

Arizona Department of Transportation

Handbook and Application

Section 5310

Elderly Individuals & Individuals with Disabilities
Transportation Program

FY 2010



Arizona Department of Transportation
Multimodal Planning Division
206 South 17th Avenue, Mail Drop 340B
Phoenix, AZ 85007

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PART I. INTRODUCTION

A. FOREWORD

Section 5310 is a grant program that provides capital assistance for transportation programs designed to meet the special needs of elderly individuals and individuals with disabilities. Federal funds are apportioned among the states, which have the primary responsibility for administering the program. In Arizona, the Arizona Department of Transportation (ADOT) is the agency responsible for overall administration of the Section 5310 Program. This program is also referred to as the Elderly Individuals and Individuals with Disabilities Transportation Program.

The Multimodal Planning Division (MPD) of ADOT administers this Federal program for the State of Arizona. These funds are available primarily in the form of new vehicles and related equipment which meet the transportation needs of elderly persons (sixty years and over) and persons with disabilities of any age. Typical eligible service providers are private non-profit corporations, public agencies and Tribal governments. Also available are Mobility Management grants which allow agencies to use funds for providing innovative and coordinated transportation services to the elderly and disabled.

ADOT works very closely with regional transportation planning agencies to solicit, review and award grant applications under the 5310 program. In rural areas of Arizona these agencies are Council of Governments (COG) while in Urbanized Areas Metropolitan Planning Organizations (MPO) fill this role.

This Handbook is intended to inform the reader about the Section 5310 Program. It includes information on:

- Program Goals
- How the program is administered
- Who is eligible for the program and expectations of applicants
- How to apply for funding
- Responsibilities of program participants
- Available support and resources

This Handbook contains information for current and new participants to use in applying for grants for vehicles and/or related equipment. Please read the Handbook carefully, even if you are a previous grantee, as there are program changes from year to year. This Handbook provides all the basic information needed to understand what is

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required to apply and what your responsibilities are, if funded. This Handbook also provides basic information regarding Federal and State requirements for the Federal Transit Administration Section 5316 and Section 5317 Programs. Many of the requirements are the same for the Section 5310, 5316, and 5317, but application materials specific to the Section 5316 and 5317 Programs are provided in separate Handbooks.

B. THE 5310 APPLICATION PROCESS

Along with this Handbook and application package, regional workshops are held annually for all regions to provide an opportunity to answer specific questions on the application process and to provide more detailed information on changes in the program. Regional COGs and MPOs assist ADOT with the Section 5310 program. The following table shows the approximate schedule of events for this year's grant application cycle.

2010 ARIZONA SECTION 5310 PROGRAM TIMETABLE

All dates are 2010 unless noted otherwise. Timeframes shown are typical and are subject to change. Applicants should inquire with their local COG or MPO representative regarding up-to-date scheduling changes and other details.

ADOT distributes handbooks (<i>Handbook & Application</i>) to COG/MPO.	January 2010
Distribution of handbooks to potential applicants by COG / MPO.	January
Regional Application workshops	Late Jan-Feb
Applications due to COG/MPO. (Schedule set by COG/MPO)	March-April
COG-MPO/ADOT Regional Review Committee Meetings to evaluate and rank applications within each region	April
COG/MPO submit completed applications in order of regional priority to ADOT.	April 23
Appeal deadline to ADOT	May 25
ADOT review of COG and MPO submitted projects and recommended awards	April 23-June 1
ADOT submits statewide Application to FTA	June
ADOT begins preliminary procurement specification process for vehicles.	July
FTA approval of ADOT request for program funding; notification to COG and MPO by ADOT.	July-August
ADOT issues non-vehicle awards to recipients through appropriate media	October
ADOT conducts issuance of vehicles to recipients in Phoenix; schedule varies by vehicle type	Spring-Fall 2011

To receive an application and check on the workshop dates and application deadlines for your region, please use the Regional Program Contact list in this section for staff contacts, addresses and phone numbers of your local COG for rural regions, or MPO for Urbanized Areas of the state over 50,000 population. You may also access the information from the website at <http://mpd.azdot.gov/transit/Section5310.asp> or <http://mpd.azdot.gov/transit/index.asp> and follow appropriate grant program links to areas of interest.

ADOT CONTACT INFORMATION

For inquiries regarding the Section 5310 Program

ARIZONA DEPARTMENT OF TRANSPORTATION

Loretta Crimi, Program Manager

E-mail: lcrimi@azdot.gov

Phone: (602) 712-7106 Facsimile: (602) 712-3046

Felipe Sanchez, Special Projects/United We Ride Coordinator

E-mail: fsanchez@azdot.gov

Phone: (602) 712-8140 Facsimile: (602) 712-3046

Dan Harrigan, Training Coordinator

E-mail: dharrigan@azdot.gov

Phone: (602) 712-8232 Facsimile: (602) 712-3046

**Multimodal Planning Division
206 South 17th Avenue, Mail Drop 340-B
Phoenix, Arizona 85007**

WEB SITE

A dedicated ADOT Multimodal Planning Division website can be accessed through the ADOT home page at <http://mpd.azdot.gov/transit/>, then “Grant Programs” for Section 5310 and others, where readers will find a variety of resources. The website provides valuable information for parties interested in learning more about ADOT’s public transportation programs and is a primary resource for the Section 5310 program. This Handbook is available on the website along with information on related programs and initiatives. The website provides numerous links to other useful web sites, including the U.S. DOT/FTA web sites.

CIVIL RIGHTS CONTACTS

In the applicant's submittal of its proposal and, if awarded, its acceptance of Section 5310 Program funds, it is indicating that it complies with, and will comply with, all applicable federal and State Civil Rights statutes and regulations, including but not limited to Title VI—Nondiscrimination, Equal Employment Opportunity (EEO), Americans With Disabilities Act (ADA), Disadvantaged Business Enterprise (DBE), Limited English Proficiency (LEP) and other Civil Rights components of the grant program. Toward these requirements, the applicant must sign the federal Certifications & Assurances, General Assurances, and other related forms found within this document's *Certifications and Assurances* section, and is strongly advised to read all federal Civil Rights regulations referenced in this *Handbook*.

For more detailed information pertaining to civil rights, including the Americans with Disabilities Act (ADA) and Disadvantaged Business Enterprise (DBE) requirements, you may also contact:

Eddie Edison, Administrator
ADOT Civil Rights Office
Phone (602) 712-7761
Facsimile (602) 712-8420
eedison@azdot.gov

Lucy Schrader, Program Manager
ADOT Civil Rights - Title VI
Phone (602) 712-7761
Facsimile (602) 712-8429
lschrader@azdot.gov

1135 North 22nd Avenue, Second Floor - Mail Drop 154A
Phoenix, AZ 85007

REGIONAL PROGRAM CONTACTS

CENTRAL ARIZONA ASSOCIATION OF GOVERNMENTS (CAAG)

1720 E. Ash Street

Globe, Arizona 85501

Bill Leister bleister@caagcentral.org

(928) 425-3081

FAX: (928) 425-6450

CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION (CYMPO)

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Prescott Valley, Arizona 86314

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(928) 759-5519

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FLAGSTAFF METROPOLITAN PLANNING ORGANIZATION (FMPO)

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MARICOPA ASSOCIATION OF GOVERNMENTS (MAG)

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(602) 254-6300

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NORTHERN ARIZONA COUNCIL OF GOVERNMENTS (NACOG)

119 East Aspen Avenue

Flagstaff, Arizona 86001

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PIMA ASSOCIATION OF GOVERNMENTS (PAG)

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(520) 792-1093

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SOUTHEASTERN ARIZONA GOVERNMENTS ORGANIZATION (SEAGO)

118 Arizona Street

Bisbee, Arizona 85603

Sharon Mitchell smitchell@seago.org

(520) 432-5301

FAX: (520)432-5858

WESTERN ARIZONA COUNCIL OF GOVERNMENTS (WACOG)

208 North 4th Street

Kingman, Arizona 86401

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(928) 782-1886

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YUMA METROPOLITAN PLANNING ORGANIZATION (YMPO)

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Yuma, Arizona 85364

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(928) 783-8911

FAX: (928) 329-1674

REGIONAL APPLICATION PROCESS

In January of each year, ADOT releases this Handbook and Application to Arizona's four regional COG's and five MPO's for distribution to all potential applicants. Also during January or February, each COG and MPO sponsors an application workshop to discuss the program with interested applicants. ADOT staff is present at each of these workshops to present the program and answer questions about the process.

The COG/MPO sponsors set the deadline for local applications, which are generally due to these regional planning offices in April. Applicants complete the 5310 Application and all supporting documents (see Part V, Application) and submit the completed application to the MPO/COG by the due date. Applicants may contact either COG/MPO regional contacts or the ADOT Program contacts listed in this document for advice during this period.

APPLICATION REVIEW

Regional review committees are organized at the COG/MPO level and utilized to screen local applicants. The panel ranks the applicants in their region according to the evaluation criteria contained in this document. It is important that the applicant refers to these criteria when answering the questions in the application. These meetings will be held in April or May.

ADOT receives applicant rankings from the COG/MPO, and prioritizes applications within a statewide context, and makes final application to the FTA. This application to the FTA lists all applicants in three ranked categories: A-list (recommended funding with available resources), B-list (alternates should additional funding be available or other requested information provided), or C-list (not recommended for further funding consideration).

When the requests for funding assistance exceed the annual ADOT program budget, only the highest regional priorities will be placed on the statewide A-List. Depending on funding levels, all complete applications that meet requirements are typically assured at least B-List placement, which permits future vehicle award should a vehicle or other equipment become available at a later date. Occasionally, former B ranked agencies which exhibited a need for improvement during the first application round (including completing missing information such as authorizations or available local match funding) may be elevated in status at a later date.

APPEAL PROCESS

All applicants will be notified in writing by their regional COG or MPO of funding recommendations made by the Arizona Department of Transportation, Multimodal Planning Division. Applicants will be given the opportunity to appeal the ADOT Multimodal Planning Division funding recommendations. The applicant must use the following process to be recognized as a valid appeal. The letter of appeal must clearly identify the applicant, contact person, address, and phone number, project description and grounds for appeal. Letters of appeal must be postmarked by May 8, 2010 and mailed to: Section 5310 Program Manager, Arizona Department of Transportation, Multimodal Planning Division, 206 S. 17 Ave., Mail Drop 340 B, Phoenix, Arizona 85007. The Program Manager will review the appeal and notify the applicant in writing of his/her decision by May 25, 2010.

If the applicant is not satisfied with the Manager's response, an appeal may be made to the ADOT's Multimodal Planning Division Director at the same address as above. This appeal must be submitted and postmarked by June 1, 2010. A copy of the appeal must also be sent to the 5310 Program Manager. The Multimodal Planning Division Director will provide a written response to the applicant within 30 days of receipt of the appeal to the Director's Office.

PROJECT SELECTION CRITERIA

Specific criteria guide the development of the program and are related to the broad goal of supporting service to elderly individuals and individuals with disabilities. In order to ensure a fair and equitable distribution of FTA funds, the criteria listed below are the basis for review and selection of applications for Section 5310 program funding.

I. Need for Proposed Equipment

20 points maximum

The need for proposed transportation service must be clearly demonstrated. Measures include:

- Target Population: number and types of individuals in service area
- Ridership
- Applicant's existing vehicle fleet
- Replacement of vehicle or expansion
- Other transportation services, including the a) availability, b) sufficiency and c) appropriateness of other services in the area.
- Anticipated increase, no change, or decrease of service

II. Effectiveness and Use of Equipment

20 points maximum

Approved projects must ensure the maximum utilization of equipment for transit services. Recipients are urged to provide vital transit services that are specifically targeted to the needs of *clearly identified* populations of elderly persons and/or persons with disabilities. Measures include:

- Number of elderly/disabled clients served
- Number of elderly/disabled passenger trips
- Proposed services and trip priorities
- Number of hours of equipment operation per day, month
- Annual miles of vehicle operation
- Limitation(s) on service

III. Coordination of Transportation Resources and Services 25 points maximum

Applicants must participate on the regional coordinating committees as they are established. Local and regional coordination has taken on even greater importance in light of the passage of SAFETEA-LU, the most recent transportation funding bill, the federal United We Ride initiative and related state Arizona Rides programs. Mobility Management applicants should pay special attention to these criteria. Measures include:

- Participation on a regional or local coordinating committee
- Working agreements in place or proposed
- Coordination through an umbrella agency or other public urban or rural transportation programs, including "Job Access and Reverse Commute" programs
- Willingness to participate in a coordinated system
- Resource-sharing, fund "leveraging" (from a variety of sources) and other cooperative strategies with other State and Federal assistance programs.

IV. Financial and Management Capability and Related Training 20 points maximum

Successful applicants are required to demonstrate the financial and management capability to function as stewards of their ADOT/FTA grant for the useful life of their awarded equipment. Measures include:

- Availability/source(s) of match funds for vehicle
- Availability/source(s) of operating funds for transportation and overall program
- Board structure and organizational stability
- Passenger transportation program experience and qualifications
- Designated transportation staffing
- Adequacy of maintenance program and performance. Is routine preventive maintenance provided and documented? Are problems with vehicles, including accessibility equipment, addressed in a timely fashion?
- Past performance of ADOT contract activities. Are invoices submitted on a timely basis? Are all requirements met?
- Demonstrate compliance with applicable State and Federal requirements, including the Americans with Disabilities Act and non-discrimination laws, statutes, and regulations. Assurance that persons employed and served by the agency are not discriminated against because of race, color, creed, sex, disability, age or national origin
- Compliance with hiring, terminating, and promoting in accordance with Title VI, Civil Rights Act.
- Past Civil Rights or Equal Employment Opportunity complaints and the outcome of such complaints.

V. Accessibility, Safety and Driver Training Programs**15 points maximum**

- Drivers must be trained to meet the needs of elderly persons and persons with disabilities in an accessible and sensitive fashion. Competence in driver training and ability is required, as is a strong commitment to providing a safe ride for all in a drug and alcohol-free environment.
- Services that meet both the equipment accessibility and service accessibility requirements of the Americans with Disabilities Act
- Awareness and accommodation of special trip needs for persons who are elderly or have disabilities
- Programs/policies for safety and drug-free transportation
- Overall training programs provided to staff
- Established policies/guidelines on vehicle operation

PART II. PROGRAM DESCRIPTION

This section provides an overview of the program, program updates, coordination requirements, eligibility, and the applicant responsibilities. It also provides a list of frequently asked questions.

A. OVERVIEW

Section 5310 is a grant program that provides capital assistance for transportation programs designed to meet the special needs of elderly individuals and individuals with disabilities. Federal funds are apportioned among the states, which have the primary responsibility for administering the program. In Arizona, the Arizona Department of Transportation is the agency responsible for overall administration of the Section 5310 Program. This program is also referred to as the Elderly Individuals and Individuals with Disabilities Transportation Program.

The overall goal of this program is to provide and strengthen the transportation services available to meet the special needs of the elderly and disabled. It is recognized that these populations have transportation needs which are often not met by conventional automobile or public transportation, and require specialized assistance in order to access services, employment, and medical care. ADOT is committed to assist local communities in building effective and coordinated services through a combination of technical support, training, and funding to support the capital expenses of providing elderly and disabled service.

B. PROGRAM UPDATE

HANDBOOK REVISION

For FY2010, the Section 5310 Transportation Handbook and Application document has undergone revisions. Please pay careful attention to the updates and policy changes within these documents.

FUNDING LEVELS

With the passage of a nine-month extension to the highway and transit funding bill, known as SAFETEA-LU. As of the printing of this document the funding for this program is anticipated to be similar to FY 2010 of approximately \$3.9 million although it may be “staged” due to ongoing Congressional budget resolutions. This represents approximately \$2.4 million in traditional or “formula” Section 5310 funding which is appropriated annually by Congress and \$1.5 million in additional funds for the program

which are available from the Surface Transportation Program (STP) in the form of “flexible funds.” The State Transportation Board authorizes these STP funds annually.

LOCAL MATCH RATES

The standard local capital match rate will be 10% for most projects. The rate applies to traditional capital (vehicle/equipment) as well as Mobility Management applications. “Exemplary coordination” projects may receive a 6% local match rate. These awards will be determined by ADOT in consultation with the appropriate regional planning agency(s). The ADOT administrative rate add-on is 2% for most capital procurements conducted by ADOT on behalf of the applicant, resulting in a total 12% (of equipment invoice) for most projects. Local matching fund rates will be evaluated by ADOT year-to-year.

VEHICLE TYPES

Accessible and non-accessible vehicles are available. The accessible vehicles include the nine-passenger Cutaway with lift, the eight-passenger Hi-Top Maxivan with lift, and the five-passenger Minivan with a manually deployed ramp. The Minivan with a ramp is subject to the availability of vans which meet the new ADA regulations regarding vehicle specifications. In addition, review panels will evaluate ramped minivan applications on a case-by-case basis to ensure that individual applicant and service are capacity needs continue to be met. The non-accessible vehicles include the twelve-passenger non lift Maxivan and the seven-passenger non lift Minivan. ADOT procures all rolling stock (vehicles and other related large equipment) on behalf of its grantees.

COORDINATION

Coordination continues to be an emphasis area, both federally and for ADOT, and therefore applicants should carefully evaluate coordination opportunities with other agencies. Opportunities to coordinate service and leverage funding include the Section 5311 (Rural) and 5307 (Urban) public transit systems, the Section 5317 New Freedom and Section 5316 JARC programs and other employment and health focused programs administered statewide by Arizona’s Department of Economic Security, Health Services, and Arizona Health Care Cost Containment System (AHCCCS).

MOBILITY MANAGEMENT

Mobility management is an innovative approach for managing and delivering coordinated transportation services to clients in the Section 5310 Program. Mobility management focuses on meeting individual customer needs through a wide range of transportation options and service providers. It also focuses on coordinating these

services and providers in order to achieve a more efficient transportation service delivery system.

Mobility management grants can be hardware or software to build or maintain a coordination system, as well as for personnel. Mobility Management awards typically are for agencies wishing to take on this coordinating role for more than one agency—beyond the applicant-grantee’s own internal management needs.

C. LOCAL MATCH REQUIREMENTS

Funding a comprehensive network of transportation services requires that many parties in the community work together to coordinate financial resources and service delivery. As an applicant, you should strive to work with your community partners to build an effective transportation network. Many agencies are faced with dwindling internal resources to provide transportation services, which can often make identifying adequate local match the greatest challenge facing program applicants. However local government funding, human service program funding and other Federal funds can also be used for local match and applicants are encouraged to seek these funding sources.

The ADOT Section 5310 program will be utilizing a local matching rate of 10% of the final invoice (or other assistance rendered) for most projects, including Mobility Management. The Department will consider an even more favorable 6% local rate for “exemplary” coordination projects. An additional 2% administrative fee is added (to both categories of local rate) for capital equipment procurements conducted by ADOT on behalf of the grantee (see Procurement for additional details).

Local match funds for private non-profit applicants include internal agency resources, charitable contributions from individuals, organizations, and foundations, and other sources. As providers of important services to a needy group, the potential for private fundraising should not be overlooked as a component of total support. ADOT will look at dedication of applicant-agency resources as a strong indication of agency commitment to the transportation program. It is important to note that local match for capital procurements in the Section 5310 program must be in cash (an agency check), and must be delivered to ADOT prior to vehicle delivery—typically a few to several months in advance; pledges and in-kind donations may not count towards local match requirements. For Mobility Management projects, assurance of the availability of dedicated local funds or in-kind resources is required.

OTHER FUND RESOURCES

In addition to Section 5310 funding, a variety of human service programs and employment programs provide support to elderly and disabled transportation programs, through service contracts or direct funding. These programs include:

Local Government Support: Sources of local government funds include general fund dollars, Local Transportation Assistance Fund II (LTAF II), and dedicated taxes or levies for transit. These funds may be granted to the private non-profit applicants for specific use as local match for the Section 5310 Elderly and Persons with Disabilities Program.

LTAF II: The Local Transportation Assistance Fund II is funded through Powerball proceeds. These funds are passed through counties and incorporated cities and towns for use for transit program operating and capital needs. Private-non-profit organizations can only access the funds by approaching these jurisdictions, to request that all or a portion of their distributions be granted to them for the purposes of assisting with the Section 5310 provider's capital or operating funds. The applicant should be advised that LTAF II funding can vary significantly from year-to-year.

D. COORDINATING COMMUNITY MOBILITY NEEDS

There are several transportation and human service programs to assist entities in meeting their community mobility needs. Many employment and social service programs also have transportation components, providing an incentive for communities to build a coalition of human service, business and other stakeholders to develop a strong transit system. Together these programs and initiatives can provide your agency with a variety of ways to meet mobility needs of the elderly and disabled. Programs providing general transit service may serve portions of the elderly and disabled community more efficiently than specialized services, for instance. An examination of your mobility needs will indicate which programs, in addition to the 5310 Program, are most appropriate to help meet your objectives.

With the emergence of Mobility Management, grants can now also be made to help coordinate existing transportation resources operating in local areas. Virtually all communities, whether in urban or rural areas, have a wide range of agencies providing transportation services for the elderly and/or for persons with disabilities. These include senior centers, human service agencies, jobs agencies, etc. Many communities in Arizona also have public transit services which serve all of the general public as well as the elderly and disabled.

In 2005, with the Congressional reauthorization of the Federal surface transportation program (in legislation referred to as SAFETEA-LU), there was a strong emphasis on coordinating public transit and human service transportation. Based on that legislation, and subsequent federal regulation, it was determined that grants under the FTA Section 5310 Program could not be made to agencies unless they were included in Human Services-Public Transportation Coordination Plans. The same requirement was also made for other FTA-funded programs. In addition to being included in Regional Transportation Coordination Plans, agencies are now expected to make continuing efforts to increase the coordination of services at the local level.

The federal coordination initiative was called United We Ride. It included coordination requirements for grants as well as planning funds and other incentives to move the nation along on the path to fully coordinated specialized and public transportation services. In Arizona, the Governor initiated an Arizona Rides program and established a state-level coordinating council. As a result, ADOT's management of the 5310 program includes a strong push for transportation service coordination. For more information on United We Ride, please visit: <http://www.unitedweride.gov/>.

Other FTA transportation grant programs which are specifically affected by State and Federal coordination requirements are listed below. However, the State and Federal coordination mandate includes all human services programs which provide funding for client-related transportation services, including programs funded through the Federal Department of Health and Human Services, the Department of Labor and others.

FTA-funded programs include:

Section 5311 Rural Public Transportation Section 5311 provides funding for public transportation in rural areas. This program, managed by ADOT, serves rural Arizona communities, including several Tribal entities. For more information on Arizona's 5311 program go to <http://mpd.azdot.gov/transit/Section5311.asp>.

Section 5316 Job Access and Reverse Commute (JARC) The JARC program assists agencies providing transportation for welfare recipients and other low-income individuals to and from employment and employment-related activities, such as training or even daycare. The variety of grant-eligible activities for JARC assistance is extensive and includes capital and operating costs for vehicles, employment van pools, voucher programs, related transportation to-and-from child care, and Mobility Management. For small urban and rural areas in Arizona, the JARC program is also managed by ADOT. For further information see the separate Handbook and Application provided by the Multimodal Planning Division or go to <http://mpd.azdot.gov/transit/Section5316.asp>.

Section 5317 New Freedom New Freedom is a program to assist agencies in providing service to persons with disabilities above and beyond Federal Americans with Disabilities Act (ADA) requirements. Eligible activities for New Freedom include but are not limited to vehicles and related capital items, operating expenses, enhanced information/outreach programs and Mobility Management. For small urban and rural areas in Arizona, the New Freedom program is also managed by ADOT. For further information see the Handbook and Application provided by the Multimodal Planning Division or go to <http://mpd.azdot.gov/transit/Section5317.asp>.

Funding for both JARC and New Freedom is quite limited. However, these programs may provide an opportunity to combine or leverage funding sources in a coordinated service plan which provides a mix of traditional 5310 and enhanced employment or other human service transportation, and even 5311 public transportation services.

In addition, JARC and/or New Freedom applicants who are also requesting "5310 type" vehicles (see typically available choices later in this document) will likely be included in current year's 5310 equipment order, where ADOT does the procurement on behalf of grantees. Other vehicle types or equipment may also involve ADOT purchasing the item(s) or otherwise require Program Manager and Procurement Office approval.

There are also many human service programs which include funding to assist local and regional entities in meeting community mobility needs. Many employment and social service programs have a transportation component. The availability of these programs provides real opportunities for communities to build a coalition of human service, business and other stakeholders to develop strong local and regional transportation systems. Together these programs and initiatives provide a variety of ways to meet mobility needs of the elderly and persons with disabilities in a coordinated fashion.

The ADOT Multimodal Planning Division takes a leadership role in coordinating transportation resources for people with disabilities, seniors and for the non-senior, non-disabled general public. The MPD works with COGs, MPOs, and transit providers throughout the state to implement coordinated transportation services.

REGIONAL TRANSPORTATION COORDINATION PLANS

Applicants for funding under the Section 5310 program will be expected to participate in efforts to foster coordination among human service transportation programs, and between these programs and public transportation providers. Starting with the 2007 program year, applicants have been required to participate in the development of regional transportation coordination plans, which are an implementation tool of Arizona Rides and the federal United We Ride programs, and – collectively - required of the State by the FTA for grant assistance.

Starting with the 2008 program year, coordination plans were additionally required to *prioritize* needs within the respective regions. Development of this regionally prioritized list occurs simultaneously with providers' development of their local applications, and is finalized with the COG/MPO evaluation panels and the regions' submittal of the annual regional transportation coordination plan updates to ADOT. If an applicant is not listed in the regional plan—in terms of participation and prioritization—it cannot be included in ADOT's FTA application for program funding.

In support of the state and federal coordination objectives, including these regional coordination efforts, ADOT encourages transportation providers to work with their local JOBS program, Department of Economic Security programs, (Area Agencies on Aging, Temporary Assistance to Needy Families, etc.) and other human service organizations to coordinate local and regional transportation activities.

Applicants and existing grantees should be aware that they need to participate in activities related to their region's plan even if they are not applying for grant assistance for a particular year(s)—as long as they have a vehicle(s) on lien or other grant assistance that is still active. In addition, grantees are encouraged to continue to participate regardless of their status, i.e., even when they are inactive/past their lien as an ADOT grantee, but still providing the same or similar special needs transportation (or are partners with others that provide this service for them). In addition, the regional transportation coordination plans are not intended just for ADOT grantees and therefore should not be viewed as just an ADOT function—but are for *all* public and human service transportation agencies and their partners, including private-for-profit providers.

E. APPLICANT ELIGIBILITY AND USE OF VEHICLES

ELIGIBLE APPLICANTS

Eligible applicants for Section 5310 assistance include:

- Private non-profit corporations when publicly operated mass transportation services are unavailable, insufficient, or inappropriate (Evidence of non-profit status can be demonstrated by submittal of a certified copy of the articles of incorporation or by an Internal Revenue Service (IRS) 501(c)(3) Federal income tax exemption letter).
- Governmental authorities
 - City and county governments and other public bodies can apply if they are approved by ADOT to coordinate services for elderly individuals and individuals with disabilities; or that certify to ADOT that no nonprofit

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corporation is readily available in an area to provide the needed service. The operational definition of “available” implies agencies which are also “capable and willing.”

- Public agency-applications which the State believes are conducted in the interest—or otherwise are strongly supportive—of local, regional and/or State coordination objectives would also fall under this category.
- Tribal governments and related Tribal community agencies.

Arizona has a strong tradition of working with local private non-profit corporations to assure that appropriate services are available to meet the mobility needs of people who are elderly or have disabilities and these entities remain a focus of the program. Also, with the federal SAFETEA-LU guidance as the Program’s foundation and the advent of United We Ride and Arizona Rides, ADOT expands its application eligibility for the Section 5310 Program to its State agency partners to support the coordinated delivery of transportation services in the areas of behavioral health, developmental and other disabilities, aging services, low income and jobs access.

Historically, ADOT State agency partners have supported many of the traditional Section 5310 providers, e.g., independent private non-profit corporations, in many aspects of these entities’ operations, including vehicle matching funds, drivers’ salaries and maintenance. The need for additional, coordinated services suggests even more direct participation by these State agencies. ADOT will be works closely with its partners at the COG/MPO and state level to develop effective mechanisms to achieve coordinated transportation services.

Applications from ADOT’s State human service agency partners should be submitted jointly to the affected region’s COG or MPO and ADOT/MPD for review. State agency applications must also be included in the regional review.

Section 5310 applicants must be agencies or organizations. Solitary individuals, families and other small or other informally assembled groups not meeting the above descriptions do not qualify for Program grant awards.

All Section 5310 projects must provide service to elderly persons (60 years and over) and/or persons with disabilities of all ages. Agencies may transport a broader range of clientele, but the majority of persons who will be transported must be individuals who are elderly or have disabilities

The applicant is not required to have transportation as its sole focus of business; in fact most applicants are human service agencies for which transportation is secondary to their primary mission. However, in order to be eligible for Section 5310 assistance,

they must provide transportation services primarily to clientele who are part of the elderly and/or disabled population.

The transportation services should be supported with program-dedicated staff. Best practices within the industry suggest that the agency have a specific budget or at least a transportation line-item within a larger overall organization budget. The purpose is to more efficiently conduct and forecast its transportation activity, as well as be able to accurately communicate current transportation costs to potential coordination partners, grantor agencies, and grant reviewers.

ELIGIBLE USE OF VEHICLES

Vehicles provided through this program may be used for all trip purposes for the core elderly and disabled population. This includes but is not limited to transportation of people to:

- Medical appointments
- Meals
- Social services and facilities
- Employment
- Rehabilitation services
- Shopping
- Recreational and social activities

Vehicles and related equipment may not be used primarily for the delivery of meals to persons in their homes. Any meal delivery provided may only be incidental to the primary vehicle use of transporting people.

The Section 5310 program is not intended to provide emergency medical transport or ambulance service on a regular basis. Section 5310 vehicles are also not to engage in regularly scheduled school bus service. Section 5310 grantees may operate multi-functional vehicles which meet the safety requirements for school transportation, but may not provide exclusive school service.

Applicants are encouraged to coordinate their services with public transit operators, or others, as long as that does not conflict with providing transportation to the elderly and disabled.

ELIGIBLE CAPITAL EQUIPMENT AND SERVICES

Historically, the primary focus of ADOT's 5310 Program has been on the purchase of vehicles and related equipment (such as communication radios). Other capital expenses that will be considered include Intelligent Transportation Systems (ITS) such as vehicle locator systems, dispatching and scheduling software, and other information systems, etc.—particularly as they are used within coordinated systems. Mobility Management is another option, which has been defined by the Federal government as “capital.”

Mobility Management is a tool to coordinate transportation service providers within a region, sub-region or local area. Included under this category could be the staffing of a “Mobility Manager” and related equipment such as computer hardware and software to help coordinate transportation services. Mobility Management includes activities which plan, organize, and disseminate information regarding rides or other mobility resources and the development of options or strategies to coordinate human service and/or public transportation services. A typical recipient of a Mobility Management award would be a public or non-profit agency which assists a wide array of providers in coordinating transportation resources at a local or regional level.

Vehicle Accessibility Providing wheelchair and other mobility device accessibility to local areas is a high priority of the Section 5310 Program, in order to meet the growing needs of individuals of all ages with mobility-impairments. However, applications for non-accessible vehicles will also be considered by ADOT if that best meets agency needs. However, in order to acquire a non-accessible vehicle, applicants must assure adequate ADA-compliant “Equivalent Service.”

This means that in order to obtain a non-accessible vehicle, an applicant must already have—in its fleet or under contract—regular, guaranteed availability of an ADA-compliant, wheelchair-accessible vehicle, or vehicles, in reliable and safe operating condition, to serve the area targeted by the application, as well as qualified drivers to operate it. The agency must be able to provide accessible service on a scheduling and capacity basis which is equal to that provided by non-accessible vehicles. If equivalent service is by contract, the contractor must have a back-up plan in order to ensure that equivalent service is available.

Vehicle Types The following vehicle types are typically available through ADOT's procurement process. ADOT will evaluate requests for alternative vehicle types on a case-by-case basis, but makes no guarantee that these other types will be available.

- Raised-roof van with wheelchair lift, 6 to 8 ambulatory, 2 wheelchair (w/c) positions;

- Raised-roof “body-on-chassis cutaway” with wheelchair lift. This vehicle is slightly larger (longer and wider) than standard lift vans but still does not require a CDL to operate. It has seats for eight (8) to nine (9) ambulatory passengers and/or two wheelchair positions (lessened ambulatory capacity with wheelchair occupancy);
- Accessible mini-van: Minivan with one (1) wheelchair position and manual accessibility ramp seats four (4) to five (5) ambulatory passenger or reduced ambulatory with wheelchair occupancy. Requests for this type of vehicle will reviewed on a case-by-case basis;
- Twelve (12) passenger (including driver) “maxi van” without a wheelchair lift;
- Seven (7) passenger (including driver) “mini-van” without a wheelchair lift

Vehicle brand and configuration may also be limited by whether a certain manufacturer can provide a specified-vehicle meeting Federal “Buy America” standards, which state—in part—that vehicles purchased with Federal funds must have 60% of the content sourced in the United States, and that the final assembly occurs in the United States.

Safety Tips: ADOT recommends that older fifteen (15) passenger non-accessible vans be reduced or terminated from service. At this time, no additional 15-passenger vans should remain in ADOT-lien service. However, if an applicant continues to use this capacity van, it is strongly recommended that passenger count be limited to 10, that no passengers be seated behind the rear wheel-well/axle, and that the vehicle operator also does not utilize the remaining rear, non-seated areas for the transport of heavy equipment. It is also critical that the operators of any large, rear wheel drive vans—regardless of passenger capacity—monitor tire pressure regularly—and maintain the manufacturer’s recommended pressures (being sure to note and adjust to hot or cold operating or inflation conditions which can significantly alter tire pressure readings).

F. APPLICANT RESPONSIBILITIES

Successful applicants for Section 5310 program funding will be required to meet various Federal and State requirements. The applicant responsibilities are summarized below. The Federal and State requirements are described in detail in Part IV of this handbook.

CONTRACTS WITH ADOT

Successful applicants must sign a contract or grant agreement with ADOT which defines their responsibilities relative to the 5310 project. For vehicles, the agreement covers the “useful life” of the equipment, which at this time is four (4) years or 100,000 miles, whichever comes first. Although not typical, the ADOT 5310 Program Manager has the administrative latitude to disallow lien-release requests even if one of these thresholds has been met, if he/she believes that the contract has not been properly fulfilled due to abuse, neglect, or improper/under-utilization. The Program Manager may elect to have the grantee keep the vehicle in service with an agreement for improved performance, or re-locate the vehicle/equipment elsewhere in the state. The grantee’s application becomes part of its contract with ADOT by attachment and reference. Examples of agreements for both a private non-profit agency and a Tribe can be seen at <http://mpd.azdot.gov/transit/Section5310.asp>.

Grant agreements are also made for Mobility Management awards, with the chief differences being: a) the inclusion of a timeline for implementation of various Mobility Management activities, and b) a performance monitoring clause which directs the grantee to report to ADOT or its representative on a quarterly basis regarding progress to project goals. This may include, but not be limited to, such potential goals as inter-agency agreements implemented, increase rides realized with a coordinated system and other measures to gauge how well the project objectives are being met.

LOCAL COORDINATION EFFORTS

The applicant must participate in local and or regional efforts to coordinate services in an effort to make the best use of transportation resources in Arizona. The local coordination efforts will vary by region, and will be guided largely by the United We Ride efforts. Local or regional coordinating councils are established in each region, and participation on these committees is a requirement of all grantees. ADOT strongly encourages the coordinated application by two or more agencies with one agency acting as the lead and principal applicant for the vehicle.

Coordination can take on many forms, including sharing information and referrals, joint training, sharing of maintenance facilities insurance providers, drivers and even vehicles. One of the primary forms of coordination is the utilization of one agency, typically a central funding or grant-making agency, to combine several smaller agencies’ or groups with similar clientele into one inter-related program with multiple local facilities from which agency services are rendered.

A common method of providing a coordinated application is through the utilization of an umbrella agency, which may function as a central grant writing, fund-raising or

administering entity and which may also oversee satellite service-provider agencies: An umbrella agency would be a private non-profit organization or public agency that would make application for two or more vehicles which would be subcontracted or otherwise distributed to affiliated eligible agencies on a needs basis. The advantages of this arrangement may include reduced administrative costs, greater trip coordination, and centralization of reporting and record keeping.

LOCAL FINANCIAL SUPPORT

The applicant must provide a local cash match for equipment purchase. The local match rate is currently 12%, but under certain circumstances may be lower, depending on the funds available in a given year and the type and character of a particular project. The applicant must also demonstrate that they have the financial capacity to maintain, operate and insure the vehicles purchased by this program.

This local financial support may come from the applying agency or in the form of funding from the private non-profit agency, donations, or grants from local governments. Awarded applicants are asked to begin to secure their local matching funds early in the process. Vehicle delivery often occurs late in the fiscal year following the application process, i.e., 12 to 18 months after an agency's application to the State for Section 5310 assistance. Applicants are encouraged to notify appropriate local decision makers of this fact relative to their matching funds programming needs so that if necessary the funds can be re-appropriated or carried forward. Other (non-vehicle related) grant types typically require a shorter timeframe for programming and processing prior to fund availability and project execution.

SAFETY & TRAINING

A commitment to operating safe services is a core requirement of the Section 5310 Program. Drivers must be trained to proficiency not only in the safe operations of vehicles and equipment but also in how to assist and relate to passengers with special needs. While drug and alcohol testing is not specifically required of Section 5310 recipients - except where other federal, state or local laws may dictate (post accident, CDL-certificate holders, etc.) - recipients should provide at least basic introductory and ongoing training regarding laws and expected conduct for new and existing drivers, other equipment operators and transportation system employees. Agencies must sign a "Drug-Free Workplace" certification at the time of application, which supports a drug and alcohol-free environment. ADOT may be able to assist with financial support and training opportunities to assist local entities in meeting these requirements.

In other areas, ADOT's Training Coordinator is available to assist grantees with training needs, whether it be setting up specific ADOT-sponsored training locally, or providing

other resources. The Passenger Service & Safety (PASS) course, which instructs on the proper techniques for assisting passengers using wheelchairs and other mobility-assisted devices, is one example of a State-supported training opportunity. Others include CPR, Defensive Driving, and First Aid. ADOT's annual Rural Public Transportation Conference and the Arizona Transit Association's (AzTA) Conferences also offer training opportunities. Section 5311 operator-agencies are an additional resource, as they must follow more stringent education, training and testing procedures. However, it is important to realize that by participating in the Section 5310 program grantees are committing to provide ongoing training for employees regardless of the specific availability of external training resources.

REPORTING AND MONITORING

Section 5310 Program grantees have reporting requirements that extend throughout the useful life of equipment. Through this reporting grantees assure ADOT of ongoing appropriate equipment use and equipment maintenance. ADOT requests documentation of equipment use annually during vehicle inspections. Upon taking delivery, the grantees assume an obligation to use the equipment in a manner that is consistent with the service identified in its application and with the contractual requirements of the State. More detailed information on maintaining equipment and monitoring and reporting requirements is presented in Part IV of this handbook.

ADDITIONAL REQUIREMENTS

Limitation of out-of-country and out-of-state travel

No ADOT-funded vehicle or other capital asset may be taken across an international boundary without prior written ADOT approval. *Cross-state boundary* travel is permitted as long as it is consistent with the objectives of the 5310 grant award.

Charging fares for transportation services

Fares may be charged for transportation services as long as the fares do not exceed those required to operate the system or route under consideration. In determining fair and reasonable charges, service providers should keep in mind the primary end-user/clientele group utilizing Section 5310 services and their income status. The operator may require fares that exceed the "normal" fare for 5310 service if it is providing general public service to others outside the core end-user group. At a maximum, these fares should also be limited to covering operating expenses. If you have questions as to whether a fare is reasonable, contact your COG or MPO representative or ADOT staff.

CIVIL RIGHTS

The Section 5310 Program requires that equal access to transportation services is provided without regard to race, color, religion, ethnicity, national origin, gender, disability or age. Agencies may restrict the use of 5310-funded equipment to their primary service groups but not deny service based solely on any of the protected classes. For example, a senior center may only transport seniors, but must carry all seniors regardless of color, religion, ethnicity, national origin, gender or disability.

All federal non-discrimination laws and regulations apply, including the Americans with Disabilities Act (ADA) and the Civil Rights Act of 1964, as amended and all other applicable State and Federal Equal Employment Opportunity (EEO) statutes. Further information is provided in the Civil Rights section presented later in this Handbook.

G. FREQUENTLY ASKED QUESTIONS

I have a private company; can my organization apply if we have not yet received non-profit status?

No, you must have completed 501 (c) (3) non-profit status to submit an application. However, you may be able to participate by contracting with an eligible private-non-profit or public agency to perform its 5310 services, and thereby utilize a 5310 vehicle for approved purposes. That grant-eligible organization must submit the grant application, and will be the responsible party for overall stewardship of the vehicle and ADOT program reporting until such a time as your organization can apply on your own. However, as a contractor, most federal requirements—including Civil Rights laws and regulations—“flow down” to you as well; your company is accountable not only to the agency which has hired it to perform services, but also to ADOT and the federal government.

How large an operation do we have to be in order to receive funding?

Agencies which have only a very few riders and/or limited service hours typically are not successful candidates. Reviewers will typically look for at least twenty-five (25) hours per week of *actual* passenger service—or otherwise coordinate for efficient utilization of the vehicle with a partner-agency. This figure is a general guideline, reviewed on a case-by-case basis and again may vary particularly when operations are conducted within a coordinated system.

Who is elderly?

Anyone over 60 years of age is considered elderly for the purposes of the 5310 Program. Federal guidance states 65 years of age as a general rule-of-thumb;

however, administrative latitude is permitted for the State as designated FTA recipient to lower the range to 60 years—as ADOT has.

Who is disabled?

For the 5310 Program, typically a disability is a condition which can be characterized as an irreparable, chronic or otherwise long-term physical or mental impairment, which impedes a significant life function(s). While temporary injuries such as extremity sprains and fractures are not typically considered disabilities from a “traditional” ADA or 5310 perspective they are allowable conditions for occasional service.

Can we charge a fare?

Yes, a nominal fare can be charged. Traditionally, it has been more common for agencies to request a donation. However, the grantee agency may charge a fare in order to assist with or cover—at most—its operating expenses. With today’s elevated costs, it has become increasingly common and “acceptable” for agencies to charge a nominal fee. With acknowledgment that the typical end user of 5310 Program services is on fixed or otherwise limited income, ADOT and the FTA watch this aspect closely to assure against system abuse.

What uses are not permitted for Section 5310 funds?

General Transportation: Generally, transportation other than that serving the elderly and people with disabilities is limited to that which does not interfere with the core Section 5310 mission. However, ancillary uses are permitted, and encouraged, if they do not interfere with the 5310 use. A vehicle carrying a passenger who is elderly or has a disability may also pick up a general public passenger if there is room available on the vehicle. A vehicle may also be made available for general public passengers during periods of low 5310 use. Coordinated programs often can serve a broader mix of clientele and provide a greater variety of trip purposes.

Recurrent Emergency (Medical) Transportation: The program specifically is not intended to provide “emergency” medical transport or ambulance service on a regular basis. This type of transportation service should be left to emergency-specific agencies. However, a Section 5310 vehicle can of course be used—just as a private passenger vehicle might be—to occasionally transport critically ill or injured persons when conditions indicate no other resources are available or that other resources are not as appropriate for such transport considering the injury or illness involved. An additional supporting factor of such vehicle use would be that, in the judgment of an able adult person(s) on the scene, there is no other recourse and *not* transporting the injured/ill person(s) with the agency vehicle would risk an otherwise avoidable serious injury or fatality.

School Pupil Transportation: The program is specifically not intended to provide exclusive or regularly scheduled school pupil transportation. This type of transportation operates under strict state laws governing the construction of vehicles; lights and other ancillary equipment; and driver training requirements which are not the focus of—and generally exceed—those governing the 5310 Program. These limitations notwithstanding, school children may be carried in addition to passengers who are elderly or have disabilities, particularly if such a trip is occasional or represents an emergency or other unusual circumstance. However, “regular,” school bus service responsibilities normally lie with the local school district. Section 5310 providers should observe and report any frequently recurrent ride requests to appropriate school authorities.

Our Senior Center delivers meals as part of our operation. Can we use a vehicle purchased through this program to both transport seniors and deliver meals?

Yes. Meal delivery may occur as an ancillary vehicle function when it does not displace riders or detract from normal Section 5310 passenger service. Transporting people to meal sites is considered a permitted “regular” and traditionally popular use of Section 5310 vehicles. An example of a scenario regarding meal deliveries is one in which a van has just transported a group of seniors to an activity center and, rather than returning to the central office in a “deadhead” mode, i.e., empty of passengers, picks up meals for transport to a meal site en route or otherwise with little or no impact on normally scheduled passenger service. The key judgment here is that the van would otherwise run empty and the meal delivery does not impact normal passenger-trip scheduling for this short period. Applicants should be careful, however, to avoid over-programming of such delivery activities to the extent that numerous daily or weekly runs comprise a significant percentage of the vehicle’s time on the road. However, with the new emphasis on coordination, it is now easier to include meal delivery in the mix of services provided. In a coordinated system, concerns such as those expressed above can be minimized through careful route planning and scheduling among service partners so that a variety of trip needs are met more efficiently.

How much can we use a funded vehicle for non-elderly and non-disabled use?

There is no hard and fast rule. ADOT will evaluate applications to ensure that the primary mission of the program is upheld, and will look for evidence that elderly and disabled persons who might normally expect service are not displaced or inconvenienced by use of Section 5310 vehicles for other purposes. As a general rule of thumb, at least two-thirds of ridership and available operations time should be devoted to core elderly and persons with disability service. Reviewers may view the mix of “traditional” 5310 versus other uses more liberally if an application exhibits a high degree of inter-agency coordination. Vehicle operators should maintain an up-to-

date log not only of their regular ridership, but service provided outside of the agency's primary (Section 5310) clientele group for which the vehicle was obtained.

How important is identifying ongoing operations funding?

In their deliberations regarding potential grant awards, reviewers often must work within a delicate balance on the one hand of acknowledging the "dire need" of an agency for assistance, and on the other evaluating that same program's capability to responsibly manage and operate its equipment for up to four years. The operating budget submitted by the applicant gives reviewers an indication whether an applicant understands "what it takes" to operate a 5310 vehicle. Also considered important is the agency's long-term ability to maintain an operating and administrative budget appropriate to the project's needs throughout the equipment's "useful life."

What does ADOT expect for preventative maintenance of vehicles?

Regarding the grantee's stewardship of ADOT-awarded equipment over its useful life, applicants should note that particular attention will be paid during the application evaluation (and later site reviews for successful applicants) to demonstration and documentation of proactive maintenance and safety policies and procedures. ADOT expects all Section 5310 grantees to adopt and adhere to aggressive preventive maintenance schedules over the useful life of the equipment. At the time of application, certification is made that the applicant will, at a minimum, meet the manufacturer's recommendations for basic maintenance. In addition, because of Arizona's extreme operating conditions much of the year and the heavy-duty use many vehicles are subject to, it is strongly recommended that the applicant follow even more stringent preventive maintenance practices for many service intervals.

Are we required to participate in the "locally derived" Regional Transportation Coordination Plan in order to be eligible for funding?

Yes, the applicant-grantee needs to be a part of the local and regional dialogue on coordination—and be included in the Plan's "program of projects," which means attending related meetings (State, regional and/or sub-regional) at which specific coordination concepts are discussed. While this does not mean that the applicant must coordinate in any specific way, the applicant must consider coordination options and participate in the coordination planning process. Whether or not the agency in question is a new applicant, it must be open to consideration of collaborative agreements with other agencies to optimize the use of local, state and federal resources.

What is the difference between New Freedom (5317) and Section 5310?

New Freedom has close developmental ties with the 5310 program in particular. However, unlike 5310, New Freedom funds must be focused *only* – as its core function – on persons with disabilities, while 5310 adds senior transportation needs to its mission. In addition, New Freedom has its roots in specific ADA-required service by public transportation systems. The Program funds agencies providing new (post 2005) service which goes beyond the current minimum ADA requirements of complementary paratransit (i.e., dial-a-ride) systems which call for such features as service $\frac{3}{4}$ mile either side of a fixed route, or curb-to-curb service. With New Freedom funding, a system might now be able to afford service expanded to 1- $\frac{1}{2}$ miles beyond the system's traditional bus service, for example, and may also be able to extend its pick-up-and-delivery policy to include door-to-door service.

Rural and small urban Arizona—over which ADOT has jurisdiction for this grant program—does not have many fixed-route transit systems that otherwise would be the target for New Freedom programs. In many communities, New Freedom can function simply to provide new, enhanced or otherwise unique service for persons with disabilities—which would not otherwise be available to this group of users.

Like JARC, New Freedom projects may also apply for operating funds whereas Section 5310 projects are still limited to capital assistance (with the exception of a limited number of states engaging in a FTA 5310 operating funds pilot program).

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PART III. STATE PROGRAM ADMINISTRATION

This part describes the responsibilities the ADOT Multimodal Planning Division has in administering the Section 5310 program. Detailed information is provided on planning, procurement, monitoring, and financial management.

A. OVERALL PROGRAM MANAGEMENT

The Arizona Department of Transportation is the State agency designated by the Governor to administer the Federal Transit Administration's Section 5310 program. ADOT receives a formula allocation of funds annually. These funds are used to administer the program and procure vehicles and related transportation equipment or services designed to improve the availability and/or quality of transportation for persons who are elderly and/or disabled in Arizona. The Multimodal Planning Division is the unit within ADOT which has responsibility for the 5311 Program.

In addition to developing the annual statewide Section 5310 Program application for submittal to FTA, the Arizona Department of Transportation administers the program at the State level by performing the following activities:

- Providing program information and technical assistance for project development, implementation and operation.
- Coordinating vehicle purchases through a competitive bid process
- Monitoring the progress of each project through completion (four years or 100,000 miles).
- Coordinating the program with other ADOT administered FTA Programs including the Section 5311 Rural Public Transportation Program, Planning programs for rural and urban areas (funded under Sections 5303 and 5304, respectively), the Rural Transit Assistance Program (RTAP), the Section 5316 JARC Program, and Section 5317 New Freedom Program.
- Assuming responsibility for complying with Federal procurement, auditing and other requirements to minimize the requirements placed on individual grantee agencies.
- Networking with the Federal Transit Administration, other federal agencies, state DOTs, and associations, including attendance at regional and national conferences, meetings, and pertinent training forums, to enhance

communication with industry peers and remain current in program management developments.

B. STATE PLANNING AND COORDINATION

The transportation funding bill, SAFETEA-LU, enacted in 2005, calls for State departments of transportation to undertake activities to ensure that maximum feasible coordination of transportation programs occurs to optimize Federal grant awards. It also requires that projects be included in a plan that coordinates public transit and human service transportation services.

In Arizona, COGs are utilized to assist in regional screening of applicants and report to the ADOT Multimodal Planning Division on any transit issues and regional transportation priorities. Rural COGs also perform transportation planning and vehicle inspection functions for ADOT. Described elsewhere in this document is the requirement that all applicants participate, be included in and derived from their appropriate locally-developed Regional Human Services Transportation Coordination Plan.

Applicants should inquire with their regional COG in rural regions, and MPO in Urbanized Areas (Valley Metro/RPTA on behalf of the MAG MPO in Maricopa County) if they have additional questions regarding how their application fits in with local and regional transportation planning efforts.

C. VEHICLE PROCUREMENT PROCESS

As a general rule, ADOT procures capital equipment for its grant recipients, versus “self-procurement” by the grantee itself. ADOT’s Multimodal Planning Division procures vehicles and may also be required to procure related communications, dispatching and scheduling hardware or software. Any other arrangements must first be approved by the ADOT Program Manager and Procurement Office before proceeding. In the Application Section of this document, the applicant is directed to provide a description of communication or other electronic equipment it is requesting. It is very important that these descriptions be as detailed as possible to assist ADOT in placing awarded orders.

Although every attempt is made to procure and deliver vehicles within one calendar year of ADOT submittal of statewide application to the FTA, longer periods are not uncommon, and is highly subject to invitation-for-bid and delivery schedules, ADOT staffing, and industry manufacturing cycles and inventories.

ADOT is not able to draw down program funds prior to actually incurring expenditures. For this reason, and to ensure adequate funds for timely payment to vendors, the 5310 Program Manager requires recipients of awarded equipment to remit local matching funds to ADOT well in advance of actual delivery of equipment. This may occur from one to several months prior to equipment delivery.

ADOT funding of vehicles is subject to Federal procurement regulations, which include Buy America provisions for purchases over \$100,000. For these purchases, ADOT and its vendor-manufacturer must certify that a certain percentage of vehicle components are manufactured--and final vehicle assembly occurs--in the United States. Also, vehicle inspections are performed by the Department upon shipment to ADOT and prior to recipient delivery, to insure that Federal and State specification requirements are met.

ADOT also conducts pre-award and post delivery inspections of modified vehicles to ensure that Federal Motor Vehicle Safety Systems criteria and Americans with Disabilities Act requirements are met. For large orders of modified (accessible) vehicles, this process includes inspections at the secondary manufacturing site (i.e., conversion manufacturer) for wheelchair-accessible vehicles during their assembly to observe the construction process and insure adherence to ADOT and Federal specifications.

D. CONTRACTING, VEHICLE TITLE AND LIEN

Each successful applicant, referred to as a grantee, will be awarded capital equipment, usually a vehicle, purchased by ADOT. ADOT enters into an agreement with each local grantee stating the terms and condition of assistance. This contract identifies the responsibilities of ADOT and the grantee, lists the performance expectations and contract deliverables, and includes all Federal requirements as described in Part IV of this Handbook.

ADOT conducts all vehicle title and registration activities for the recipient agency as a part of the procurement process. In order that ADOT may act on behalf of the recipient for these transactions, a signed Power of Attorney must be submitted to the Department (on a form provided by ADOT).

ADOT holds a lien on grant awarded vehicles for four years or 100,000 miles, whichever occurs first. ADOT holds the original title in the name of the recipient agency. ADOT releases the vehicle at the end of the lien period. The lien also enables ADOT to retrieve the vehicle if the agency discontinues operations or fails to fulfill its contractual requirements. Additional information about the contractual

responsibilities of the grantee under the lien is found in Part IV Federal and State Requirements.

E. VEHICLE INVENTORY MANAGEMENT

ADOT regularly reviews grantees and monitors the use of vehicles. ADOT manages an inventory of vehicle information for the Section 5310 fleet. Grant agreements are kept up-to-date via annual reports filed with ADOT by grantees, and incorporated into project database files for program management use. This asset management system promotes proper vehicle maintenance and use and identifies problems or issues related to fleet defects or improper vehicle management.

Grantees should expect annual vehicle inspections and an annual request for operational information via an Annual Report/Notice of Impending Vehicle Inspection inquiry. COGs work with ADOT field staff to conduct annual vehicle inspections in rural areas, while ADOT observes urban recipient compliance. The inventory system is known as the TAPS (Transit Automated Program System). Among other tasks, this system flags agencies that may be due for vehicle replacement. The objective of this system is to ascertain statewide condition of the Section 5310 fleet and help determine what current and future actions are most beneficial to ensure overall fleet service viability.

The Application Section of this Handbook contains a vehicle inventory form that is completed by all applicants. Other TAPS forms are provided at the end of the application so applicants will know what to expect for the annual inspections and for vehicles that are off-lien.

F. PROJECT MONITORING – GRANTEE REVIEW

In depth management reviews of all agencies receiving Section 5310 funds are completed periodically, at least once every three years; most existing (i.e., on-lien/pre-2008) grantees were reviewed recently. Newer grantees should expect a review of their programs within the next two to three years.

These reviews focus on program compliance, vehicle use, maintenance, insurance, and safety. Representative topics include:

- Recent program changes (administrative and service)
- Compliance with Work Scope (i.e., is the vehicle still being used in accordance with the description in the recipient's original or approved-revised application?)

FTA Requirements, including

- Civil Rights, including Americans With Disabilities act (ADA) Service Provisions ; Title VI; Limited English Proficiency (LEP); Equal Employment Opportunity (EEO); Disadvantaged Business Enterprise (DBE) participation, and other related activities
- Meal Delivery, School Bus aspects of FTA compliance issues (where applicable)
- Vehicle use, including insurance
- Vehicle Maintenance & Safety
- Program Management - written internal organization, policies and procedures
- Financial management - procedures, recent audits, etc.

Regional workshops are also held to address compliance and training issues. These workshops provide ADOT with the opportunity to assist its recipients on technical or management matters.

G. STATE FINANCIAL MANAGEMENT

Financial Status Reports prepared by ADOT Multimodal Planning Division are submitted to the FTA at the close of the operative Federal fiscal year. They include a narrative of grant project activity and summary of financial activity for that year. Timely receipt of all required information from grantees is therefore of great importance to assure that ADOT meets these FTA requirements.

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PART IV. FEDERAL AND STATE REQUIREMENTS

As a Federal program, Federal legislation and a variety of Federal regulations form the foundation of how the Section 5310 program is operated. The Arizona Department of Transportation has developed procedures on how some of the Federal provisions are enacted in Arizona. In other cases, the requirement and language is straight from the Federal legislation and regulations.

In this section, the basic Federal and State requirements are summarized. In addition to reading the abbreviated summaries in this handbook, applicants are urged to read the FTA Program Circular and the applicable Office of Management and Budget Circulars for a more in-depth description of the Federal requirements. References are provided at the end of the chapter.

Applicants for Section 5310 funding must agree to comply with a series of requirements, and must sign certifications and assurances indicating they are following these requirements, as applicable to their project. In Part V, Project Application, applicants will see that these regulations form a critical part of the application. As you complete the application, it may be useful to return to this section to get a broader understanding of the Federal or State requirements.

The State maintains ongoing program requirements in addition to those specifically required by Federal legislation. In part to meet its own reporting obligations and fiduciary duty to the FTA, ADOT requires its Section 5310 grantees to have ongoing management and monitoring systems in place. These requirements cover the administration of the agency, operation of vehicles, training of operators, reporting of vehicle and driver statistics etc.

As the program administrator, ADOT's Multimodal Planning Division requires that grantees document they are meeting all the federal requirements, including the eligibility criteria discussed earlier in this handbook. In addition to requirements that must be met at the time of application, these State and Federal requirements require on-going management, monitoring and reporting systems to be implemented by the applicants in order to ensure continuing compliance.

The requirements most pertinent to Section 5310 Program applicants are summarized below. More detailed references to Federal laws, regulations and procedures are listed at the end of this section. The Application includes a complete listing of all the related and required assurances.

A. PUBLIC INVOLVEMENT

Applicants are required to notify interested parties in the community of their intent to apply for equipment through the Section 5310 program. This is done in two ways. First, a public notice must be placed in a newspaper of general circulation in the vicinity of the project stating the intent of the applicant. Second, a letter must be sent to all public and private transportation providers notifying them of the same and inviting their participation. In the Maricopa and Pima urban areas, the Maricopa Association of Governments (MAG) and Pima Association of Governments (PAG) take care of these responsibilities on behalf of the applicants in their area.

In addition, public agencies applying for Section 5310 funds must also provide an opportunity for a public hearing if one is requested. This requirement does not apply to private non-profit agencies. Public notices shall be published in the newspaper(s) having general circulation in the vicinity of the proposed undertaking. If someone with a significant economic, social or environmental interest in the matter requests a hearing, such public hearings must be held at a place and time generally convenient for persons affected by the proposed undertaking and accessible to persons who are elderly or have disabilities. Provisions should be made at the hearing for submission of written statements, exhibits, or oral statements. As appropriate to the ethnic makeup of the community or upon or upon request, translators should be provided for non-English speaking persons at the hearing. A written summary of the oral proceedings must be prepared (See Sample Notice of Public Hearing in application). In addition, requests for appropriate accommodation for persons with mobility, hearing or sight impairments must be honored.

With the exception of private non-profit providers in the MAG and PAG regions (see below), all other private and public transit providers in the applicant's service area must be informed of the applicant's plans and provide them with an opportunity to participate in the project. A written notice must be sent to all other private and public transit providers in the applicant's service area. All replies of private and public sector providers must be included in the application. Supporting documentation must be provided if an applicant should deny existing private and public systems the opportunity to provide the service. (See Sample Notification to Other Providers in application)

In Pima and Maricopa counties, the Pima Association of Governments or Maricopa Association of Governments may place a single public notice, which takes the place of the above requirements for individual notifications to providers, and offer to conduct a single public hearing on behalf of all applicants. However, it is recommended in these regions that applicants voluntarily notify all "obvious" organizations, agencies or companies within their service area which might have an interest in and wish to comment on their application.

B. CIVIL RIGHTS

All recipients of FTA assistance are responsible for compliance with all Civil Rights requirements applicable to transit related projects, including 49 U.S. 5332 (Nondiscrimination), Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity (EEO), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and Disadvantaged Business Enterprise (DBE) program requirements, pursuant to Executive Order 13166 and DOT policy guidance concerning recipient's responsibilities to Limited English Proficient (LEP persons (FRAC 5010.1D pg. II.8). Recipients also agree to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by the FTA.

TITLE VI – NON DISCRIMINATION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin. Related laws and regulations, as cited below, prohibit discrimination on the basis of age and gender. Together these requirements are sometimes referred to as "Title VI". Specific citations for FTA provisions for grantees include:

- Title VI of the 1964 Civil Rights Act, Section 601
- Section 19 of the Federal Transit Act provides guidance in the area of age and sex discrimination.
- FTA Circular 4702.1A, "Title VI Program Guidelines for FTA Recipients," outlines specific State and grantee requirements.

Sub-recipient Requirements

Grant sub-recipients receiving funds or equipment from the Federal government through ADOT, are required to submit the following information as part of their application and annually thereafter, as long as a federal interest remains in their equipment or program:

- Concise description of any lawsuits or complaints alleging discrimination in service delivery;
- Status or outcome of any lawsuits or complaints;
- Activities (contracts, programs, policies, etc.) which are supportive of positive efforts to enhance the inclusion of all individuals in the sub-recipient's employment or provision/receipt of service, regardless of race, color, creed, age or gender;

- Any Civil Rights reviews of their organization; and,
- Information on other Federal financial assistance applications.

In addition, the applicant (and subsequently, recipients annually) may be requested to provide information on the ethnic make-up of their organization (employees and clientele).

LIMITED ENGLISH PROFICIENCY (LEP)

Limited English Proficiency (LEP) stems from Presidential Executive Order 13166 - http://www.fta.dot.gov/documents/LEP_Executive_Order.doc - and functions as a supporting element of Title VI-Non Discrimination. It is a provision which protects individuals utilizing services associated with these federally-assisted programs who do not speak English as their primary language; that is, they cannot speak, write or understand English to the degree they have difficulty understanding the program, or are otherwise uncomfortable communicating and interacting with persons administering or other persons utilizing these programs. A number of indicators may (need to) be present which provide an operational definition of a person who is limited in their English proficiency for any particular region or locale; these factors and related information can be found at <http://www.fta.dot.gov/documents/Newlepguidance.doc>. An excerpt reads:

Recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors: (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee; (2) the frequency with which LEP individuals come in contact with the program; (3) the nature and importance of the program, activity, or service provided by the recipient to people's lives; and (4) the resources available to the recipient and costs.

The applicant/grantee is required to certify – in the *Certification & Assurances* section – that their agency provides for reasonable alternate-language accommodation of individuals who are limited-English-Proficient or LEP, to the extent that the individuals represent a minority class that is sufficiently large to be described as a significant alternate language within the region or locale. This status can be determined in a number of ways, one of the most useful of which may be information obtained from the local *school district* regarding predominant classes (i.e., alternate languages) of LEP individuals.

Reasonable accommodation for persons with LEP may range from information provided in a commonly observed pamphlet(s) or flyer(s) regarding the agency's

services – to volunteer or contracted interpreters. Although each situation may present its own unique circumstances, typically the agency *does not need to provide all* of its communications in the alternate language—but sufficiently enough for their services to adequately and clearly be conveyed to the requesting individual(s). Visit www.lep.gov or contact the ADOT Civil Rights Office for further information.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

As part of the Certifications and Assurances section of the application, the sub-recipient agrees that it will not discriminate against any participant on the grounds of race, color, creed, gender, disability, age, or national origin. The sub-recipient also agrees to take affirmative action to ensure applicants and employees are treated without regard to their race, color, creed, gender, disability, age, or national origin. Such actions shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training. FTA Circular 4704.1, Equal Employment Opportunity Program Guidelines for FTA Recipients," outlines FTA EEO objectives. A copy of this and other FTA circulars is available from the ADOT Multimodal Planning Division.

Title I of the Americans with Disabilities Act also contains specific provisions prohibiting employment discrimination on the basis of disability and requiring employers to make reasonable accommodations for persons with disabilities.

DISADVANTAGED BUSINESS ENTERPRISES (DBE)

A DBE is defined by the U.S. Department of Transportation as “a for-profit small business concern 1) that is at least 51 percent owned by one or more individuals who are socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and 2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.” A “socially and economically disadvantaged individual” is further defined as any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is African American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, a woman, determined to be socially and economically disadvantaged by ADOT, or a member of an additional group designated as socially and economically disadvantaged by the Small Business Administration.

The FTA states, sub-recipients who receive more than \$250,000 in various forms of FTA assistance, **exclusive of transit vehicle purchases**, must have a DBE program.

Recipients of Section 5310 Program funds should take affirmative steps to ensure that socially and economically disadvantaged business enterprises participate in the performance of contracts and subcontracts. This may mean as actual transportation service providers, or as suppliers of commodities or services needed in the operation of transportation service.

Where the recipient or contractor is found to have failed to exert sufficient reasonable and good faith efforts to involve DBEs in the work provided, ADOT may declare the recipient or contractor in breach of contract (refer to 49 CFR pt. 26).

Additional information on ADOT's DBE policy and requirements for grantees can be found at http://www.fta.dot.gov/civilrights/dbe/civil_rights_5263.html or by contacting the ADOT Civil Rights Office.

AMERICANS WITH DISABILITIES ACT (ADA)

All ADOT recipients of vehicles and other FTA grant assistance must comply with the Americans with Disabilities Act of 1990. The ADA was enacted by Congress as a national mandate for the elimination of discrimination against individuals with disabilities. In addition, any new construction of public access facilities must have accessible features incorporated to provide accessibility to persons who are mobility-impaired. Grantees can stay apprised of ongoing ADA requirements by subscribing to the online ADA newsletter published by the FTA at: http://www.fta.gov/civilrights/civil_rights_360.html.

Service Provisions: The ADA requires of transportation providers a number of specific service provisions to be in place and operational. During its site reviews of program recipients ADOT staff will interview Section 5310 recipients regarding the status of the following ADA transportation service provisions:

- Maintenance of accessible features
- Procedures to ensure lift vehicle availability
- Lift and securement use (local policies and procedures)
- Announcement of stops (where applicable)
- Vehicle identification mechanisms in accordance with ADA
- Service animals (what policies and procedures are in place which are in accordance with ADA?)
- Public information/communications (what actions are taken to apprise the disability community of transportation services available, and to otherwise

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ensure that persons with disabilities are given maximum opportunity to participate in the provision of services?)

- Lift deployment at stops, where requested
- Service to persons using respirators or portable oxygen
- Adequate time for vehicle boarding and disembarking (what actions are taken to ensure that reasonable time is provided?)
- Training

Recipients should undertake all reasonable means to provide for the needs of sight and hearing-impaired individuals in their communication within their facilities. Braille-etched sign and other forms of written communication as well as telephone devices for the hearing impaired are some examples of facility improvements, which are covered under the ADA.

ADA Vehicle Maintenance Guidelines: During the course of a recipient agency's use of an ADOT-program, maintenance of the vehicle(s) is a critical component of stewardship. The Certificate of Compliance with Manufacturer's Maintenance Schedule located in the Application section of this document, indicates that the signing party will abide by - or exceed - all manufacturers' recommendations related to vehicle servicing and other maintenance, including accessibility-related components and equipment. The ADA requires that:

- Public and private entities providing transportation services shall maintain in operative condition those features of facilities and vehicles that are required to make the vehicles and facilities readily accessible to and usable by individuals with disabilities. These features include but are not limited to, lifts and other means of access to vehicles, securement devices, signage and systems to facilitate communications with persons with impaired vision or hearing.
- Accessibility features shall be repaired promptly if they are damaged or out of order. When an accessibility feature is out of order, the entity shall take reasonable steps to accommodate individuals with disabilities who would otherwise use the feature.
- A system of regular and frequent maintenance checks of lifts is required. If a lift fails to operate when in service, the ADA requires the vehicle be taken out of service before the beginning of the vehicle's next service day and repair the lift before the vehicle returns to service. If there is a contract operator, the recipient must ensure the contractor notifies the recipient immediately of any failure of the lift to operate in service
- If there is no spare vehicle to take the place of a vehicle with an inoperable lift, the recipient may keep the vehicle in service for no more than five days if it

serves an area of 50,000 or less population or three days if it serves an area of 50,000 or more population.

- This section does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs.

C. DRUG-FREE WORKPLACE PROGRAM

All recipients are required to have in place a “Drug-Free Workplace” Certification (See the certificate in the Application section). Section 5310 recipients are not required to have a testing program and other extensive monitoring. The recipient’s “Drug-Free Workplace” policy is the minimum requirement. ADOT prefers that it augment a stronger policy. The Drug-Free Workplace certification should be posted in a publicly visible location, and the agency should conduct basic employee orientation regarding the use/abuse of drugs and alcohol in/affecting the workplace.

Holders of commercial drivers licenses (CDLs) who operate Commercial-class vehicles are subject to Federal Highway Administration (FHWA) rules for drug and alcohol testing. The vast majority of Section 5310 projects use vehicles that do not require commercial licenses of drivers to operate. However, if vehicles require drivers with CDLs, FHWA drug testing requirements apply.

The recipient should also have at the least established basic policies and procedures regarding what actions may be taken should drug or alcohol abuse in—or affecting—the workplace occur. A Section 5311 Program in your region may be able to assist in your development of a workable policy for your organization, as these agencies are required to have stringent testing and employee orientation policies in place. Contact ADOT’s Section 5310 or 5311 administrator, or if in a rural area your COG representative, for further information on the Section 5311 program nearest you.

Section 5310 operators may develop their own drug testing and monitoring policies and procedures as long as they comply with civil rights and other state and federal regulations governing such testing programs. All equipment operators must of course comply with state regulations regarding post-accident and reasonable cause testing which may be required of all motor vehicle operators by state and local law enforcement.

D. SCHOOL BUS REQUIREMENTS

Under FTA school bus requirements, set out under 49 U.S.C. 5323(f) and 49 CFR Part 605, recipients may not engage in school bus operations exclusively for the transportation of students. These provisions derive from 49 U.S.C. 5302(a), which authorizes FTA assistance for mass transportation, but specifically exclude school bus

service from such Federal assistance. This is not ordinarily an issue with the vans used for elderly and persons with disabilities transportation, but applicants should be mindful of this Federal restriction. On the other hand, providing Section 5310 vehicles for special needs schools, often referred to as schools for exceptional children, typically serving youth with mental and/or severe learning disabilities, is a popular and permitted use. In these circumstances, the applicant must be aware of any other state or federal school transportation requirements which may prohibit use of the Section 5310 type of vehicle.

E. LOBBYING

Applicants must certify that no Federal funds have been used to influence Federal employees or Federal elected officials. The applicant also must certify that if non-Federal funds have been used for this purpose, then the applicant has filed appropriate Federal disclosure forms of this activity. This certification applies to applications exceeding \$100,000, and thus does not apply to most Section 5310 program applicants.

F. ADMINISTRATIVE REQUIREMENTS

RECORD KEEPING

Records must be maintained in an auditable manner during the period of contractual obligation to ADOT and for three years following the date of release of the ADOT lien and completion of the project. A grant recipient may be audited without notice at any time during this period. ADOT will additionally conduct recipient reviews at least once every three years.

The recipient should maintain records regarding vehicle trip logs as well as information on driver safety records/incidents, vehicle insurance, regular and major maintenance and repair, and operating budget(s). The grantee must submit detailed maintenance and repair logs (on each vehicle) to ADOT or ADOT-contracted personnel for review at annual vehicle inspections. These documents as well as the agency's maintenance policies will also be examined at program evaluations and other site visits. The recipient should also keep up-to-date records on such aspects as ADA and other Civil Rights program requirements.

AUDITS

FTA does not require an annual financial audit of a grant recipient when the assistance is provided solely in the form of capital equipment procured directly by the State. Normally, therefore, Section 5310 grantees do not require an annual audit. However,

as recipients of federal funds and/or state assistance, ADOT's programs are subject to an audit and in any given year ADOT or federal auditors may choose to review financial records of recipients.

ANNUAL REPORTING TO ADOT ON VEHICLES

Central to the management responsibilities a recipient undertakes when awarded a vehicle is the commitment to required vehicle inspection and annual reports. While these reports are typically submitted once a year, a new recipient should contact the 5310 Program Manager upon award or delivery of a vehicle to determine the precise reporting schedule in effect for that year. In rural areas, COGs assist recipient agencies in this process typically in conjunction with annual vehicle inspections and may also work with ADOT field offices to carry out these functions. In urban areas, ADOT reviewers or contracted inspectors perform this function.

MINIMUM REQUIRED INSURANCE COVERAGE

Grant recipients are responsible for acquiring and maintaining current, appropriate insurance on their vehicles while under ADOT lien, listing ADOT as loss-payee and additional insured, as well as other large capital assets.

Vehicle collision and comprehensive insurance to cover liability and uninsured motorists is required in order to successfully apply for and operate an ADOT program vehicle. Fair Market Replacement Value, as well as Collision and Comprehensive insurance, including fire, theft, and vandalism, in an amount not less than the actual purchase price of equipment, **is required** as follows:

Minimum Insurance Coverage for Passenger Vehicles

VEHICLE SEATING CAPACITY (including driver)	LEVEL OF INSURANCE COVERAGE
8 or less passengers	\$1,000,000 auto liability \$ 300,000 uninsured motorist
9 to 15 passengers	\$1,000,000 auto liability \$300,000 uninsured motorist
16 + passengers *	\$ 5,000,000 auto liability \$ 300,000 uninsured motorist

* Note: Most ADOT Section 5310 recipients will not be in this larger category

It is critical that the vehicle recipient-operator ensure that it retains on file up-to-date insurance, that this information is readily available for review by ADOT and its auditors and that a current insurance card is located in the vehicle at all times.

The Certificate of Insurance and card must be submitted to ADOT prior to receipt of the vehicle(s). In addition, a current copy of the Certificate must be included with the Annual Report/Notice of Impending Vehicle Inspection, and submitted or returned to ADOT. A breakout of coverage, effective insurance dates and listing ADOT as additional insured/loss payee and lien holder-is then verified by ADOT. **Part VI. Appendix** contains important information on the scope of insurance that must be provided, and additional insurance requirements. Please refer to both this section and the appendix to ensure compliance with ADOT 5310 Program insurance requirements.

G. VEHICLE OPERATIONS REQUIREMENTS

DRIVER LICENSING

ADOT's vehicle contract with recipients requires that all drivers - whether they are volunteers or paid employees - have a valid Arizona driver's Class "D" license or an ADOT approved alternate certification. The Motor Vehicle Division (MVD) will require drivers to be licensed based on the type of vehicle operated.

Section 5310 vehicles generally are of a category that does not require a Commercial Drivers License (CDL) to operate. Drivers who operate a school bus or a vehicle designed to seat more than 15 passengers must have a CDL with a School Bus Endorsement. Drivers operating vehicles with a design capacity below this level need only the Class D license. However, obtaining a CDL license provides valuable skills for your vehicle operators, and recipient agencies are encouraged to have salaried drivers obtain this training when resources and time permit. For more information on the CDL, contact your local MVD office.

TRAINING FOR DRIVERS AND MANAGERS

All drivers and other safety-sensitive personnel operating Section 5310 vehicles or equipment must be trained to proficiency including, but not limited to, the following areas:

- Defensive driving;
- ADA accommodations/wheelchair securement and passenger sensitivity;
- Emergency evacuation;
- Basic first aid/CPR.

Each grantee must assure that all drivers have received appropriate training in the use and operation of the vehicle and all vehicular equipment including wheelchair lifts and ramps. To augment or update basic skills acquired through such training, ADOT

further encourages all grantee agencies to regularly take advantage of any additional driver safety courses, including passenger assistance or sensitivity training courses which might be offered in their region or elsewhere.

ADOT sponsors Passenger Service and Safety (PASS) courses periodically throughout the State. Defensive driving may be available in classroom and online formats. Contact the ADOT Multimodal Planning Division Training Coordinator or check the web site for more information: <http://mpd.azdot.gov/transit/RTAP.asp>, including training events calendar and RTAP resource library. All library materials are free of charge to program participants.

CHANGE IN VEHICLE STATUS OR CONDITION

Any extraordinary change in the status or condition of the vehicle or its equipment (including wheelchair lift or ramp, and related accessibility devices), e.g., damage, operational failure, or legal involvement, must be reported to ADOT within 5 working days, even if satisfactory repair can be made within this period. Items such as flat tires, minor glass and paint scratches, minor “parking-lot dings,” other incidental body dents, and regular, non-accident related repair or “normal” replacement items (e.g., alternators, radiators, brakes, etc.) are not subject to this requirement unless a vehicle is immobilized for an inordinately long period of time.

ACCIDENT REPORTING

Any injury requiring medical attention or hospitalization that results from, or is otherwise related to, vehicle operation (including passenger entry and exit) should be reported immediately to the ADOT Program Manager. The operator must also report any accident or mechanical malfunctions that disable the vehicle for an extended period.

H. VEHICLE OWNERSHIP REQUIREMENTS

AGENCY CONTRACT WITH ADOT, TITLE AND LIEN TERMS

ADOT holds a lien on vehicles purchased with Section 5310 funds for four years or 100,000 miles, whichever occurs first. This lien is to preserve the State/Federal interest in the vehicles. Notwithstanding lien status, the recipient agency is required to register Program vehicles in its name and at its own expense.

A vehicle’s useful life is defined as four (4) years from the issue date or 100,000 miles, whichever occurs first. A recipient agency may request that ADOT release the lien

when a vehicle has reached 100,000 miles or four years of service. Once the vehicle's lien is released by ADOT, it becomes the clear property of the recipient agency.

ADOT approval of a lien release is not necessarily automatic. The vehicle recipient currently holding title and registration must request in writing that the ADOT 5310 Program Manager process release of the lien. Approval of a lien release by the Department effectively terminates any ADOT fee-title, fiduciary or other interest in the vehicle. ADOT will review such aspects as mileage and vehicle condition. ADOT may request a letter explaining any low mileage or other irregularity. If after this evaluation a requested lien release is not approved, ADOT may at its discretion, initiate procedures to transfer the subject vehicle to another recipient, or at a minimum, require the recipient to continue its contracted operation of the vehicle and related reporting to ADOT.

Once the lien is released, the recipient agency can dispose of the vehicle in a manner that it deems most beneficial to its interests; without any required further consultation with ADOT if it is determined that the vehicle is no longer needed for 5310 service. The recipient may also retain the vehicle for 5310 or other purposes. *However, it must continue to be used to support 5310 service as long as it is needed for that purpose.* One example of such service is the use of a vehicle as a back-up to assure maintenance of the grantee's "equivalent service" status, should a primary vehicle be rendered inoperable for any extended period of time. For the purpose of its asset management system, ADOT may continue to request basic operating information on "off-lien" vehicles, which are kept in service by the recipient.

TRANSACTIONS AFFECTING VEHICLES ON AND OFF-LIEN

ADOT Section 5310 vehicles are issued to recipients with ADOT identified as lien holder, just as a bank would hold a lien on a vehicle purchased by a private party with a bank loan. ADOT is listed as the "legal owner" (as well as lien holder); the recipient agency is listed as the "registered owner."

Disposition of Vehicles On and Off Lien

While in effect, the vehicle or equipment lien prohibits the sale, or transfer of the vehicle and its registration or title to an unrelated third party without prior ADOT knowledge and approval. ADOT will not approve of grantee-to-grantee transfers of vehicles or equipment while a lien is in effect. An unrelated third party is an entity outside of the original applicant's organizational structure and unrelated to the proposed equipment usage indicated in the original application. The grantee may suggest or refer to ADOT a new, potential transferee, but cannot implement such a

transfer on its own and should not promise or make a commitment on it's or ADOT's behalf regarding such a transfer.

In the event that a recipient no longer has an interest in or is incapable of retaining a vehicle prior to lien release, the vehicle first is released back to ADOT and the Department administers further action. The original recipient is no longer part of the transaction until a new recipient agency remits new matching funds for the vehicle to ADOT. At that point, ADOT will refund to the original recipient, its local match funds - based on a current ADOT appraisal, and not to exceed 20% of the ADOT-determined depreciated value of the vehicle. ADOT retains the right to deny or otherwise issue limited remittance, which might otherwise be due, if the Department determines that abuse, misuse, gross negligence, or other mismanagement of the vehicle or equipment has occurred.

Vehicle Transfers

In those instances where a vehicle is repossessed by ADOT (with or without compensation to the original recipient) for the purposes of transfer from one agency to another, ADOT will consult with the appropriate regional COG or MPO offices to determine the best new candidate for vehicle transfer.

ADOT makes final determination regarding relocation/reallocation of program assets. The Department typically will consult with the original recipient's regional planning office to seek a recommendation for placement within that area of jurisdiction. Failing placement within that region, ADOT will consult with other regional planning offices as it deems appropriate for reallocation of the vehicle. After such a determination has been made and approved by ADOT, a new lien is established and the new recipient must then file an application for capital assistance with the ADOT 5310 Program Manager. The new vehicle recipient takes on the remainder of the original lien and its conditions - including responsibility for the local match, as well as ADOT reporting requirements and a new vehicle agreement.

Accidents and/or Total Loss

In the unfortunate event of an accident, ADOT is to be notified in writing within 24 hours. If a police report is filed the recipient must follow up and submit copies of all reports to ADOT when they are available. The recipient is responsible for getting all repairs completed so that the vehicle is able to be safely put back in to service as soon as possible. If repair time is going to take the vehicle out of services for more than 48 hours the recipient is required to notify ADOT in writing.

In the event a vehicle is determined a total loss, ADOT will be the primary contact to work with the insurance company on a settlement. The entire insurance settlement will be returned to the Federal program to at least partially satisfy the lien amount.

Leasing and Contract Operation

Vehicles acquired under the Elderly Individuals and Individuals with Disabilities Transportation Program may be leased to private-for-profit operators only for the services identified in the grant application, when such companies could not otherwise provide required services and where such arrangements result in more efficient and effective service for Program recipients.

The leasing or contract operation of a Program vehicle by a private operator is allowable only with the prior written approval by ADOT. The grantee agency and the private operator must execute an agreement that ensures the proper use of the vehicle before it can be placed in service. The original applicant agency remains the party responsible for ADOT reporting and compliance with Program requirements. However, all Program certifications and assurances - including Civil Rights requirements - also "flow down" to the contractor/operator. It is the grantee's responsibility to ensure that the contractor/operator understands and complies with all related regulations and requirements.

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I. FEDERAL PROGRAM MANAGEMENT REFERENCES

The following is a list of references to federal laws, regulations, and procedures that guide the Section 5310 Program, as excerpted from 49 U.S. C. § 5310 and Circular FTA C 9070.1F, (Section 5310 program guidance). It is incumbent upon the recipient to be aware of the basic requirements of the program, regardless of minor changes which may occur.

Implied within each document listed below is the status “as amended.” Program guidance occurs in many forms (e.g., Circulars, Executive Orders, alerts, etc.), but only the basic foundation documents are listed below.

1. Federal Transit Laws, Title 49, United States Code, Chapter 53.
2. Federal-aid highway and surface transportation laws, Title 23, United States Code.
3. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, (SAFETEA–LU) (Pub. L. 109–59, 119 Stat. 1144, Aug. 10, 2005).
4. Transportation Equity Act for the 21st Century (TEA–21) (Pub. L. 105–178, 112 Stat. 107, June 9, 1998).
5. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) (Pub. L. 102–240, 105 Stat. 1914, Dec. 18, 1991).
6. Federal Public Transportation Act of 1978 (Pub. L. 95–599, Nov. 6, 1978).
7. Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 et seq.
8. Government Performance Results Act of 1993, as amended (Pub. L. 103-62, 107 Stat. 285, Aug. 3, 1993).
9. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794.
10. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d.
11. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e.
12. Clean Air Act, as amended, 42 U.S.C. 7401 et seq.
13. Section 404 of the Clean Water Act, as amended, 33 U.S.C. 1344.
14. Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, 49 U.S.C. 303.
15. Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f.

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16. Internal Revenue Code, Non-profit Organizations, 26 U.S.C. 501.
17. Lobbying Restrictions, 31 U.S.C. 1352.
18. Disadvantaged Business Enterprises, 23 U.S.C. 101 note.
19. Congressional Declaration of Policy Respecting Insular Areas, 48 U.S.C. 1469a.
20. Program Fraud Civil Remedies Act, 31 U.S.C. 3801 et seq.
21. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, 42 U.S.C. 4601, et seq.
22. Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 et seq.
23. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq.
24. National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 et seq.
25. Federal Funding Accountability and Transparency Act of 2006 (Pub. L 109–282, 120 Stat. 1186, Sept. 26, 2006).
26. Davis-Bacon Act, as amended, 40 U.S.C. 3141 et seq.
27. Drug-Free Workplace Act of 1988, as amended, 41 U.S.C. 701 et seq.
28. U.S. DOT regulations, “Organization and Delegation of Powers and Duties,” 49 CFR part 1.
29. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR part 18.
30. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” 49 CFR part 19.
31. U.S. DOT regulations, “New Restrictions on Lobbying,” 49 CFR part 20.
32. U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964,” 49 CFR part 21.
33. U.S. DOT regulations, “Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs,” 49 CFR part 24.

ARIZONA DEPARTMENT OF TRANSPORTATION

34. U.S. DOT regulations “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25.
35. U.S. DOT regulations, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 CFR part 26.
36. U.S. DOT regulations, “Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 27.

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PART V. PROJECT APPLICATION

A. GENERAL INSTRUCTIONS

ADOT's Multimodal Planning Division (MPD) announces Section 5310 Program funding and application availability by mail to all COGs and MPOs annually. The COGs and MPOs are then responsible for notifying interested parties that applications are available. Notice of the program and applications can also be found at the ADOT Multimodal Planning Division website at: http://mpd.azdot.gov/MPD/Community_Grant_Services/Section5310.asp

Application forms are available in electronic format (Adobe Acrobat) with electronically cued commands. Using the electronic format should make the application easier to complete. It also enables repeat applicants to readily update information from previous applications. If a paper or other format is needed, please contact your COG or MPO representative for assistance.

At this time, the actual submittal process is manual—not electronic (i.e. not online). A paper copy(s) of the application must be submitted. Original signatures are required on the certifications and assurances. The applicant should be sure to allow adequate time to obtain the necessary signatures and approvals from appropriate parties and to mail or hand deliver a copy(s) of the application to the appropriate COG or MPO office.

ROLE OF COUNCIL OF GOVERNMENTS AND METROPOLITAN PLANNING ORGANIZATIONS

Applications for Section 5310 program funding go through the rural COGs and urban MPOs before being submitted to ADOT. The COGs and MPOs are responsible for:

- Distributing the application package;
- Setting the application due date for their regions;
- Accepting completed applications;
- Reviewing submitted applications for projects within their regions; and
- Establishing and submitting a priority list of projects for the region to the ADOT Multimodal Planning Division.

The ADOT Multimodal Planning Division is responsible for reviewing the applications and regional priority lists and making final decisions on projects to be included in a statewide application to the Regional FTA Office.

Applicants who operate services in more than one region or operate in both an urban area and a rural area may either:

- Submit separate applications for each region; or,
- Submit an application to the COG or MPO in which the vehicle will primarily operate and send a copy of the cover letter to the other COG or MPO.

In both cases, the cover letter should inform both COGs (or COG and MPO) of what vehicles are being applied for and where the application(s) was submitted.

APPLICATION CONTENTS

The application consists of:

- A checklist
- Basic grantee information
- Narrative pages in which applicants describe their programs
- Cost/Productivity worksheet
- A budget for the capital request
- Certifications, assurances and other attachments

In addition, recipients are required to submit a cover letter summarizing the request and highlighting key points. Cover letter should be addressed to the COG or MPO to which the application is submitted.

Applicants should complete all sections completely and concisely, including the budget forms. The narrative questions explain to the interview committee:

- The services to be provided, how the elderly and/or persons with disabilities will be served;
- The management capability of the applicant; and
- Assurances of compliance with Federal and State requirements.

Incomplete applications are typically not accepted. If you have difficulty obtaining important information or certifications, contact your COG or MPO to ask for written authorization for turning the information in late. Exceptions for such occurrences may be made, depending on the nature of the problem and the ability of the applicant to submit the needed information before final decisions are made. The individual COG or MPO is responsible for making the decision on whether an exception will be made, and may contact ADOT Multimodal Planning Division for concurrence prior to notifying the applicant of the decision.

INSTRUCTIONS FOR USING THE ELECTRONIC FILES

The application is available in two electronic formats: Adobe Acrobat or Microsoft Office. Applicants are requested to use the electronic Adobe Acrobat file format if possible. The Adobe Acrobat file contains form fields including checkboxes and text fields that scroll to allow for additional room. Once the application is complete, print a hard copy. Then bind together the pages needed for submittal, including supporting documentation, where requested. Do not include these instruction pages or other pages not appropriate for your project.

APPLICATION PROCESS AND AWARDS

Applications will be considered for funding based on the evaluation and selection criteria listed in this application packet. What you submit as your application, with attachments, will be the main source of information used by the COGs/MPOs and ADOT in reviewing and prioritizing your request for funding.

After being reviewed, applications are placed in one of two categories, depending on how completely requirements have been satisfied:

CATEGORY A includes those projects certified by ADOT as having met all the statutory and administrative requirements for approval.

CATEGORY B includes those projects that ADOT may approve, but which have not yet met all statutory and/or administrative requirements, or for which there is not adequate available funding. As the necessary requirements are satisfied or funding becomes available, these projects may be advanced to Category A.

The final decision on project selection and funding will be made by the ADOT Multimodal Planning Division. ADOT retains sole discretion to determine which projects will be funded and the amount of funds awarded to any given project. The MPD may request additional information from applicants to clarify information submitted.

Grant applicants are advised that the time required to receive the capital equipment is approximately twelve months. For awards made in June of 2010, applicants generally receive a vehicle within twelve to eighteen months. However, a variety of factors can cause delays, including changes in regulatory requirements or manufacturing schedules.

APPLICATION ASSISTANCE

The COG and MPO in each region will hold workshops to assist applicants in completing applications. Applicants are strongly encouraged to attend these workshops in order to understand changes made from year to year as well as learn about other program updates.

The locations, dates, and times of the workshops are posted on the ADOT Multimodal Planning Division website at http://www.azdot.gov/calendars/MPD/Transit_Events/. Attend the workshop that is most convenient for you.

Additional questions regarding your local application process should be addressed to your local COG or MPO representative. Contacts are listed in the first section of this Handbook.

APPLICATION SUBMITTAL

Applications may be viewed, downloaded and completed online at http://mpd.azdot.gov/MPD/Community_Grant_Services/ProgGuide.asp. However, the application itself must be submitted in hard copy to your local COG or MPO representative, by the date and time set by each COG or MPO. Instructions on the due date and number of applications submitted are provided by each COG or MPO along with this application package.

B. APPLICATION PACKAGE

The application form begins on the next page. Applicants are urged to work from an electronic copy of the forms which can be obtained as an Adobe Acrobat file on the ADOT Multimodal Planning Division website at http://mpd.azdot.gov/MPD/Community_Grant_Services/ProgGuide.asp.

3. Is this application being submitted in collaboration with another agency as a coordination project?

- Yes – If yes, list agency
- No

4. Client Description: (Briefly describe the clients your agency serves and whether they are individuals who are elderly or have disabilities or both. If you serve persons with disabilities, describe the primary type of disability.)

5. Have you participated in your region’s (COG/MPO) Regional Transportation Coordination Plan(s) and related meetings?

- Monthly Quarterly Yearly No – describe why not:

6. Type of assistance you are requesting:

Type ¹	Vehicle ²	Replace	Expand	Other	Quantity
1	<input type="checkbox"/> Lift-equipped “Maxivan” van	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2	<input type="checkbox"/> Lift-equipped “Cutaway”	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3	<input type="checkbox"/> 12 Passenger Maxivan (no lift)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4	<input type="checkbox"/> 6-7 Passenger Minivan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5	<input type="checkbox"/> 5 Passenger Minivan (with ramp)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6	<input type="checkbox"/> Mobility Management				
7	<input type="checkbox"/> Other (i.e., vehicle, radio, other communication equipment, etc.) Please Describe)				

Preference: If more than one type vehicle is requested, please list the vehicles according to your priorities³:

First Choice:

Second Choice:

Other Preference(s)

7. If you are applying for a non-wheelchair vehicle, do you have a wheelchair vehicle(s) in good working condition in your fleet or under contract?⁴

- Yes. Explain if under contract only:
- No, explain:

¹ Vehicle requests falling outside of these Type 1-5 descriptions will be considered on a case-by-case basis.

² If more information is needed on vehicle types, please contact your COG or MPO representative or ADOT/MPD.

³ This application serves as the record of what the applicant is indicating as its preference(s).

⁴ See Part II of the Handbook for discussion on federal Demand Responsive (Equivalent Service) requirements. If an agency has a reliable, ‘on-call’ inter-agency agreement with a qualified provider that has a wheelchair-accessible van that meets these criteria, an on-site vehicle is not required.

8. If an early vehicle delivery is available, the applicant should note whether it would like early delivery:

- Yes, we prefer an early delivery; matching funds will be available early.
 No, we do not prefer an early delivery.

9. Mobility Management⁵

- Mobility Management.

Describe Project:

CHECKLIST

The following documents must be submitted with your application.

COG/MPO Check-off	Applicant Check-off	
<input type="checkbox"/>	<input type="checkbox"/>	Cover Letter (Addressed to COG or MPO, transmitting application and summarizing your request)
<input type="checkbox"/>	<input type="checkbox"/>	Checklist and Project Information
<input type="checkbox"/>	<input type="checkbox"/>	Narrative Description of Project (Sections A – G, including vehicle inventory form)
<input type="checkbox"/>	<input type="checkbox"/>	Agency Capital Request and Budget
<input type="checkbox"/>	<input type="checkbox"/>	Federal Certifications and Assurances
		<input type="checkbox"/> Assurance of Authority of Applicant and its Representative
		<input type="checkbox"/> General Assurances
		<input type="checkbox"/> Certification for Civil Rights Complaint Status
		<input type="checkbox"/> Certification for Drug-Free Workplace
		<input type="checkbox"/> Certificate of Compliance with Manufacturer's Maintenance Schedule
<input type="checkbox"/>	<input type="checkbox"/>	Support Documentation
		<input type="checkbox"/> Articles of Incorporation for private non-profits. The copy must be certified. A copy of an IRS 501(c)(3) letter of exemption as a nonprofit organization may be submitted in lieu of the incorporation articles.
		<input type="checkbox"/> Public Notice (Applicants in MAG and PAG areas are requested to attach notice placed by MAG or PAG on their behalf)
		<input type="checkbox"/> Notice of public hearing announcement (public agencies only)
		<input type="checkbox"/> Letter of notification to other providers (not required of applicants in MAG and PAG regions; other applicants are to attach copies of letters sent)

⁵ The typical Mobility Management project would be from an agency, office or regional planning organization that intends to take a lead role in coordinating transportation services within a city, county or region.

- Project support letters
- Opposition letters to the project
- Organizational chart for applicant

APPLICATION PART 2: NARRATIVE DESCRIPTION OF SYSTEM

(Attach any support documents/materials following Part 2)

This part of the application is divided into several sections, each covering a different aspect of your system and its management. Please provide thorough but concise answers to questions.

The application form requests information first on your total program and then on the particular use of the vehicles that are requested through this application.

Reminder: Requests for vehicles intended to be used in significantly different service areas (for example, different sites within the same overall agency) should be submitted through separate applications.

A. Overall Agency Description

- 1. Provide a brief description of your agency's primary mission, including a mission statement if available. What are your general service area boundaries? Describe your agency's experience and qualifications in providing passenger transportation.**

- 2. Structure of your organization. Attach an organization chart showing Board Members and employees. Identify the transportation employees or other employees who also drive (use job titles – e.g. drivers, client counselors, etc.). Indicate if they are full-time or part-time. Describe how these employees fit into the overall organization and the percentage of their time that they drive or will drive.**

- 3. What, if any, role do volunteers have in driving vehicles in passenger service or other ancillary driving activities? How many volunteers does your agency have and what is the average amount they work each week?**

B. Transportation Program Description

Please describe your current (or intended) transportation service and attach, in an appendix, any brochures, which explain your transportation service. Please address each of the following:

- 1. General description of your transportation service:**

- 2. Current service area(s), days and hours of operation:** Note: Identify all service areas and types of services provided in these areas. This is particularly true for umbrella agencies administering a number of satellite programs.

- 3. List the primary local activity centers including medical, commercial locations, human service programs, and low-income or public housing that are served by your system. Explain how often they are served and indicate those activity centers that require the most transportation service.**

- 4. Do you charge a fare or request a donation from the passengers you carry?**
 A fare is charged
 A donation is requested (but not mandatory)
 No fees are requested

- 5. Is your system planning to:**
 Maintain the same level of service as last year
 Increase the level of service
 Decrease the level of service
If your system is proposing to increase or decrease service, please describe the changes and why they are proposed.

- 6. Vehicle Availability. How many of your vehicles are:**
Available for passenger service?
Required in your peak service period?

- 7. Do staff members also transport clients in personal vehicles?**
 Yes (explain to what extent)
 No

- 8. Complete the vehicle roster on the following pages.**

TOTAL FLEET VEHICLE INVENTORY**Instructions**

Use the vehicle condition and classification code table (below) to complete the information on the total vehicle fleet inventory table on the next page. Please provide individual vehicle information on all vehicles used to carry passengers in your fleet.

**VEHICLE CLASSIFICATION
AND
VEHICLE CONDITION CODE TABLES**

(Use the following codes for completing the table on the next page.)

VEHICLE CLASSIFICATION TYPE	CODE
HEAVY DUTY 40 + FOOT BUSES	1
HEAVY DUTY UNDER 40 BUT GREATER THAN 30 FOOT BUSES	2
MEDIUM DUTY 20-30 FOOT BUSES OR MINI-BUSES	3
LIGHT DUTY 20-30 FOOT VANS (Larger Cutaways, and Maxi-Vans, etc.)	4
LIGHT DUTY 15-25 FOOT VANS (Small Cutaways, Mini-Vans , Small Maxi-Vans (including lift vans) & "Suburbans"/large 4x4 wagons)	5
SUPPORT VEHICLES (Sedans, Station Wagons, Pickups, etc.)	6
NOTE: Vehicle footage is measured from bumper to bumper	

VEHICLE CONDITION DEFINITIONS	CODE
EXCELLENT: Brand new or less than one year old, no major problems exist, or only routine preventative maintenance is required.	5
GOOD: Elements are in good working order, requiring only nominal or infrequent minor repairs.	4
ADEQUATE: Requires frequent minor repairs or infrequent major repairs. Elements are in adequate working order and the asset's usage can continue.	3
POOR: Requires frequent major repairs, elements are in poor working order, or asset is technologically dated and requires major retrofit. Future usage requires significant investment, which may or may not be cost-effective.	2
FAILURE: In sufficiently poor condition that continued use is impossible or non-cost-effective.	1

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C. Need for Service

In this section, describe your overall transportation program.

- 1. **Please indicate the number and type of individuals served by your overall transportation program on an annual basis:**
 - a. Non-Elderly Disabled
 - b. Elderly not Disabled
 - c. Elderly and Disabled
 - d. Other

Total (non-duplicated) persons

- 2. **How many annual passenger trips do you provide (all vehicles)? See the Passenger Trip Calculation worksheet at the last page of this application to determine this number.**

- 3. **How many days service do you provide transportation, including seasonal differences?**

Operating Days per Week	Describe any important seasonal differences in services operated:
Operating Days per Month	

- 4. **How many vehicle service hours and service miles do you currently provide (total for all vehicles)?**

	Daily	Monthly	Annual
Service Hours			
Service Miles			

- 5. **When do you provide transportation service? (Check all that apply)**
 Weekdays Weeknights after 6 pm Weekends

- 6. **What is the current distribution of trips (%) by trip purpose?**

Medical	
Nutrition	
Adult Day Care	
Employment	
Education & Training	
Service Appointments	
Social & Recreational	
Other (Specify	
Total	100%

- 7. Can all requests for service be accommodated with the existing services?**
 Yes, all requests are accommodated
 No, all requests not accommodated (describe below)
- 8. For existing services, what is the average number of trips per vehicle?**
 (Divide your annual trips by the average number of vehicles in service, excluding back-up or spare vehicles.)
 Average trips per vehicle
- 9. Please describe if, and how, existing transportation services will change if you are awarded a 5310 grant this year. If your grant request is only for replacement vehicles, please specify.**
- 10. Please describe why the transit service provided by existing public or private transit operators is unavailable, insufficient, or inappropriate to meet the special needs of the elderly and persons with disabilities proposed to be served through this application.**
- 11. Mobility Management.** Describe your proposed project in detail. Include your overall goal, the transportation providers you will include, key milestones to be accomplished and your estimated time frame for meeting those milestones.

D. Vehicle Use

The following questions pertain only to the vehicle(s) for which you are currently applying.

- 1. How will the requested equipment be used?**
 Replace existing – vehicle to be replaced is a _____ year with _____ miles
 Vehicle Description: _____ VIN: _____
 Does the vehicle being replaced have a wheelchair lift? Yes No
 New Service. Does the vehicle(s) requested have a wheelchair lift?
 Yes No

If not requesting an accessible vehicle please explain:

- 2. Describe the service that will be provided with the vehicle(s) requested in this application.** Include information on where the vehicle will serve and the service schedule.

3. Estimate service hours and service miles for the requested vehicle(s).

	Daily	Monthly	Annual
Service Hours			
Service Miles			

4. What is the number of passenger trips expected with your new equipment?

Daily	Monthly	Annual

5. What is the estimated percentage of elderly individuals and individuals with disabilities who will use your proposed service (unduplicated count)?

Elderly, not disabled	
Elderly with a disability	
Disabled, not elderly	
Other	
Total	100%

E. Coordination of Service

This section provides an opportunity for you to provide evidence of coordination or willingness to coordinate with other agencies, e.g. public transportation operators and/or other human service providers (agencies funded through DES, Department of Human Services, Senior Centers, employment assistance centers or the various training programs offered for residents of your community).

All agencies awarded Section 5310 funds are expected to participate in local or regional coordination activities.

- 1. What other transportation services operate in your service area and do you use these services to transport your clients?** Identify the services, regardless of whether you feel they are appropriate or sufficient for your clients.
- 2. Could any of these other transportation services meet the needs of your clients?** Please describe their sufficiency in being able to respond to the needs of your clients.
- 3. Does your agency have (existing or proposed) working agreements with other social service agencies or transportation providers for the provision of coordinated transportation services to individuals who are elderly or have disabilities?** If so, note conditions or limitations below. If it is a written

agreement, attach a copy.

Yes No Describe:

- 4. For each of the following, check those for which you presently coordinate or share with other agencies. Then indicate those activities which you are willing to evaluate in an effort to increase coordination.**

	Currently Do	Would Consider
Sending our drivers to training held by others	<input type="checkbox"/>	<input type="checkbox"/>
Invite other drivers to attend our training	<input type="checkbox"/>	<input type="checkbox"/>
Share back-up vehicles with other agencies	<input type="checkbox"/>	<input type="checkbox"/>
Provide information to our clients on other available services.	<input type="checkbox"/>	<input type="checkbox"/>
Work with other agencies to identify when there is availability on their vehicles for our clients.	<input type="checkbox"/>	<input type="checkbox"/>
Purchase rides for our clients on other services.	<input type="checkbox"/>	<input type="checkbox"/>
Sell rides on our service to other agencies.	<input type="checkbox"/>	<input type="checkbox"/>
Providing or participating in joint maintenance arrangements.	<input type="checkbox"/>	<input type="checkbox"/>
Providing in a joint or coordinated insurance pool.	<input type="checkbox"/>	<input type="checkbox"/>
Other		

- 5. Do you have a contingency plan in place with another transportation provider to assure the delivery of transit services, should the situation arise in which you have insufficient vehicles or drivers?**

Yes No Explain:

- 6. Is any part of your service transportation subcontracted to another agency?**

Yes No Explain:

- 7. Describe any special efforts your make to provide information about your service to human service agencies, One Stop Centers, or other activity centers.**

- 8. What human service agencies, employment/training programs, or other transportation providers have you met with in the last year to discuss transit service coordination? Explain how often you met and the outcomes.**

- 9. Is your agency on the MPO/COG's Social Services Committee?**

N/A Yes No

- 10. Are you included in the Regional Transportation Coordination Plan for your area?** Yes No

If so, how often do you participate in your local COG/MPO coordination meetings?

- Monthly Quarterly Yearly Never

F. Financial and Managerial Capability

Applicants should demonstrate the financial and managerial capacity to meet ADOT Section 5310 program requirements.

Budget

- 1. Discuss the availability of matching funds for your 5310 project.**
- 2. Discuss the availability of operating funds, for the useful life of the equipment for which you are applying.** A statement affirming the availability of operating funds is a required attachment.
- 3. Who prepares, or will prepare and monitor, your transportation budget?**
- 4. Does your organization presently conduct an annual audit?** Yes No
If yes, is the audit required to meet the requirements of the Office of Management and Budgeting A-133 audits for agencies receiving more than \$300,000 in federal funds? Yes No

Program Management

- 5. How much federal funding does your agency anticipate receiving in FY 2010 for all programs (not just transportation)?**
- 6. Describe your organization's experience in managing federally funded program with all their related requirements.**
- 7. How do you ensure that your community is aware of your intent to apply for Section 5310 funding?**

Civil Rights – Title VI and EEO

- 8. Have there been any civil rights complaints, lawsuits, allegations or legal actions filed against your agency in the last two years?**
 Yes No Explain the nature of the complaint(s):

9. Does your agency have an EEO policy and does that policy include language that prohibits discrimination on the basis of race, national origin, color, sex, age, and disability in the workplace? Yes No

10. Are the services provided by your agency accessible to your clients, regardless of race, color, national origin, sex, age or disability? Yes No

Do you have a related written policy? Yes No

If yes, describe the process you use that ensures nondiscrimination in terms of the services you provide.

Civil Rights – Limited English Proficiency (LEP)

11. Are you aware of your obligation to comply with Limited English Proficiency (LEP) requirements? Yes No

12. How do you ensure that persons with LEP needs can access your services?

13. Does your organization have a Limited English Proficiency (LEP) plan? Yes No

Civil Rights – Disadvantaged Business Enterprise (DBE)

14. Is your agency awarded more than \$250,000 in FTA funds annually? Yes No

15. If yes, do you have an ADOT approved DBE program in place? Yes No

If no, please explain.

16. What good faith efforts has your agency made to purchase from DBE vendors?

Civil Rights / ADA

17. Does your agency have in place written policies, procedures regarding the following requirements of the ADA?

- | | | |
|------------------------------|-----------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Lift vehicle availability? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Maintenance of accessible features on vehicle? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Adequate time for vehicle boarding and disembarking? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Use of portable oxygen/respirator equipment allowed? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Service animals allowed? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Training (wheelchair securement, sensitivity to passengers, etc.)? |

- 18. Do you have at least one working, wheelchair accessible vehicle, meeting ADA standards, with available and qualified driver(s), for each of your primary services areas? A YES statement, below, also indicates that your system has a "back up" plan should it's only accessible vehicle(s) or available driver(s) be rendered out-of-service for more than a few days.**

Yes No If no, please explain.

How do you maintain equivalent service for persons with disabilities?

- 19. Is information on your service provided in accessible formats, if requested?** Yes - Explain how: 1) a hearing impaired person, and 2) a visually impaired person would request a ride on your service.

No

- 20. Has your agency ever turned down a request for transportation from a person with a disability?**

Yes No If yes, please explain.

- 21. Are inspections of ADA equipment, including lifts, ramps, securement devices, signage, and communication systems part of your agency's pre-trip and post trip inspection checklists?**

Yes No If no, please explain.

- 22. If ADA deficiencies are found during your agency's pre-trip and post-trip inspections, what is done?**

Maintenance and Vehicle Use

- 23. Describe your vehicle maintenance program.** How often is preventive maintenance performed? Do you follow the manufacturer's recommended standard?

- 24. What maintenance services do you provide in-house and what services are provided through outside agencies?**

- 25. How do you keep track of vehicles' maintenance history? Who reviews repair and expense records? Where are maintenance files kept?**

- 26. Where are repairs to wheelchair lifts made and how do you assure that an accessible vehicle is always available for service during the repairs?**

- 27. Do you have established policies or guidelines regarding use of vehicles, loan of vehicles, sign out of vehicles, accident reporting, etc? Please describe.**

G. Safety & Training Programs

ADOT periodically provides training in a variety of areas (Please check with ADOT's Training Coordinator for courses provided). However, it is the applicants' responsibility to ensure that drivers and other "safety sensitive" personnel are trained to proficiency. Describe the training policies, programs and other features of your operation.

- 1. Use the table below to indicate the driver training you require for full-time drivers, part time drivers and volunteers. How are the courses generally provided?**

Training Course	Check if Required for full-time drivers	Check if required for employees who drive clients as part of their duties	Check if required for volunteers	Class provided in last year? (Yes/No)	How was the training provided? (in-house, ADOT, Other)
Defensive Driving	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/>
First Aid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/>
CPR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/>
Accident Reporting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/>
Emergency Response	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/>
Passenger Assistance Training PASS*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/>
Other? Specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/>

*The current ADOT-sponsored training is termed Passenger Service & Safety Training (PASS)

- 2. Describe how the ADA training requirements are included in your training program, with respect to use of accessible equipment, for passenger sensitivity and for vehicle maintenance.**
- 3. Describe your agency's risk management policy in case of an accident, liability claim, or legal action?**

4. **Describe your system's vehicle accident history in the last year.** List the number and type of "major"* accidents: A) for any accidents that occurred, describe if there was property damage or injuries and identify if they were preventable or non-preventable. B) for any preventable accidents, what action did the system take?
A.
B.
5. **What provisions has your agency made for assuring a safe and drug and alcohol free work environment?**
Does your agency have a drug-free workplace policy? Yes No
Please describe key features for employees and volunteers.
6. **What security policies or procedures do you have to ensure against or minimize threats of violence on passengers and employees, or to reduce the threat of other unsolicited intrusions in your transportation program? Please describe.**

APPLICATION SECTION 3: BUDGET

(Attach any support documents/materials following Part 3)

This section includes budget information for the capital equipment and for operating the equipment over the useful life of the vehicle.

The cost of the vehicles anticipated to be purchased this year is listed below. Remember that these costs are estimates only. Applicants are requested to budget slightly more so funds are available if costs come in higher. Nominal registration and inspection fees will also be added to this figure. Radios and other ancillary equipment are separate.

The local expenses are estimated based on matching funds of 10%. Some local matching fund ratios may be smaller depending on state program budgets and type of grant award. The ADOT administrative fee is 2%.

Type of Vehicle	Estimated Total Cost*	Estimated Local Expenses		
		Matching Funds (10%)**	Administrative Fees (2%)***	Total Local Expense
Lift-equipped "Maxivan" van	\$55,000	\$5,500	\$1,100	\$6,600
Lift-equipped "Cutaway" 12 Passenger Maxivan	\$59,000	\$5,900	\$1,180	\$7,080
(no lift)	\$25,000	\$2,500	\$500	\$3,000
7 Passenger Minivan (no lift or ramp)	\$24,000	\$2,400	\$480	\$2,880
5 Passenger Minivan with Ramp	\$42,000	\$4,200	\$840	\$5,040

*Total Invoice (combined federal and local portions)

**Percentage of total invoice comprising the local capital match. "Exemplary Coordination" projects may be funded at 7% local matching rate.

***Additional inspection and registration fees may apply.

In the Agency Capital Request table on the following page, please indicate the number and type of vehicles or other equipment requested, the agency capital budget, and the source of local matching funds/fees. For equipment not on the above list, please supply an estimated cost and attach support documentation describing the item in detail. While ADOT cannot commit to purchasing requests not on the above list, additional items will be considered on a case-by-case basis.

In the Agency Operating Budget table on the following page, please identify the agency's operating budget for its transportation program and the source of local matching funds.

Agency Capital Request and Budget

Type of Equipment	Cost Each (Estimate)	Quantity	Total Cost	Total Local Expenses (12%) * **
Lift-equipped "Maxivan" van	\$55,000			
Lift-equipped "Cutaway"	\$59,000			
12 Passenger Maxivan (no lift)	\$25,000			
6-7 Passenger Minivan (no lift or ramp)	\$24,000			
5 ***Passenger Minivan WITH ramp	\$42,000			
Radios and other communications equipment				
Dispatching or Scheduling Hardware or Software				
Mobility Management				
Operations Worksheet Total				
Other (explain)				
Total				

**"Exemplary coordination" projects may be funded at a 7% local matching rate

** Additional inspection and registration fees may apply

*** Maximum ambulatory + passenger and driver, assuming no wheelchair passengers are on board.

Please identify the anticipated sources of the local matching funds. If LTAF II funds are used as a local match, please identify this and the jurisdiction providing the funds:

Source	Estimated Amount
Total	

Total Agency Operating Budget for Transportation	\$
--	----

Next are two budget pages. The first addresses estimated costs and revenues for the equipment being requested. The second is for your overall transportation program.

ESTIMATED ANNUAL TRANSPORTATION OPERATING BUDGET

Current 5310 request only

Expense Cost*	Estimated
Driver Salaries and Fringe Benefits	\$
Other Staff Salaries and Fringe Benefits (Supervisor, Administrative, Dispatch, Mobility Manager, etc.)	\$
Vehicle Operations (fuel, oil, tires, maintenance, repair, etc)	\$
Vehicle Insurance	\$
Other	\$
TOTAL EXPENSE	\$

Revenue

Show whether your organization will cover any of these costs by charging fares or collection donation from passengers. If yes, specify amount of fare or donation requested for a one-way trip.

<u>Fare/Donation</u>	<u>Amount</u>
----------------------	---------------

List other specific sources and amounts of funds that will be available to cover operating costs. The total amount listed below – plus fare revenue – should equal the total operating cost.

<u>Source of Funds</u>	<u>Amount</u>
------------------------	---------------

TOTAL REVENUE

\$

*Estimated total operating cost for transportation services (excluding vehicle purchases) for one year.

ESTIMATED ANNUAL TRANSPORTATION OPERATING BUDGET**Total Transportation Program**

Expense Cost*	Estimated
Driver Salaries and Fringe Benefits	\$
Other Staff Salaries and Fringe Benefits (Supervisor, Administrative, Dispatch, Mobility Manager, etc.)	\$
Vehicle Operations (fuel, oil, tires, maintenance, repair, etc)	\$
Vehicle Insurance	\$
Other	\$
TOTAL EXPENSE	\$

Revenue

Show whether your organization will cover any of these costs by charging fares or collection donation from passengers. If yes, specify amount of fare or donation requested for a one-way trip.

<u>Fare/Donation</u>	<u>Amount</u>
----------------------	---------------

List other specific sources and amounts of funds that will be available to cover operating costs. The total amount listed below – plus fare revenue – should equal the total operating cost.

<u>Source of Funds</u>	<u>Amount</u>
------------------------	---------------

TOTAL REVENUE	\$
----------------------	-----------

*Estimated total operating cost for transportation services (excluding vehicle purchases) for one year.

APPLICATION PART 4: FEDERAL CERTIFICATIONS AND ASSURANCES AND OTHER FORMS

This section contains federal certifications and assurances, forms required by ADOT Multimodal Planning Division, samples of notices which need to be completed and submitted. The following forms must be included with applications for Section 5310 funding.

All Applicants:

- Affirmation of Applicant and Applicant's Attorney
- General Assurances (including Civil Rights, Title VI)
- Certification for Civil Rights Complaint Status
- Notices of Public Hearings
- Drug-Free Workplace Act Certification
- Certificate of Compliance with Manufacturer's Maintenance Schedule

Applicants Receiving More Than \$100,000 in Federal Transit Administration Funds:

- Certification on Restrictions on Lobbying
- Certification Regarding Debarment, Suspension, and other Responsibility Matters – Primary Covered Transactions
- Certification Regarding Debarment, Suspension, and other Responsibility Matters – Lower Tier Covered Transactions
- Assurance of Authority of Applicant and its Representatives
- General Assurances (including Civil Rights, Title VI)
- Certification for Civil Rights Complaint Status
- Notices of Public Hearings

**FEDERAL FISCAL YEAR 2010 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 and regulations, and follow applicable Federal directives, and comply with the certifications and assurances as indicated on the foregoing page applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2010.

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 2010.

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 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, local, or tribal government law, as applicable, 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 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.

Application Part 4: Federal Certifications and Assurances and Other Forms, Continued

Other forms and information are provided for the applicant's use in preparing their application. They follow the forms listed above.

- Sample of Public Notice
- Sample Language for Notice of Public Hearing (public agency applicants only)
- Sample Notification Letter to Other Providers
- Passenger Trip Calculation Worksheet
- ADOT Transportation Automated Program System (TAPS) forms
 - Notice of Impending Vehicle Inspection
 - Section 5310/5311 Vehicle Inspection Form

GENERAL ASSURANCES

We the governing body of _____ in approving the submission of the attached application, certify that the APPLICANT has the legal authority and is willing to make as part of the contract between the State of Arizona and the APPLICANT for Federal Transit Administration Section 5310 financial assistance, the following assurances:

A. The APPLICANT is a private non-profit organization incorporated in the State of Arizona, a Tribal government or related Tribal community, or that it is a public body which has been designated as an eligible Section 5310 recipient.

B. The APPLICANT has or will have the legal, financial, and technical capacity to carry out its proposed Section 5310 project described herein, including safety and security aspects of that program.

C. The APPLICANT will have satisfactory continuing control over the use of project equipment and facilities.

D. The APPLICANT has, or will have prior to delivery, sufficient funds to provide the local match for the equipment purchased under this contract and to operate the vehicles or equipment purchased under this project.

E. The APPLICANT assures affirmative compliance with Title VI of the Civil Rights Act of 1964 – Nondiscrimination in the Provision of Service (FTA C 4702.1; FTA C 9040.1E; and FTA C 9070.1E).

F. The transportation needs of elderly persons and persons with disabilities have or will be addressed by the APPLICANT, pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794).

G. The APPLICANT has demonstrated and will continue to demonstrate efforts to achieve coordination with other transportation providers, including social service agencies capable of purchasing service. The APPLICANT has participated in the development of a local coordinated public transit-human services transportation plan for the area(s) in which project vehicles will be used.

H. Private transit and paratransit operators and the public have been afforded a fair and timely opportunity to participate to the maximum extent feasible in the provision of the proposed transportation services by the APPLICANT.

I. The APPLICANT assures that it will comply with applicable provisions of the Americans with Disabilities Act (ADA), otherwise known as Public Law No. 101-336

and applicable provisions of 49 CFR Parts 27, 37 and 38: Transportation for Individuals with Disabilities; Final Rule.

J. The Applicant will comply with the applicable provisions of the guidelines relative to charter bus service (Title 49 CFR Part 604) and school bus operations (Title 49 CFR Part 605; Title 49 USC 5323(f)).

K. The Applicant assures that it will comply with all applicable Federal statutes and regulations in carrying out any project supported by an FTA grant or cooperative agreement. The Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the grant agreement or cooperative agreement issued for its project with FTA. The Applicant recognizes that Federal laws and regulations may be modified from time to time and those modifications may affect project implementation. The Applicant understands that Presidential executive orders and Federal directives, including Federal policies and program guidance may be issued concerning matters affecting the Applicant or its project. The Applicant agrees that the most recent Federal laws, regulations, and directives will apply to the project, unless FTA issues a written determination otherwise.

Signature _____

Date _____

Title of Authorized Official _____

CERTIFICATION FOR CIVIL RIGHTS COMPLAINT STATUS

_____ I hereby certify that our organization does NOT have any pending Title VI (Civil Rights) complaints of discrimination filed against its transit program.

_____ I hereby certify that our organization DOES have _____ (number) pending Title VI (Civil Rights) complaints of discrimination filed against its transit program. This complaint(s), and its status, is briefly described below. The agency agrees it will keep the Arizona Department of Transportation's Transit Unit informed of any changes in the status of that complaint(s).

To comply with the Civil Rights Act of 1964, Title VI, the Americans with Disabilities Act of 1990, Title II, and the Vocational Rehabilitation Act of 1973, Section 504, we do not discriminate on the basis of disability, race, color, national origin, age, or gender.

Signature

Title

Printed Name

Date

Agency Name

Drug-Free Workplace Act Certification for a Public or Private Entity

_____ certifies that it will provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b) Establishing an ongoing drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The applicant's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and,
 - (4) The penalties that may be imposed upon employees for drug abuse violations in the workplace;
- c) Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph (a);
- d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant or cooperative agreement, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- e) Notifying the Federal agency in writing, within ten calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee is working, unless the Federal agency has designated a contact point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant or cooperative agreement.
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who was convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- g) The Applicant's headquarters is located at the following address. The addresses of all workplaces maintained by the Applicant are provided on an accompanying list.

Drug-free Workplace, cont'd

Name of Applicant: _____

Address: _____

Signature of Authorized Official: _____

Title: _____

Date: _____

Complete if receiving more than \$100,000 in FTA funds

CERTIFICATION OF RESTRICTIONS ON LOBBYING

I, _____ hereby certify to the Arizona Department _____
(name and title of authorized official)

of Transportation, on behalf of _____ that to the best of my knowledge and belief:
(name of grantee)

1. No Federal appropriated funds have been or will be paid by or on behalf of the Applicant to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of Federal assistance, or the extension, continuation, renewal, amendment, or modification of any Federal assistance agreement; and
 - a. If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any application for Federal assistance, the Applicant assures that it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," including information required by the instructions accompanying the form, which form may be amended to omit such information as authorized by 31 U.S.C. 1352.
 - b. The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, subagreements, contracts under grants, loans, and cooperative agreements).
2. The Applicant understands that this certification is a material representation of fact upon which reliance is placed by the Federal Government and that submission of this certification is a prerequisite for providing Federal assistance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this _____ day of _____, 2010.

By _____
(signature and title of authorized official)

COORDINATION CERTIFICATION

(Agency Name)

Hereby certifies that the project described in the enclosed application for funding assistance from the ADOT/FTA Section 5310 Special Needs for Elderly Individuals and Individuals with Disabilities Program, was derived from a *locally (i.e., regionally) developed, coordinated public transit-human services transportation planning process*, that the applicant-agency has participated in this process, and that – to its knowledge at the time of this certification – the applicant’s intent to seek grant funding assistance for this project, or a project sufficiently similar to the applied-for project (as determined by the applicant’s COG or MPO office), has been – or will be – included in the recommended Program-of-Projects of its region’s coordinated human services transportation plan. Further, the applicant has had ample opportunity to participate in, and contribute to, this plan, and certifies that it will engage in local and regional coordination activities to the best of its ability, including but not limited to applicable activities discussed in the above-mentioned plan.

Name of Authorized Official (Applicant)

Signature of Authorized Official (Applicant)

Date

OFFICIAL REVIEWER USE ONLY:

Name of Authorized Official (COG/MPO)

Signature of Authorized Official (COG/MPO)

Date

For MAG Region Applicants Only
(Submit to MAG On or Before Application to ADOT)

2010 Commitment to Strategies for
FTA Section 5310, 5316 and 5317 applicants

SAFETEA-LU requires any agency applying for Section 5310 funds (Elderly Individuals and Individuals with Disabilities); Section 5316 funds (Job Access and Reverse Commute); and/or Section 5317 funds (New Freedom) funds; to respond to a locally derived human services transportation coordination plan. Agencies will demonstrate compliance with the 2010 MAG Human Services Coordination Transportation Plan Update as evidenced by the following:

- Attendance at designated human services transportation meetings to assist in the development and implementation of regional coordination planning.
- Compliance with information and data requests to aid in the collaborative efforts of the planning process.
- Demonstrated support and achievement of goals in the plan as appropriate and identified in the plan.

Agency data gathering and feedback is a valued part of the regional human services transportation coordination effort. Strategies identified in the coordination process are the collaborative effort of all participating agencies. A successful and relevant plan will assist the agencies in their mission to serve elderly persons, and persons with disabilities and low income.

I do hereby agree, on behalf of my organization, that we will actively support strategies developed in the plan in compliance with SAFETEA-LU regulations. Our participation will continue throughout the term of the grant.

Printed Name

Title

Signature

Organization

Date

SAMPLE OF PUBLIC NOTICE

The following is a sample of a public notice to be published once in a newspaper of general circulation in the community in which the service is to be offered. Your notice must include the ADA provision as stated, or use essentially similar language to that noted below. The notice must be published sufficiently in advance to allow at least a 15-day response period for affected transportation providers within the applicant's service area, prior to the applicant's submittal of its application to the COG/MPO. **A copy of this notice is to be included with your application.** (In some areas the COG/MPO places the public notice for all interested agencies. Check with your COG before placing your notice and be sure to include a copy of the notice even if placed by the COG/MPO.)

PUBLIC NOTICE

This is to notify all interested parties that _____ is applying for an accessible van-type vehicle under the Elderly Individuals and Individuals with Disabilities Program (49 U.S.C. § 5310). The vehicle will be used to transport those elderly and disabled persons in the area of _____, on a fixed route or demand responsive basis, at least 5 days per week and up to 24 hours per day.

Pursuant to the Americans with Disabilities Act (ADA) of 1990, this notice additionally serves to inform interested parties that request may be made of the applicant for accommodation of "special needs" for a person(s) with a disability(s) to have maximum feasible opportunity for physical and information access to and regarding the above proposed project.

Anyone wishing to comment on this application should do so by _____, 20__, to Community Service Organization, 123 Saguaro Blvd., Somewhere, Arizona 85000. Any public or private transit or paratransit operator wishing to provide an equivalent service to that proposed above should submit to the above named agency within 30 days, a written proposal detailing the service that operator would provide.

Published: ARIZONA LEDGER, _____, 20__

Required of Public Agency applicants only.
Public agencies are required to post a public hearing if they are requested to do so by a party interested in their application.

SAMPLE LANGUAGE FOR NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by (applicant) at (address of hearing location) at (time and date) for the purpose of considering a project for which financial assistance is being sought from the U.S. Department of Transportation. Grant funds will be used to (describe project, including location, items to be purchased, etc.).

At the hearing, (applicant) will afford an opportunity for interested persons or agencies to be heard with respect to the social, economic and environmental aspects of the project. Interested persons may submit oral or written evidence and recommendations with respect to said project.

A copy of the grant proposal is currently available for public inspection at (location).

Applicant's Authorized Representative

SAMPLE LETTER OF NOTIFICATION TO OTHER PROVIDERS

APPLIES TO RURAL APPLICANTS ONLY (CAAG, SEAGO, WACOG, NACOG REGIONS)

The following is a sample notification letter to be sent to every public and private transportation service agency/business in your service area. This letter supplements the public hearing notice and does not replace it. Maricopa and Pima county applicants are exempt from sending this letter as MAG and PAG are responsible for notification requirements.

(Use your letterhead)

S A M P L E

Dear _____:

This is to notify you that **(your agency)** is applying for financial assistance under the ADOT Elderly Individuals and Individuals with Disabilities Program authorized under 49 U.S.C. Section 5310 for capital assistance. **(Your agency)** has requested

(Give a brief but complete description of the equipment your agency has requested and what it will be used for. Include: 1. The Service Area; 2. Days and Hours of Operation; 4. Fare Schedule, if any. Attach more detailed information, if appropriate.)

The purpose of this letter is to advise you of our application and to insure that this proposal would not represent a duplication of your service. Private and public transit and paratransit operators may receive reimbursement funds through purchase of service agreements. Therefore, we solicit your involvement in our proposed service.

I ask that you contact this office in writing within 10 days if you believe that you can provide all or a part of this service or if you have specific objections to the proposed project. In your letter you should state your specific objections or counter proposal. If you support the application, please complete the enclosed sign-off letter and return it to this office.

Our address is: **(your address)**

Also, please send a copy of your letter to the Arizona Department of Transportation, which is the funding agency for the Rural Public Transportation Program. Their address is:

Arizona Department of Transportation
206 South 17th Avenue, Room 340 B
Phoenix, Arizona 85007

Should you desire any additional information on the proposed service, please contact me at _____.

Sincerely,

PASSENGER TRIP CALCULATION WORKSHEET

(This worksheet is to be used in conjunction with related questions of the application)

This worksheet explains the way passenger trips are calculated for the Section 5310 program. Use the following formulas as a guideline in calculating passenger trip numbers for the application.

Note: 1 passenger “trip” is a one-way boarding and de-boarding of a passenger on a vehicle, discounting incidental stops such as a one minute letter drop off of a letter as part of a “larger” (primary purpose) trip. Two options are provided for some of the calculations.

Trip Examples:

- 4 people board a van at a local senior center and then get off (deboard) at the local grocery store. This routing counts as 4 passenger trips. The van is idle until it picks up the same people at the grocery store later and returns them to the senior center. This return route counts as an additional 4 trips. This van has provided 8 one-way trips that day for 4 individuals.
- 1 person boards a van and is taken to the doctor. This counts as 1 trip. While “waiting” for this person’s one-hour appointment, the driver picks up 3 additional people at the adjacent clinic and takes them to the senior center. Add 3 trips. The driver returns to pick up the person visiting the doctor and returns her to the senior center. Add 1 trip. This vehicle has provided 5 one-way passenger trips for 4 individuals. Three people each made one one-way trip and one person made two one-way trips.
- 10 people are picked up at the agency’s rehabilitation center in the morning and taken on a driving field trip where the only stop is a brief restroom break. The van returns these 10 individuals to the center at the end of the excursion. 10 one-way passenger trips were made by the van this day.

Daily and Weekly Trips (Use either method)	(1) Average number of people riding each day	x	Average number of trips each person makes in a day	Equals	Average daily ridership	Times five days equals	Average weekly one-way ridership
		x		=		X 5 =	
	(2) Average number of people riding each week		Average number of trips each person makes each week	Equals	Average weekly one-way ridership		
		x		=			
Annual Trips	Average weekly one-way ridership		Times 50 weeks	Equals	Average annual one-way ridership		
			x 50	=			
Annual Service Miles	Average number of miles vehicles will travel daily with passengers onboard		Five days weekly	Equals	Times 50 weeks per year	Equals	Annual service miles
		x	5	=	x 50	=	

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PART VI. APPENDIX

- A. Annual Recipient Report and Vehicle Inspection Form
- B. Glossary of Terms
- C. Additional Insurance information



ARIZONA DEPARTMENT OF TRANSPORTATION

Multimodal Planning Division
Sections 5310 & 5311
206 South 17th Avenue, 340B
Phoenix, Arizona 85007

SAMPLE ANNUAL RECIPIENT REPORT

TO: SUSAN BROWN ARIZONA FOUNDATION 440 W. GLENVIEW SOMEWHERE, AZ 86000
RE: NOTICE OF IMPENDING VEHICLE INSPECTION ARIZONA FOUNDATION (COG/MPO)

SECTION 1: INSTRUCTIONS

- 1. Be advised you will be contacted soon to schedule your time and location for your vehicle inspection.
2. Please fill in ALL blanks on this form.
3. Mail this form back to ADOT at the above address.

SECTION 2: PLEASE REVIEW AND CORRECT THE FOLLOWING INFORMATION IF NECESSARY

Contact: Susan Brown
Provider: ARIZONA FOUNDATION
Address: 440 W. Glenview
City: Somewhere
Zip: 86000
Phone: (520) 123-0000
Fax: (520) 456-0000
Email: sbrown@thearizonafound.xyz
Name of person completing this report

SECTION 3: GENERAL QUESTIONS ABOUT YOUR AGENCY

- 1. Enter the total number of vehicles that you are currently operating, regardless of funding source. Vehicles: _____
2. Since your last performance report, have you encountered any major transportation operations problems that have been difficult to resolve? A major transportation operations problem is a recurring problem that has lasted for more than one month. (Select all that apply)
If "other", please specify: _____
___ Drivers/Staffing
___ Fuel Costs
___ Travel Distances
___ Funding
___ Mechanical repair
___ Training
___ Routine Vehicle
___ Maintenance
___ Insurance
___ Other ___ None

SECTION 4: QUESTIONS ABOUT YOUR VEHICLES

1. What type of service is the vehicle operated in? (Select one)

- Demand Response
- Fixed Route
- Deviated Fixed route
- Other

If "other", please specify: _____

2. Is the vehicle being used daily, as a backup, or is it out of service?

- In service daily
- Backup
- Out of service

3. Verify the vehicle base. At what address is the vehicle parked overnight?

Address: _____

4. Enter the annual miles of service this vehicle drove during the last year. (Oct – Sep)

Miles: _____

5. Enter the annual maintenance cost for this vehicle. (Oct – Sep)

Cost: \$ _____

6. Enter the annual cost of operating this vehicle. (Oct – Sep)(5310 Only)

Cost: \$ _____

7. Enter the annual number of passenger trips taken on this vehicle. (Oct – Sep -5310 Only)

Trips: _____

8. Enter the number of revenue hours this vehicle operated per week.

Hours: _____

9. Does your insurance certificate show ADOT as additional insured and loss payee?

Yes/No

10. Does the vehicle have at least \$300,000 in uninsured motorist coverage?

Yes/No

11. If the vehicle has a capacity of 16 or more, does the vehicle have at least \$5 million in liability coverage? Or, if the vehicle has a capacity of 15 or fewer, does it have at least \$1,000,000 in liability coverage?

Yes/No

12. Since your last inspection, has the vehicle had any major mechanical problems requiring repairs over \$1,000?

Yes/No

If yes, identify the problem (select all that apply):

- Powertrain Electrical System
- Lift A/C
- Body/doors Tires/wheels
- Hydraulics Other

If "other", please specify: _____

SAMPLE SECTION 5310/5311 VEHICLE INSPECTION



VEHICLE:	2004 ELDORADO	ARIZONA FOUNDATION (COG/MPO)
VIN:	0FDWE00S34HB11111	
ISSUED:	10/19/2004	
CAPACITY:	0-15 PASSENGERS	
VEHICLE BASE:	2520 NORTH HOWARD DR.. ANYWHERE AZ 87000	

ODOMETER MILES: _____

DATE: _____

INSPECTOR INQUIRY		Y E S	NO	N / A	ADDITIONAL EXPLANATION or COMMENT (see YES/NO to left)
1.	IS THE LIFT OPERATIONAL?				IF JUST "NO" WHAT IS REPORTED / OBSERVED REASON?
2.	IF ANSWER TO #1 IS "YES" DOES LIFT HAVE OPERATIONAL DEFICIENCIES?				<input type="checkbox"/> HYDRAULIC, OTHER FLUID LEAK <input type="checkbox"/> SLOW OR JERKY OPERATION <input type="checkbox"/> TOO ABRUPT DROP <input type="checkbox"/> BRAKE/TRANSMISSION INTERLOCK SYSTEM (Leave lift door ajar & have operator attempt drive).
3.	ARE ALL LIGHTS OPERATIONAL?*				*(Observe while operator engages appropriate lights)
4.	IS MAINTENANCE LOG PRESENT & INDICATING OIL CHANGE INTERVALS?				IF YES, WHAT OIL CHANGE INTERVALS?
5.	IS A "CERTIFIED" (DATE RATED) FIRE EXTINGUISHER ON BOARD AND SECURED PROPERLY?				NOTE: Fire extinguishers are only supplied by ADOT/manufacture on lift-equipped vehicles
6.	IS GRANTEE NOTING ANY OPERATIONAL PROBLEMS? (other than lift: see #2 & #3 above)				IF YES, WHAT PROBLEMS NOTED?
7.	FIRST AID & EMERGENCY ROAD KITS PRESENT (i.e. flares, triangles)?				
8.	TIRE RATING (should be E for 1-ton, P or equivalent for 7 passenger minivans)				IF NO (i.e., improper rating), WHAT?
9.	TIRE CONDITION: <ul style="list-style-type: none"> ▪ More than 4/32^{nds}* tread measured on sample(s)? ▪ Sign of tire de-lamination or other structural problems? 				*(Advise operator if approaching or under 4/32 ^{nds})
10.	MISSING/BROKEN SEAT BELTS/WHEELCHAIR & W/C PASSENGER RESTRAINTS?				
11.	BODY/CHASSIS INTEGRITY <ul style="list-style-type: none"> ▪ EXTERIOR (body damage, broken/missing glass, mirrors, lights) ▪ MISC. UNDERCARRIAGE (loose, leaking, broken lines, exhaust) 				IF YES, OBSERVED: IF YES, OBSERVED:
12.	SUMMARY CONDITION: <ul style="list-style-type: none"> ▪ EXCELLENT → ▪ GOOD → ▪ FAIR → ▪ POOR → 	—	—	—	IF "POOR" CONDITION, RECOMMEND: <ul style="list-style-type: none"> ▪ RETIRE (by operator-agent) ▪ OUT OF SERVICE UNTIL REPAIRED ▪ IMPOUND (typically only vehicles with overt signs of neglect, abuse, accident, etc.)

B. GLOSSARY OF TERMS

ADOT – Arizona Department of Transportation, the authorized agent for the state’s JARC (and other transit programs) for rural and small urban areas under 200,000 population, as well as Section 5310 (below) which serves all urban and rural regions of the state.

Arizona Rides – a Governor Executive Order (2005-16) – signed July 2005 – and initiative designed to encourage state agencies to coordinate and collaborate on programs serving human service agency transportation needs; an outgrowth of the President’s federal “United We Ride” Order and initiative. See United We Ride.

COG - Council of Government – a regional planning agency whose membership is composed of the incorporated cities, towns and counties within a prescribed area defined by the geographic boundaries of agreed-upon counties and which, *for the purposes of ADOT’s grant programs*, represents predominately rural areas and communities under 50,000 population. See MPO.

Cutaway – a popular medium sized transit vehicle widely used in ADOT’s programs, usually dual-rear-wheel in configuration and wheelchair-lift equipped. Some smaller variants do not require a Commercial Drivers License (CDL) to operate. See Lift Van.

Designated Recipient – Any local or state agency applying for and receiving formula and Surface Transportation Program (STP) flexible grant funds directly from—and authorized by—the federal government (e.g., FTA). ADOT is the designated recipient for Arizona for the following grant programs:

- Section 5304 – State Planning, primarily for rural portions of the state
- Section 5310 – See description below
- Section 5311 – See description below
- Section 5316 – JARC – for rural and small urban areas under 200,000 population.*
- Section 5317 – New Freedom – for rural and small urban areas under 200,000 population.*

* For urbanized Maricopa and Pima Counties over 200,000 population, the City of Phoenix and Tucson respectively are the FTA designated recipients.

FTA – Federal Transit Administration, the implementing agency of the US Department of Transportation for all federal transit programs.

Grantee – from the federal perspective for the above-named programs, a grantee is the State agency receiving grants. In these examples, the State is the federally designated recipient and the federal grantee. From the State’s (ADOT’s) perspective, a grantee is any agency receiving grant funds from the State or other source. See Recipient and Subrecipient.

ITS – Intelligent Transportation Systems – communications technology-driven equipment, hardware, software or other data formats or images designed to increase the quality, quality, or timeliness of information delivered or displayed to end user-customers or service providers on the status or other characteristics of a transportation system.

JARC – Job Access & Reverse Commute – See Section 5316

Lift Van – a small (less than 20 feet long) vehicle widely used in ADOT’s programs, single rear-wheel (per side) configuration, equipped with wheelchair lift and raised roof, and not currently requiring a Commercial Drivers License (CDL) to operate. Also known as “maxi van with lift.”

Mobility Management – a short-range planning function comprised of personnel and/or equipment (data or communications hardware, software, etc.) designed to increase inter-agency coordination, i.e., typically for more than one agency or group.

MPO – Metropolitan Planning Organization – a regional planning agency representing a predominately urban area, encompassing all or part of a county. Some MPOs are also COGs. However, *for the purposes of ADOT’s grant programs*, “MPO” describes an agency whose region has a significant urban core/population center over 50,000 population and focus of activity although their regional boundaries may also encompass significant rural areas. See COG.

New Freedom – See Section 5317

Recipient – from the federal perspective, a recipient is the State (or other “designated recipient” for other programs), but generally, any agency receiving grant funds, whether from the State or directly from the federal government. See Subrecipient.

SAFETEA-LU – the federal authorizing legislation (by Congress) since 2005 of all surface transportation program funding including highway and transit, and which governs all FTA programs through at least September 2009, at which time new authorizing legislation is scheduled to take precedence.

Section 5307 – *Urbanized Area Formula* transportation program for communities >50,000 population. As communities grow past the 50,000 population threshold they move in status from the 5311 program into the “small urban area” portion of the *FTA 5307 Program*, which is administered directly by the grantee and FTA, with only peripheral ADOT involvement. ADOT continues to mentor these transitional communities until they achieve “full” 5307 status. Section 5307 and 5310 are highly encouraged to coordinate services and resources wherever possible.

Section 5310 – *Elderly Individuals & Individuals With Disabilities Program* – a FTA formula grant program administered in Arizona by ADOT for all regions – which is designed to provide financial assistance (primarily vehicles) to agencies serving seniors and persons with disabilities.

Section 5311 – *Rural Public Transportation* (also known as Non-Urbanized Formula Program) – a FTA formula grant program administered in Arizona by ADOT, designed to provide communities under 50,000 population with operating and capital assistance with which to run local transit programs.

Section 5316 – *Job Access & Reverse Commute or Section 5316* – a FTA program newly “formalized” under SAFETEA-LU and administered in Arizona by ADOT to assist low income individuals with work related transportation.

Section 5317 – *New Freedom* – a FTA formula grant program administered in Arizona by ADOT – for rural and small urban areas under 200,000 population – designed to provide transportation services for persons with disabilities which “go beyond” ADA requirements many systems currently must follow (but also which there is often limited in funding for additional services “beyond...”). Like JARC (5316), New Freedom provides capital and operating funds.

Subrecipient – from the federal government’s perspective, any recipient of grants or grant funding from the State (or other designated recipient) which originated with a federal agency (e.g., FTA). Generally, a subrecipient is a *local* recipient of a designated recipient of such a grant. See Recipient.

United We Ride – a Presidential Executive Order (2004) – signed February 2004 – and federal initiative designed to encourage federal agencies to coordinate and collaborate on programs serving human service agency transportation needs, with the aim to reduce waste between programs with common or similar transportation objectives, and increase service quality for the transportation-challenged populations they serve. See Arizona Rides.

C. ADDITIONAL INSURANCE INFORMATION

The following augments the basic insurance information found in **Section F. Administrative Requirements, Minimum Required Insurance Coverage** on Page 41 of the Handbook.

General Indemnification: The Recipient shall indemnify, defend, save and hold harmless The State of Arizona, its departments, agencies, boards, commissions, universities and its Officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the Recipient or any of its owners, officers, directors, agents, employees or subcontractors. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by the Recipient from and against any and all claims. It is agreed that the Recipient will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. In consideration of the award of this contract, the Recipient agrees to waive all rights of subrogation against the State of Arizona, its officers, officials, agents and employees for losses arising from the work performed by the Contractor for the State of Arizona.

This indemnity shall not apply if the Recipient or sub-contractor(s) is/are an agency, board, commission or university of the State of Arizona.

INSURANCE REQUIREMENTS:

Recipient and subcontractors shall procure and maintain until all of their obligations have been discharged, including any warranty periods under this Contract, are satisfied, insurance against claims for injury to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Recipient, his agents, representatives, employees or subcontractors.

The insurance requirements herein are minimum requirements for this Contract and in no way limit the indemnity covenants contained in this Contract. The State of Arizona in no way warrants that the minimum limits contained herein are sufficient to protect the Recipient from liabilities that might arise out of the performance of the work under this

contract by the Recipient, its agents, representatives, employees or subcontractors, and the Recipient is free to purchase additional insurance.

MINIMUM SCOPE AND LIMITS OF INSURANCE: Recipient shall provide coverage with limits of liability not less than those stated below.

Business Automobile Liability

Bodily Injury and Property Damage for any owned, hired, and/or non-owned vehicles used in the performance of the project.

Combined Single Limit (CSL)

\$1,000,000

The policy shall be endorsed to include the following additional insured language: *The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insured's with respect to liability arising out of the activities performed by or on behalf of the Contractor, involving automobiles owned, leased, hired or borrowed by the Contractor.*

Policy shall contain a waiver of subrogation against the State of Arizona, as departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Recipient.

ADDITIONAL INSURANCE REQUIREMENTS: The policies shall include, or be endorsed to include, the following provisions:

The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees wherever additional insured status is required such additional insured shall be covered to the full limits of liability purchased by the Recipient, even if those limits of liability are in excess of those required by this Program.

The Recipient's insurance coverage shall be primary insurance with respect to all other available sources.

Coverage provided by the Recipient shall not be limited to the liability assumed under the indemnification provisions of this Contract.

NOTICE OF CANCELLATION: Each insurance policy required by the insurance provisions of the grant agreement shall provide the required coverage and shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) days prior written notice has been given to the State of Arizona. Such notice shall be sent directly to ADOT-MPD Community/Grants Services, 206 South 17th Avenue 340B, Phoenix, Arizona 85007 and shall be sent by certified mail, return receipt requested.

ACCEPTABILITY OF INSURERS: Insurance is to be placed with duly licensed or approved non-admitted insurers in the state of Arizona with an "A.M. Best" rating of not less than A- VII. The State of Arizona in no way warrants that the above-required minimum insurer rating is sufficient to protect the Recipient from potential insurer insolvency.

VERIFICATION OF COVERAGE: The Recipient shall furnish the State of Arizona with certificates of insurance (ACORD form or equivalent approved by the State of Arizona). The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf.

All certificates and endorsements are to be received and approved by the State of Arizona before work commences. Each insurance policy must be in effect at or prior to commencement of work and remain in effect for the duration of the project.

All certificates required by this Contract shall be sent directly to ADOT-MPD Community/Grants Services, 206 South 17th Avenue 340B, Phoenix, Arizona 85007. The State of Arizona project/contract number and project description shall be noted on the certificate of insurance. The State of Arizona reserves the right to require complete, certified copies of all insurance policies required by the grant agreement at any time. DO NOT SEND CERTIFICATES OF INSURANCE TO THE STATE OF ARIZONA'S RISK MANAGEMENT SECTION.

SUBCONTRACTORS: Recipients' certificate(s) shall include all subcontractors as insured's under its policies or Recipient shall furnish to the State of Arizona separate certificates and endorsements for each subcontractor. All coverage for subcontractors shall be subject to the minimum requirements identified above.

APPROVAL: Any modification or variation from these insurance requirements shall be made by the Department of Administration, Risk Management Section, whose decision shall be final. Such action will not require a formal contract amendment, but may be made by administrative action.

EXCEPTIONS: In the event the Recipient or sub-contractor(s) is/are a public entity, then the Insurance Requirements shall not apply. Such public entity shall provide a Certificate of Self-insurance. If the Recipient or sub-contractor(s) is/are a State of Arizona agency, board, commission, or university, none of the above shall apply.