as provided, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2007.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature _____ Date: _____

Name _____
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature: _____ Date: _____

Name: _____

Attorney for Applicant

Each Applicant for FTA financial assistance (except 49 U.S.C. 5312(b) assistance) and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year

EXHIBIT 23
PRIVATE NONPROFIT or PUBLIC BODY BOARD RESOLUTION

WHEREAS, THE (_____) hereinafter referred to
(Legal Name of Organization)
as the "Applicant" has requested assistance from the Georgia Department of Human Resources for the purpose of capital assistance; and

WHEREAS, this project is considered to be important and necessary to public transportation in _____ ; and
(City/County)

THAT the Applicant while making application to or receiving grants from the Federal Transit Administration will comply with the Federal statutes, regulations, executive orders and administrative requirements as listed in Appendix A of the FTA Circular FTA C 9070.1C and as also included in Appendix B of the Georgia Department of Human Resources State Management Plan and Application Package for Elderly and Disabled Transportation inclusive;

THAT the Applicant has or will make available in the required amounts non-federal funds to meet local share requirements;

THAT _____ is empowered to sign
(Name and Title of Designated Official)
contract on behalf of the Applicant; and

THAT the above named official may sign on behalf of the Applicant any assurance, certification, or other documentation that may be required as a part of the application submitted.

Passed this _____ day of _____, 19____

Board Chairman

Signed, sealed and delivered this _____ day of _____,
19____ in the presence of:

Witness

Notary Public - Notary Seal

EXHIBIT 24
SECTION 5310
GRANT APPLICATION CHECKLIST

PREPARED BY: _____ PHONE: _____

Indicate by N/A any items that are not applicable.

1. Project Description
_____ All sections of (Exhibit 17) complete.

2. Applicant Certifications
_____ Written certification on nonprofit or public
body status
_____ Written certification of equivalent transportation
services for persons with disabilities.

3. _____ Copy of public notice or private enterprise
notification (Exhibit 18)

4. Civil Rights Requirements
_____ a. FTA Civil Rights Assurance (Exhibit 19)
_____ b. Title VI Ridership (Exhibit 20)
_____ c. U.S. D.O.T. TITLE VI Assurance (Exhibit 21)

5. Certifications and Assurances for FTA Assistance
_____ All sections of (Appendix A) complete

6. Private Enterprise Coordination
_____ Private Nonprofit or Public Body Board
Resolution (Exhibit 22)

7. _____ Original and one copy

8. Application Checklist
_____ All above items have been addressed

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.

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, Capitol 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 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.

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.

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 non public, 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.

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.

APPENDIX D

REQUIRED CERTIFICATIONS FOR PURCHASES OF SERVICES

Appendix D is not used as part of the application process for FTA Program 5310 funds in the state of Georgia. Funds under this grant will be used in purchase of service agreements.

APPENDIX E

DHR COORDINATED TRANSPORTATION MAP

(Attached as a Microsoft PowerPoint Document. File Name: MAP FY07)

APPENDIX F

DHR REGIONAL TRANSPORTATION COORDINATORS

(Attached as a Microsoft Excel Document. File Name: Contact List1 with ZIPS)

APPENDIX G

FEDERAL REGISTER

(www.fta.dot.gov)

