

**FY 2020**  
**Phoenix-Mesa Urbanized Area**  
**Handbook &**  
**Program Guidelines**

**Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities**

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**Competitive Selection Process By:**



**Designated Recipient of Federal Funds:**



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**For inquiries regarding the Phoenix-Mesa Section 5310 competitive grant process or Human Services Coordination Transportation Planning:**

DeDe Gaisthea, Human Services Transportation Planner III  
Maricopa Association of Governments (MAG)  
302 North First Avenue, Suite 300  
Phoenix, AZ 85003  
Phone: (602) 254-6300  
Fax: (602) 254-6490  
E-mail: [dgaisthea@azmag.gov](mailto:dgaisthea@azmag.gov)

**Website:**

<http://www.azmag.gov/Committees/Technical-Committees/Elderly-and-Persons-with-Disabilities-Transportation-Committee>

**For inquiries regarding the Phoenix-Mesa Section 5310 program:**

Wendy Miller, Management Assistant II  
City of Phoenix Public Transit Department  
302 North First Avenue, Suite 900  
Phoenix, Arizona 85003  
Phone: (602) 262-4077  
Fax: (602) 732-2780  
E-mail: [wendy.miller@phoenix.gov](mailto:wendy.miller@phoenix.gov)

**Website:** <http://www.phoenix.gov/publictransit>

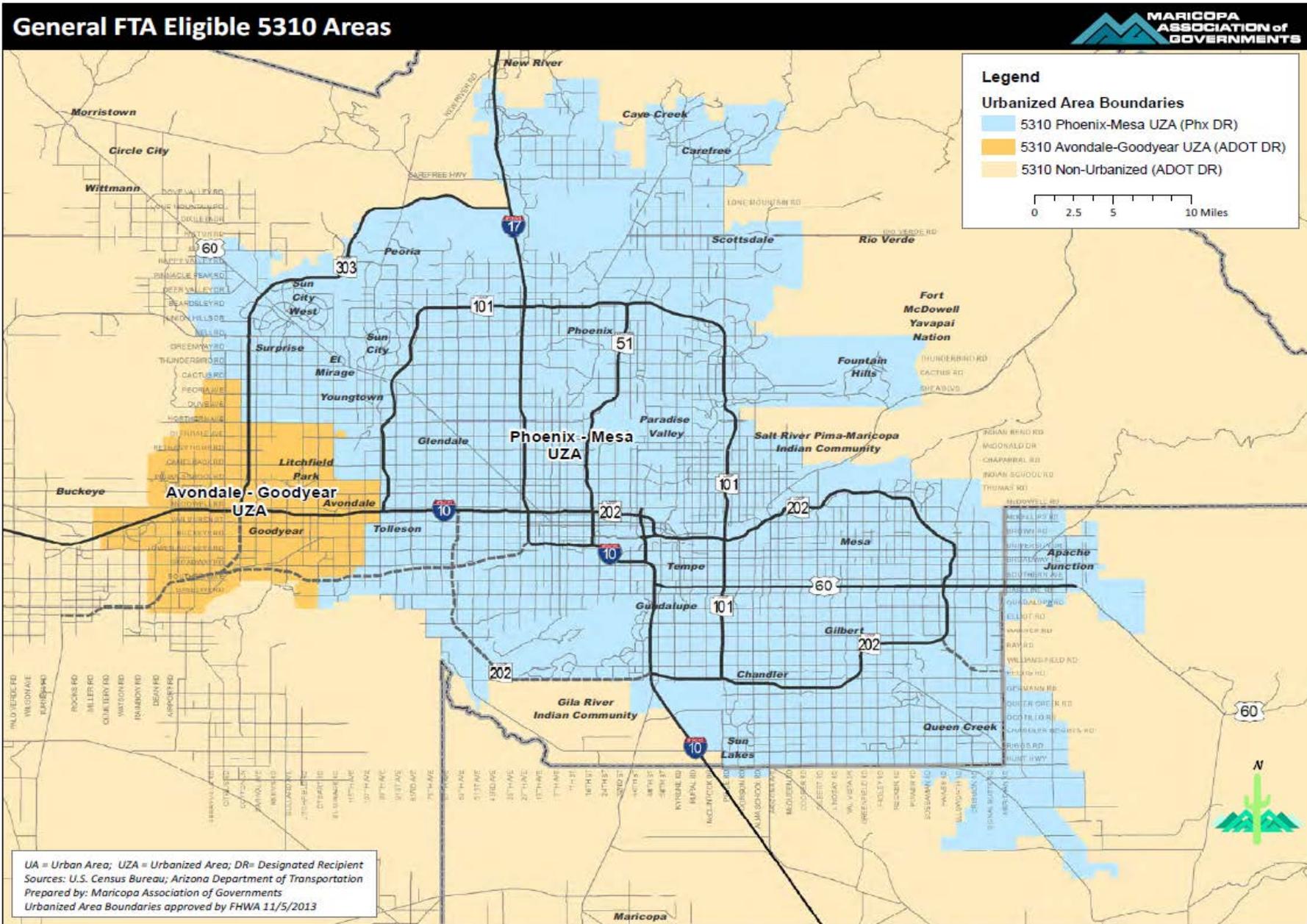
**For inquiries regarding the Avondale-Goodyear, Rural or Small Urban Section 5310 program, contact:**

Lindsay Post, Transit Programming Manager  
Arizona Department of Transportation  
206 South 17th Avenue, Mail Drop 310B  
Phoenix, AZ 85007  
Phone: (602) 712-8774  
E-mail: [LPost@azdot.gov](mailto:LPost@azdot.gov)

**Website:** <http://www.azdot.gov/planning/TransitProgramsandGrants/program-handbook-applications-and-awards>

**To determine which agency you apply to, refer to the map on the following page.**

Agencies operating 51% or more of service in the Phoenix-Mesa UZA (shown in blue) will utilize this handbook and guidelines. All other agencies operating 51% or more of their service in yellow or gold regions, apply through ADOT.



## TIMELINE

<b>2020 Section 5310 Phoenix-Mesa Urbanized Area Grant Timeline</b> * <i>DATES SUBJECT TO CHANGE</i> *	
<b>Applications are Published</b>	<b>January 24, 2020</b>
<b>Regional 5310 Grant Workshop</b> Maricopa Association of Governments 302 N. 1 <sup>st</sup> Avenue, Saguaro Room - 2 <sup>nd</sup> floor Phoenix, AZ 85003	<b>February 3, 2020, 9:00 a.m.</b>
<b>Application Assistance</b> <i>Call DeDe Gaisthea @ MAG 254-6300 to schedule appointment.</i>	<b>February 10 &amp; 11, 2020, 9:00 a.m. – 3:00 p.m. by appointment only</b>
<b>Application Deadline</b> Maricopa Association of Governments ATTN: DeDe Gaisthea-Section 5310 Application 302 N. 1 <sup>st</sup> Avenue, 3 <sup>rd</sup> floor, Phoenix, AZ 85003	<b>February 24, 2020, by noon</b> <b><u>No late applications will be accepted</u></b>
<b>Public Notice of Applications Submitted</b> Allows one week for public comments	<b>February 24, 2020</b>
<b>Applicants to Receive MAG Elderly and Persons with Disabilities Transportation Ad Hoc (EPDT) Committee's Follow-Up Questions</b>	<b>April 10, 2020</b>
<b>Applicant Deadline to Respond to Committee's Questions</b>	<b>April 14, 2020, by noon</b>
<b>Required Applicant Interview with EPDT Committee</b> Maricopa Association of Governments 302 N. 1 <sup>st</sup> Avenue, 2 <sup>nd</sup> floor, Chaparral Room Phoenix, AZ 85003	<b>April 28 &amp; 29, 2020</b>
<b>MAG Human Services Technical Committee</b>	<b>May 2020</b>
<b>MAG Human Services and Community Initiatives Committee</b>	<b>May 21, 2020</b>
<b>MAG Management Committee</b>	<b>June 10, 2020</b>
<b>MAG Regional Council</b>	<b>June 24, 2020</b>
<b>Applicants Receive Selection Notification**</b>	<b>June/July 2020</b>
<b>Appeal Deadline</b>	<b>One week from notification</b>
<b>TIP Amendment Process</b>	<b>July-August 2020</b>
<b>FTA Application Process</b>	<b>September-November 2020</b>
<b>Phoenix/Subrecipient Agreement Process</b>	<b>September-November 2020</b>
<b>Grant Recipient Workshop with City of Phoenix</b>	<b>September-November 2020</b>
<b>Projected Availability of Funds</b>	<b>Late 2020 – Early 2020</b>
<b>Vehicle Delivery and Availability</b>	<b>Spring 2021</b>

**\*\*Based on FTA notice of final apportionment**

## **PROGRAM OVERVIEW**

This handbook provides program information and guidelines for the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities grant program for the Phoenix-Mesa Urbanized Area (UZA). The Section 5310 program provides formula funding to states and designated recipients to improve mobility for seniors and individuals with disabilities. On December 4, 2015, President Obama signed into law the Fixing America's Surface Transportation Act (FAST Act), which authorizes surface transportation programs of the Department of Transportation.

The FAST Act replaced the former legislation, Moving Ahead for Progress in the 21<sup>st</sup> (MAP-21). *It is important to note the Section 5316 Job Access and Reverse Commute Program and Section 5317 New Freedom Program were rescinded under MAP-21.* Program Guidance is found in FTA Circular 9070.1G, Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions, dated July 7, 2014. Program guidance continues to follow requirements established under MAP-21. *The current FAST Act reauthorization is set to expire on September 30, 2020.* Program guidelines may be amended to follow the most current federal requirements.

The Section 5310 program no longer provides a single apportionment to the State. The program provides apportionments specifically for large urbanized, small urbanized and rural areas. On March 15, 2013, Governor Brewer approved the City of Phoenix Public Transit Department as the Designated Recipient for the FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program for the Phoenix-Mesa Urbanized Area (UZA). For each application cycle, apportionments are projected estimates based on the previous years' awarded funding. Apportionments are not final until FTA provides funding to the City of Phoenix as the Designated Recipient for the Phoenix-Mesa UZA.

In 2015, the programming responsibilities moved to the Maricopa Association of Governments in coordination with the City of Phoenix Public Transit Department (PTD). The Maricopa Association of Governments (MAG) Elderly and Persons with Disabilities Transportation Committee (EPDT) prepares the Section 5310 priority listing of applications for the Phoenix-Mesa UZA, which is approved through the MAG committee process, and forwarded to the City of Phoenix PTD for submission to the FTA.

### *Program Goals and Objectives*

The goal of the FTA Section 5310 grant program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding the transportation mobility options available. Towards this goal, FTA provides financial assistance for transportation services that are planned, designed, and carried out to meet the special transportation needs of older adults and individuals with disabilities (49 U.S.C. Section 5310/FAST Act 3006). The program also requires coordination with other federally assisted programs and services in order to make the most efficient use of federal resources.

Section 5310 program grant funds are available for capital and operating expenses to: (1) serve the special needs of transit-dependent populations beyond traditional public

transportation service, where public transportation is insufficient, inappropriate, or unavailable; (2) projects that exceed the requirements of the Americans with Disabilities Act (ADA); (3) projects that improve access to fixed route service and decrease reliance on complementary paratransit; and (4) projects that are alternatives to public transportation.

The objectives for this program will directly reflect the purpose of the Section 5310 program, as well as the goals and strategies outlined in the regional Maricopa Association of Governments (MAG) Human Services Coordination Transportation Plan (HSCTP), the MAG regional programming guidelines, and the City of Phoenix Program Management Plan.

The goal of the HSCTP is to identify the transportation needs of individuals with disabilities, older adults, and persons with low income. Plans are developed in conjunction with a diverse group of stakeholders including transportation and human services providers, the metropolitan planning organization, local governments, and state agencies.

Specifically, the HSCTP creates a comprehensive inventory of service providers; establishes a formal process to build sub-regional collaborations that will focus on improving the coordination within the region; establishes coordination strategies as a priority for funding under specified FTA programs; and builds the foundation to consider more expansive coordination strategies in later years.

### **For Your Information**

On January 15, 2020 the MAG Elderly and Persons with Disabilities Ad Hoc Committee approved the following changes to the application process,

- Agencies who have returned Section 5310 awarded vehicle(s) to the Designated Recipient for release back into the program, will have a two year waiting period from date of notification in order to reapply for vehicles.
- Applicants must score 70 percent or above during the evaluation review process to meet regional threshold criteria.

**All applicants** applying for Section 5310 funding in the Phoenix-Mesa UZA are required to attend the Applicant Interviews, additional information can be found on page 20.

### **FEDERAL PROGRAM REQUIREMENTS**

#### **Seniors and Individuals with Disabilities Grant Program (5310)**

- **Applicants in the Phoenix-Mesa Urbanized Area will apply through this application process (see map on page 5).** Applicants in the Avondale/Goodyear, small urban, or rural areas will apply through the ADOT Section 5310 application process.
- Not less than 55 percent of the program funds must be used on “traditional” capital 5310 project such as buses and vans; wheelchair lifts, ramps, and securement devices; transit-related information technology systems including scheduling/routing/one-call systems; and mobility management programs. Funding available for this program must

be used for projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable, typically carried out by nonprofit agencies. The 55 percent is a floor. Recipients may use more or all of their section 5310 funds for these types of projects. The acquisition of transportation services under a contract, lease, or other arrangement is also eligible. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services is limited to the section 5310 program.

- The remaining funds (45% or less) are for “Other” eligible capital and operating projects. These capital and operating expenses are for new public transportation services and alternatives beyond those required by the ADA\*, designed to assist individuals with disabilities and seniors. Funds may be used for public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit; or alternatives to public transportation that assist seniors and individuals with disabilities. The acquisition of public transportation services remains an eligible capital expense under this section. Remaining funds also include the 10 percent administrative fee.
- *\*ADA Transportation Services for Individuals with Disabilities: §37.129 (a) Except as provided in this section, complementary paratransit service for ADA paratransit eligible persons shall be origin-to-destination service. (b) Complementary paratransit service for ADA paratransit eligible persons described in §37.123(e)(2) of this part may also be provided by on-call bus service or paratransit feeder service to an accessible fixed route, where such service enables the individual to use the fixed route bus system for his or her trip. (c) Complementary paratransit service for ADA eligible persons described in §37.123(e) (3) of this part also may be provided by paratransit feeder service to and/or from an accessible fixed route. ADA Regulations Part 37- Transportation Services for Individuals with Disabilities, [http://www.fta.dot.gov/12876\\_3906.html](http://www.fta.dot.gov/12876_3906.html)*
- Matching requirements for this program remain the same; capital assistance is provided on an 80 percent Federal share, 20 percent local share. Operating assistance requires a 50 percent match. FTA grants used for acquiring vehicles to comply or maintain compliance with the ADA or the Clean Air Act can cover 85 percent of net project costs. FTA grants for vehicle-related equipment or facilities needed to comply with or maintain compliance with the ADA or Clean Air Act remains at 90 percent of net project costs of the equipment of facilities attributable to compliance with the Act (the incremental cost). Match funding for vehicles and equipment must be provided up front at the time of ordering, as directed by the City of Phoenix. **Please note, applicants must indicate a commitment to provide the local match funding in their cover letter.**
- Funds provided under other Federal programs (other than those of the Department of Transportation, with the exception of the Federal Lands Transportation Program and

Tribal Transportation Program) may be used for local match for funds provided under section 5310, and revenue from service contracts may be used as local match.

## **PROGRAM MEASURES**

The subrecipient is required to gather and submit quarterly reports to PTD on both quantitative and qualitative information on each of the following indicators:

### **Traditional Capital Section 5310 Program Measures**

- Gaps in Service Filled. Provision of transportation options that would not otherwise be available for seniors and individuals with disabilities measured in numbers of seniors and people with disabilities afforded mobility they would not have without program support as a result of traditional Section 5310 projects implemented in the current reporting year.
- Ridership. Actual or estimated number of rides (as measured by one-way trips) provided annually for individuals with disabilities and seniors on Section 5310 supported vehicles and services as a result of traditional Section 5310 projects implemented in the current reporting year.

### **Other Capital/Operating Section 5310 Program Measures**

- Increases or enhancements related to geographic coverage, service quality, and/or service times that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.
- Additions or changes to physical infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.

### **Changes to FTA Programs**

On October 1, 2012, the following requirements apply to all FTA programs, unless otherwise noted. These apply to programs that otherwise continue to follow SAFETEA-LU requirements.

- Agency Safety Plans: Section 5329 requires all FTA grantees to develop comprehensive agency safety plans approved by the recipient's board of directors (or equivalent entity), and certified by FTA or a State. The agency safety plan also will need to identify an adequately trained safety officer who reports directly to the recipient's chief executive and provide a comprehensive staff training program for operations personnel and personnel directly responsible for safety. **For recipients**

**without a plan in place on October 1, 2012, this requirement will not apply as a condition for receiving assistance until one year after the effective date of a final rule.** The City of Phoenix will notify grantees of any requirements upon receiving direction from FTA.

- Transit Asset Management (TAM) Plans: FAST Act requires that each recipient and subrecipient of FTA grants must establish a “transit asset management” (TAM) plan for its transit system. The City of Phoenix utilizes the vehicle inventory provided with the application and the vehicle data provided annually by the subrecipients as their TAM plan. Subrecipients will be notified if any further documentation is required.

The FTA Section 5310 Enhanced Mobility of Seniors and Persons with Disabilities program under the FAST Act continues to follow programming guidelines under the previous MAP-21 Act. The circular further defines requirements and eligible activities. Please review the US Department of Transportation, FTA Section 5310 circular C 9070.1G carefully at, [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070\\_1G\\_FINAL\\_circular\\_4-20-15%281%29.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070_1G_FINAL_circular_4-20-15%281%29.pdf).

All agencies receiving Federal funds must have a DUNS number issued by Dun & Bradstreet, as well as register with the Federal government’s The System for Award Management (SAM). See REQUIREMENTS for additional information.

Agencies receiving \$750,000 or more in Federal funds must provide a copy of their single audits annually. See REQUIREMENTS for additional information.

Agencies requesting \$100,000 more in Federal funds must file a Lobbying Certification form. See REQUIREMENTS section for additional information.

Mobility Manager Positions have specified federal requirements and regional requirements based on the local intent of the program. Please see the REQUIREMENTS section for additional information.

**SUMMARY OF SECTION 5310 GRANT PROGRAM**

<b>Enhanced Mobility of Seniors and Individuals with Disabilities</b>					
<b>Program</b>	<b>Projected Funding</b>	<b>Funding Allocation</b>	<b>Match</b>	<b>Eligible Projects</b>	<b>Eligible Applicants</b>
<p>5310 Seniors and Individuals with Disabilities</p> <p>5310- "Traditional" Capital</p>	<p>Approximately \$3.2 million estimated for the overall program based on 2019 apportionment</p>	<p>Mandatory 55% Eligible for Traditional Capital 5310 Eligible Projects</p>	<p>80/20 Match for Capital &amp; Mobility Management</p> <p>85/15 Match for Vehicles meeting ADA or Clean Air Act</p> <p>90/10 for ADA or Clean Air Act equipment or facilities</p>	<ul style="list-style-type: none"> <li>• Mobility Management</li> <li>• Capital projects serving older adults and people with disabilities</li> <li>• No duplicate requests between 5310 "Other"- projects</li> </ul>	<ul style="list-style-type: none"> <li>• Private Nonprofits</li> <li>• State or Local Gov't Authorities in absence of nonprofits able or willing to perform work</li> </ul>
<p>5310 Seniors and Individuals with Disabilities</p> <p>5310- "Other" Operating and Capital eligible projects</p>	<p>Approximately \$3.2 million estimated for the overall program based on 2019 apportionment</p>	<p>Flexible 45% Eligible for Other Capital/ Operating Projects Eligible Projects Less 10% admin fee</p>	<p>50/50 Match for Operating</p> <p>80/20 Match for Capital &amp; Mobility Management</p> <p>85/15 Match for Vehicles meeting ADA or Clean Air Act</p> <p>90/10 for ADA or Clean Air Act equipment or facilities</p>	<ul style="list-style-type: none"> <li>• Mobility Management</li> <li>• Capital projects serving older adults and people with disabilities</li> <li>• Operating projects serving older adults and people with disabilities</li> <li>• No duplicate requests between 5310 "Traditional" projects</li> </ul>	<ul style="list-style-type: none"> <li>• Private Nonprofits</li> <li>• State or Local Gov't Authorities</li> <li>• Public or Private Operators of Public Transportation</li> </ul>

## **ELIGIBLE APPLICANTS AND ACTIVITIES**

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

The FAST Act continues the eligibility of the funds to be used for operating, in addition to capital, for transportation services that address the needs of seniors and individuals with disabilities. The eligibility provisions are a result of the consolidation of the section 5317 New Freedom Program, which was repealed under MAP-21, with the Section 5310 program. The remaining funds (45% or less) may be used for: public transportation projects that exceed the requirements of the ADA; public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit; or alternatives to public transportation that assist seniors and individuals with disabilities. The acquisition of public transportation services remains an eligible capital expense under this section.

### **“Traditional” 5310 Projects (Capital Purchases, Mobility Management)**

Eligible applicants for 5310 Projects include Private nonprofit organizations; Governmental authorities that certify to the chief executive officer of a State that no nonprofit corporations or associations are readily available in an area to provide the service; and Governmental authorities approved by the State to coordinate services for older adults and individuals with disabilities. Not less than 55 percent of the funds available for this program must be used for projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities (when public transportation is insufficient, inappropriate, or unavailable), typically carried out by nonprofit agencies. The 55 percent is a floor. Recipients may use more or all of their section 5310 funds for these types of projects.

Funds for the Section 5310 program are available for capital expenses as defined in Section 5302(3) to support public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Examples of capital expenses that meet the 55 percent requirement, which must be carried out by an eligible recipient or subrecipient as described in section 5 of this chapter above, include, but are not limited to:

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

- Support facilities and equipment for Section 5310-funded vehicles
  - Extended warranties that do not exceed the industry standard;
  - Computer hardware and software;
  - Transit-related intelligent transportation systems (ITS);
  - Dispatch systems; and
  - Fare collection systems.
  
- Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish criteria for determining cost effectiveness in accordance with FTA regulations, “Capital Leases,” 49 CFR part 639 and OMB Circular A-94, which provides the necessary discount factors and formulas for applying the same;
  
- Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary paratransit services when provided by an eligible recipient or subrecipient as defined in section 5 of this chapter, above. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;
  
- Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinate usage of vehicles with other nonprofits, but not the operating costs of service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:
  - The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
  - Support for short-term management activities to plan and implement coordinated services;
  - The support of state and local coordination policy bodies and councils;
  - The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;

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

**“Other” Capital and Operating 5310 Projects (Eligible Activities)**

Eligible recipients include private nonprofit organizations, state or local governmental authorities, and operators of public transportation services including private operators of public transportation services. The list of eligible activities is intended to be illustrative, not exhaustive. Recipients are encouraged to develop innovative solutions to meet the needs of individuals with disabilities in their communities.

*General.* Up to 45 percent of a rural, small urbanized area, or large urbanized area's annual apportionment may be utilized for:

- Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
- Public transportation projects (capital and operating) that exceed the requirements of ADA;
- Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or
- Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

Public Transportation Services that exceed the requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation that is beyond the ADA.

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

Public Transportation Projects that Improve Accessibility. The following activities are examples of eligible projects that improve accessibility to the fixed route system.

- Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Funds are eligible to be used for new accessibility

enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail and rapid rail. This may include:

- Building an accessible path to a bus stop that is currently inaccessible, including curb cuts, sidewalks, accessible pedestrian signals or other accessible features,
  - Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA.
  - Improving signage, or way finding technology, or
  - Implementation of other technology improvements that enhance accessibility for people with disabilities including Intelligent Transportation Systems (ITS).
- Travel training. New training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.

Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities with Transportation. The following activities are examples of projects that are eligible public transportation alternatives:

- Purchasing vehicles to support new accessible taxi, ride sharing, and/or vanpooling programs. Funds can be used to purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to part 38 to remain in his/her personal mobility device inside the vehicle.
- Supporting the administration and expenses related to new voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (federal/local) match.

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

## **FUNDING**

The amount available for the Section 5310 Phoenix-Mesa UZA is estimated to be approximately \$3.2 million based on the FY 2019 apportionments. FAST Act requires not less than 55 percent of the available amount be spent on the traditional 5310 Project. Up to ten percent of the apportionment can be utilized for program administration funds by the designated recipient to cover costs associated with administering the program. After the program administration budget is determined, the remainder of funding will be made available for all eligible projects under the program. ***Actual funding amounts will be determined after FTA publishes the FY 2020 appropriation amounts in the Federal Register.***

### Limits on Operating Assistance

Given the 55 percent requirement for traditional Section 5310 capital projects, designated recipients may allocate up to 45 percent of its apportionment for other capital and operating eligible projects expenses that are planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable. These includes public transportation projects that exceed the requirements of ADA, improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or alternatives to public transportation that assist seniors and individuals with disabilities with transportation. Historically in the past, Section 5310 Other Capital/Operating Projects funding awards have ranged from \$15,000 to \$250,000. Awarded projects will be based on the prioritized ranking of

the requested projects and on the final available funding FTA apportionments. Operating assistance for required ADA complementary paratransit service is not an eligible expense.

Period of Availability

FTA has administratively set the period of availability to three years, which includes the year of apportionment plus two additional years. Accordingly, funds apportioned must be obligated in grants by the third year. Any apportioned funds that remain unobligated at that time will revert to FTA for reapportionment.

## **APPLICATION & SELECTION PROCESS**

Project funding will be determined by a regional competitive selection process coordinated through the Maricopa Association of Governments committee process in conjunction with the City of Phoenix Public Transit Department, as the Designated Recipient of federal funds for the Phoenix-Mesa UZA.

### **Regional 5310 Grant Workshop**

The 5310 application process begins with a Regional Grant Workshop held by MAG and the City of Phoenix. The workshop will be held on **Monday, February 3, 2020** from 9:00 a.m. to 11:00 p.m. at the Maricopa Association of Governments, 302 N. 1<sup>st</sup> Avenue, Saguaro Room, 2<sup>nd</sup> floor, Phoenix, AZ 85003. For workshop registration, information, and to request reasonable accommodations, please contact Maria Piña, MAG at [MPina@azmag.gov](mailto:MPina@azmag.gov) or (602) 254-6300.

### **Application Assistance**

MAG and the City of Phoenix will offer applicants the opportunity to schedule a 30 minute appointment for application assistance on either Monday or Tuesday of **February 10-11, 2020**. **It is a requirement for first time applicants** to schedule an appointment for application assistance before submitting an application. Please contact DeDe Gaisthea, MAG, at [dgaisthea@azmag.gov](mailto:dgaisthea@azmag.gov) or (602) 254-6300 to schedule an appointment.

### **Application Deadline**

Applications are due by **Monday, February 24, at 12:00 p.m. (noon)**, to the Maricopa Association of Governments, 302 North 1st Avenue, 3<sup>rd</sup> Floor, Phoenix, AZ 85003. Please mark all application materials ATTN: DeDe Gaisthea-5310 Application. The MAG receptionist staff will mark your materials, certifying the date/time your application was received. A receipt can be issued upon request. **Late or incomplete applications will not be accepted.**

### **Application Submittals**

Application submittals must include; one (1) original hardcopy with signatures, one (1) photocopy, and one (1) electronic copy of the application ***that includes the original Excel format***. The electronic submission can be either on a CD, DVD, or flash drive. All supporting documentations must be included in the hardcopy submission and in the electronic submission. Providing a PDF version of the entire submitted application is also suggested. **Each project request(s) requires a separate application submittal.**

It is important to note, the electronic copy for each application request(s) will be forwarded to the evaluation panel for review. Please ensure ALL materials for each request(s) are included in each submitted application. Incomplete application(s) will not be accepted and will not move forward to the project evaluation process.

### **Public Comment**

MAG staff will publish a listing of all agencies applying for the Section 5310 program in the Phoenix-Mesa UZA, prior to the evaluation process, to allow for a one week period for public comment. Applicant's contact information and copies of the application may be posted online for public review and comment.

### Project Evaluation

The City of Phoenix and MAG staff will conduct an initial review of project applications to determine federal eligibility requirements and regional threshold criteria are met. Eligible projects will then be reviewed independently by members of the MAG EPDT Ad Hoc Committee who will develop a preliminary listing of projects. The MAG EPDT Ad Hoc Committee will evaluate projects by utilizing the Selection Criteria on the following page. All potential applicants should review the Selection Criteria to ensure your requested projects meet the selection criteria.

### Applicant Interviews

All applicants will be required to participate in the interview process after the evaluation panel conducts a preliminary review of the applications. Applicant Interviews will take place on April 28 and 29, 2020, at the MAG offices. Additional information will be provided to applicants prior to the interview. The interview process provides an opportunity for the applicant to give a presentation on their proposed project(s) and allows the panel to ask the applicant questions based on their application, and seek any clarification deemed necessary.

A tentative sign-in sheet for applicant interview dates will be available at the Regional 5310 Grant Workshop. If an agency does not receive notification by April 20, 2020 regarding the specifics (date, time, location) of the agency's assigned applicant interview, **it is the agency's responsibility to contact DeDe Gaisthea, MAG, [DGaisthea@azmag.gov](mailto:DGaisthea@azmag.gov), in order to receive the scheduling information.**

<b><u>SELECTION CRITERIA (100 pts)</u></b>	<b>Needs Improvement</b>	<b>Meets Criteria</b>	<b>Meets All or Exceeds Criteria</b>
<b>SECTION 1, 2 and 9: Cover Letter, Agency Info, and Checklist Completed (5 pts)</b> <ul style="list-style-type: none"> <li><i>Cover letter clearly describes the agency's primary mission, population served, funding requested, and clearly addresses the commitment to providing local match funding with appropriate agency signature. (3 pts-MAG)*</i></li> <li><i>Application was submitted complete with all appropriate items from the application checklist. (2 pts-MAG)*</i></li> </ul>	<b>(1 pt.)</b>	<b>(2-3 pts.)</b>	<b>(4-5 pts.)</b>
<b>SECTION 3: Agency Experience and Capabilities (20 pts)</b> <ul style="list-style-type: none"> <li>Agency demonstrates experience with the requested project including having appropriate staff to assist in managing the program. (5 pts)</li> <li>Agency provides performance measures that will be used to evaluate the effectiveness of the requested project with measurable outcomes. (5 pts)</li> <li><i>Agency experience in managing federal funds, meeting requirements, and have policy/procedure in place. (5 pts-DR Phoenix)*</i></li> <li><i>Demonstrates good utilization of requested and/or past funding. If applicable, agency expends awards in a timely manner. (5 pts-DR Phoenix)*</i></li> </ul>	<b>(1-9 pts.)</b>	<b>(10-14 pts.)</b>	<b>(15-20 pts.)</b>
<b>SECTION 4 AND 5, 6, or 7: Project Description (25 pts)</b> <ul style="list-style-type: none"> <li>The project addresses the federal requirement of being planned, designed and carried out to meet the specific needs of seniors and individuals with disabilities by providing a service that would otherwise not be available. (5 pts)</li> <li>The project clearly describes how it relates to other services provided in the area, fills in transportation gaps for the targeted population, and is sustainable over time. (10 pts)</li> <li><b>-Traditional Capital Requests (Section 5 or 6 A, B, or C):</b> Project demonstrates an effective utilization of proposed service, equipment, or position and an effective use of federal funds by filling in the gaps in service and the number of clients served (10 pts) <b>OR,</b></li> <li><b>-Other Capital/Operating Requests (Section 7 A, B, or C):</b> Project provides a service that is "above and beyond" ADA requirements (5 pts). In addition, project is consistent with program objectives to improve access or provide alternatives to public transportation (5 pts). <i>(Total 10 points)</i></li> </ul>	<b>(1-9 pts.)</b>	<b>(10-19 pts.)</b>	<b>(20-25 pts.)</b>
<b>SECTION 5, 6 (A, B, or C) or 7 (A, B, or C) – Budget (10 pts)</b> <ul style="list-style-type: none"> <li>Applicant adequately addresses how the requested project is cost-efficient and a good use of federal funding based on the number of clients served. (3 pts)</li> <li>Line items on the budget were appropriate to the project request, easy to understand, and adequately addresses the intent of the program. (2 pts)</li> <li><i>Applicant appropriately addresses the availability/reliability of required matching fund for the proposed project request including the ability to operate/maintain the grant project in future years. (5 pts-DR-Phoenix)*</i></li> </ul>	<b>(1-3 pt.)</b>	<b>(4-7 pts.)</b>	<b>(8-10 pts.)</b>
<b>SECTION 8 – Coordination (25 pts)</b> <ul style="list-style-type: none"> <li><b>Coordination Participation:</b> <i>Attends local and/or regional coordination meetings/forums, submits all requested data information including surveys and provider updates. (10 pts-MAG)*</i></li> <li><b>Developing Partnerships:</b> To what degree does the applicant coordinate with other agencies, and public or private transit and paratransit systems? (5 pts)</li> <li><b>Collaborative Activities:</b> Applicant demonstrates participation, or willingness to participate, in a coordinated system for training activities. (5 pts)</li> <li><b>Addressing Regional Gaps:</b> To what degree does the applicant address regional gaps as outlined in the MAG Human Services Transportation Coordination Plan, and describes plans to further coordination efforts in the future? (5 pts)</li> </ul>	<b>(1-9 pts.)</b>	<b>(10-19 pts.)</b>	<b>(20-25 pts.)</b>
<b>Applicant Interview and Presentation (15 pts)</b> <ul style="list-style-type: none"> <li>Applicant presentation adequately supports the need of the proposed project. (15 pts)</li> </ul>	<b>(1-4pt.)</b>	<b>(5-10 pts.)</b>	<b>(11-15 pts.)</b>

**\*Points provided by MAG (Planning Agency) or the City of Phoenix (Designated Recipient)**

## **FINAL SELECTION**

Once the interviews are completed, the MAG EDPT Committee convenes, scores are discussed, and project selection decisions are made based on the published Selection Criteria. The Committee provides a list of recommended priority of projects for funding. A review of the recommended projects is conducted by the MAG staff and the City of Phoenix.

### Approval Process

The recommended list of projects to be funded will be submitted to MAG Management Committee for recommendation, and to MAG Regional Council for final project approval. Approved projects are sent to the Phoenix City Council for authorization to receive and disburse grant funds and execute Grant Pass Through Agreements with agencies whose projects have been selected for funding.

MAG will post the preliminary priority of projects on the MAG website. Any projects that are denied or funded conditionally are given an opportunity to solicit feedback from the project coordinator of the selection panel and/or utilize the appeal process. Agencies or projects that do not meet federal eligibility requirements will not be approved for funding.

### Award Process

FTA determines the Section 5310 program funding apportionments for the Phoenix-Mesa UZA. MAG, in coordination with the City of Phoenix will forward selection notices to applicants upon submittal to FTA of recommended projects. Awards are finalized when FTA provides funding to the City of Phoenix as the Designated Recipient for the Phoenix-Mesa UZA, and all compliance items are completed by the subrecipient.

### Appeal Process

Applicants may appeal the final funding recommendations and must use the following process to be recognized as a valid appeal. Request a meeting with MAG staff who will provide guidance on the appeals process. Submit a letter of appeal clearly identifying the applicant, contact person, address, phone number, email address, project description and grounds for appeal. The request for appeal must be submitted and received within 10 calendar days after the postmarked date of decline notice. The appeal will be reviewed by the MAG EDPT Committee at the following meeting date. Letters must be sent via email to DeDe Gaisthea at [dgaisthea@azmag.gov](mailto:dgaisthea@azmag.gov).

If the applicant is not satisfied with the MAG EDPT Committee's response, the appeal may be addressed during the MAG committee process, including the MAG Management Committee and MAG Regional Council. *Project request(s) that do not meet federal requirements or meet regional criteria threshold are not eligible to appeal.*

### TIP/STIP Amendment

All projects selected for funding must be included in the MAG Transportation Improvement Program (TIP) and the Statewide Transportation Improvement Program (STIP) to apply to FTA for the funding. The selected projects are provided to MAG to process a TIP amendment and forwards to Arizona Department of Transportation (ADOT). ADOT then processes the amendment for inclusion in the STIP and forwards to FTA for final approval.

## **ENTERING INTO AGREEMENT WITH CITY OF PHOENIX**

Agencies receiving grant funds will be required to enter into a Grant Pass Through Agreement with the City of Phoenix incorporating the terms and conditions in the FTA's Master Agreement.

### **Availability of Funding**

Upon FTA approval of the grant application and a final signed agreement is on file with the Phoenix City Clerk Department, the subrecipient may file for reimbursement of funds by providing appropriate back up documentation as indicated in the grant agreement.

## **REQUIREMENTS**

All applicants must be prepared to meet applicable Federal, State, and Local requirements in the areas including, but not limited to Legal, Financial, Vehicles, Maintenance, Training, Procurement, Civil Rights, Title VI, Limited English Proficiency, Disadvantaged Business Enterprise, Americans with Disabilities Act, Equal Employment Opportunity, Asset Management, Debarment & Suspension, Lobbying, Safety & Security.

### **Certifications and Assurances**

The subrecipients' Authorized Representative must sign the Certification & Assurances form provided in the application indicating the agency's agreement to comply with all applicable Federal requirements. The Attorney's signature is recommended, however, it is not required.

### **DUNS**

Obtaining a DUNS number through Dun & Bradstreet is required **PRIOR** to applying for Federal funds. DUNS is a business identification system used by businesses, banks and government and is required to conduct business with the Federal government. Additional information on how to obtain a DUNS number can be found at the following link: <https://www.grants.gov/applicants/organization-registration/step-1-obtain-duns-number.html>

### **SAM**

Registering with the System for Award Management (SAM) is required **UPON** receiving Federal funds. The SAM combines federal procurement systems and the Catalog of Federal Domestic Assistance into one new system. This consolidation includes the functionality from the following systems: Central Contractor Registry (CCR), Federal Agency Registration (Fedreg), Online Representations and Certifications Applications (ORCA), and Excluded Parties List System (EPLS). Registering with SAM is required to receive funds from the Federal government. The City of Phoenix utilizes the SAM system to ensure subrecipients of Federal funds are not debarred or suspended from receiving Federal funds or from doing business with the Federal government. To register, visit the following website: <https://www.sam.gov/SAM/>.

### **Office of Management & Budget (OMB) Single Audit**

The **OMB audit**, also known as the **Single Audit**, is an annual, organization-wide audit of an entity that expends \$750,000 or more of Federal assistance. Performed annually, the Single

Audit's objective is to provide assurance to the U.S. federal government as to the management and use of such funds by recipients such as states, cities, universities, and nonprofit organizations. The audit is typically performed by an independent certified public accountant (CPA) and encompasses both financial and compliance components. The Single Audits must be submitted to the Federal Audit Clearinghouse along with a data collection form, Form SF-SAC.

Agencies receiving **\$750,000 or more** in federal funds annually are required to conduct an annual single audit by a certified public accountant (CPA) and must provide a copy of their audit to the City of Phoenix annually, as well as follow any related federal guidelines. Additional information can be found at the following link: <https://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>

#### Lobbying Activities

Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65 [to be codified at 2 U.S.C. § 1601, et seq.] - Agencies who apply for an award of **\$100,000 or more** shall file the certification required by 49 CFR part 20, "New Restrictions on Lobbying." See Grant Application for form. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on its behalf with non-Federal funds with respect to that Federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier up to the recipient. The "Lobbying Certification" form must be completed, signed and submitted with Applicant's submittal.

#### Local Matching Funds

Subrecipients are required to provide matching funds for Section 5310 funds. Federal funds provide for up to ninety (90) percent of ADA/Clean Air Act compliant equipment and facilities, eight-five (85) percent of ADA compliant vehicles, eighty (80) percent of non-ADA capital and mobility management projects and fifty (50) percent of operating projects. Vehicles designed to meet Americans with Disabilities Act or Clean Air Act requirements are provided an 85% Federal share, 15% local share. FTA grants for vehicle-related equipment or facilities needed to comply with or maintain compliance with the ADA or Clean Air Act remains at 90% of net project costs of the equipment of facilities attributable to compliance with the Act (the incremental cost).

Funds provided under other Federal programs (other than those of the Department of Transportation, with the exception of the Federal Lands Transportation Program and Tribal Transportation Program established by sections 202 and 44 203 of title 23 U.S.C.) may be used for local match for funds provided under section 5310, and revenue from service contracts may be used as local match.

All local match funds for capital equipment must be in cash. Non-cash local match sources such as donations, volunteered services, or in-kind contributions is eligible to be counted toward the local match for operating and mobility management projects as long as the value of each is documented and supported, represents a cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget. Local share documentation is required as part of the grant application.

- Applicants must indicate a commitment to providing the local match funding in the cover letter.
- Subrecipients will be required to provide the full local match for vehicles and/or vehicle equipment in advance of the City creating purchase orders. Any subrecipients unable to provide a cash match as requested by the City, may forfeit the federal funding for the awarded vehicle and/or vehicle equipment, at the sole discretion of the City. Subrecipients whose federal funds are forfeited due to lack of available match may compete for funding in the next available competitive process.

#### Participation in MAG's Human Services Coordinated Transportation Plan

All agencies applying for Section 5310 funds will be required to participate in the planning process and support the coordination strategies adopted for MAG's Human Services Coordinated Transportation Plan (HSCTP).

The FAST ACT continues with MAP-21 coordinated planning provision requiring all projects be included in the local coordinated human service-public transportation plan. FTA maintains flexibility in how projects appear in the coordination plan. Projects may be identified as strategies, activities, and/or specific projects addressing an identified service gap or transportation coordination objective articulated and prioritized with the plan. (FTA C 9070.1G, Chapter V, Coordinated Planning)

The MAG Human Services Coordination Transportation Plan provides strategies of projects that meet the needs of the community. Projects exploring opportunities to coordinate providing transportation alternatives options such as travel training opportunities and information sharing. Other potential projects will address the need of providing services to areas with little to no transportation infrastructure in outlying communities in the region. Please note, it is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project. The MAG Human Services Coordination Transportation Plan Update can be found at the following link, [https://azmag.gov/Portals/0/Documents/MagContent/EPDT\\_2018-03-13\\_Human-Services-Coordination-Transportation-Plan.pdf](https://azmag.gov/Portals/0/Documents/MagContent/EPDT_2018-03-13_Human-Services-Coordination-Transportation-Plan.pdf)

#### Procurements

All subrecipients must comply with all federal requirements associated with procurements of all items purchased with Federal funds. Contact the City of Phoenix for technical assistance ***prior*** to conducting procurements utilizing any grant funds. Procurements conducted outside of the federal guidelines may impact an agency's eligibility to be reimbursed for expenditures.

Micro purchases (\$10,000 or less) do not require vendor documentation for this application. Small purchases (\$10,001-\$150,000) must include 3 vendor quotes with application. Procurements for \$150,001 or greater require a City-approved procurement prior to purchase.

### **Vehicle Procurements**

The City of Phoenix leads or approves the procurement for all vehicle purchases on behalf of subrecipients. Exceptions for self-procurement may be approved for public transit or municipal agencies with experience in meeting federal regulations for vehicle procurements. The City of Phoenix typically utilizes State of Arizona contracts already in place to purchase 5310 vehicles. Actual vehicle types may vary depending on Federal Buy America requirements, and availability/terms of State of Arizona contracts. Subrecipients ordering vehicles will be required to sign off on the final order to confirm all vehicle specifications are correct before City of Phoenix will place the order.

The pricing listed below is an estimate based upon State of Arizona pricing and actual pricing may differ. The following vehicle types are *anticipated* to be available:

Cutaway With Lift - Raised-roof “body-on-chassis cutaway” with wheelchair lift, seats up to fifteen (15) ambulatory passengers and has up to 4 wheelchair positions (lessened ambulatory capacity with wheelchair occupancy); **STATE OF ARIZONA COST ESTIMATE: \$73,500**

Raised Roof Van With Lift - Raised-roof van with wheelchair lift, seats up to twelve (12) ambulatory passengers and has up to 4 wheelchair positions, (lessened ambulatory capacity with wheelchair occupancy); **STATE OF ARIZONA COST ESTIMATE: \$73,500**

Minivan With Ramp: Minivan with one (1) wheelchair position and manual accessibility ramp, seats up to five (5) ambulatory passengers (lessened or no ambulatory capacity with wheelchair occupancy). **STATE OF ARIZONA COST ESTIMATE: \$52,500**

Passenger Van No Lift: A Twelve (12) passenger (including driver) passenger van without a wheelchair lift; **STATE OF ARIZONA COST ESTIMATE: \$31,500**

Minivan No Ramp: A Seven (7) passenger (including driver) minivan without a wheelchair lift. **STATE OF ARIZONA COST ESTIMATE: \$30,000**

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

### **Preventive Maintenance Requirements**

Preventive Maintenance includes all the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost effective manner. Examples include: oil changes, brakes, tire replacements, lift/ramp maintenance and general repairs.

Applicants requesting Preventive Maintenance (PM) Requests **greater than \$10,000** in total will require obtaining and providing documentation of a minimum of three vendor quotes for each service type as part of the application. Vendor quotes should show comparable cost of items (cost of service, cost per labor hour, cost of supplies/parts plus percentage). Subrecipients must follow the FTA procurement guidelines which includes utilization of the lowest quote vendor if awarded the funding.

### **Eligible Expenses & Reimbursements**

Qualifying expenditures are reimbursed to the subrecipient by the FTA through the City of Phoenix, when submitted with appropriate accompanying documentation. The application for reimbursement must be accompanied by detailed backup documentation for all eligible expenses. At a minimum the documentation shall include, but is not limited to a listing of all invoiced costs with vendors and payment dates; copies of paid invoices received from vendors for purchases of supplies and services; verification of all staff or contractor hours billed, including copies of all applicable timecards, payroll records or other time reporting documentation; and any other documentation as required by Phoenix or the FTA.

#### Reimbursement Requests

The subrecipient must submit requests for reimbursement to PTD no more often than monthly. Such requests shall include sufficient documentation to support reimbursement of the expenditure, including copies of vendor invoices and evidence of payment, employee time sheets, etc. PTD staff shall review the reimbursement request for compliance with the grant's scope, terms and conditions. If questions arise regarding some portion of the reimbursement request, PTD staff will contact the appropriate subrecipient project manager for additional documentation. Upon approval of the reimbursement request from the subrecipient, PTD will process the reimbursement for the subrecipient and drawdown the funds from FTA.

#### Project Budget Revisions

A subrecipient that wishes to revise an activity's budget should request such revision in writing to PTD with an explanation of the reason for the change and the amount of the change identified. Budget revisions will only include shifting funds between line items or adding additional local match and will not increase the amount of the FTA funds.

### **Project Costs**

The Section 5310 process for the Phoenix-Mesa Urbanized area continues to become increasingly competitive with limited funding apportioned for the regional. Project costs must specifically relate to the purpose of the program. In order to focus on the intent of the program, direct and indirect costs must meet the following criteria.

#### Direct Costs

Project costs must specifically relate to the purpose of the award and the award budget. Direct costs are costs that can be identified specifically with a particular cost objective. All direct costs must be adequately supported with proper documentation. Operating assistance direct costs must include only eligible expenses that directly support the transportation or mobility management program, and also meet the intent of the Section 5310 program.

### Indirect Costs

Subrecipients that intend to seek payment for indirect costs must prepare and submit a Cost Allocation Plan or an Indirect Cost Rate Proposal to be approved by the City of Phoenix or another cognizant federal agency. Pursuant to #CFR 200.210, subrecipients must include any indirect cost rate and identify costs in a separate budget line item in order to be eligible for reimbursement under an award. Indirect costs will only be allowable with an approved Indirect Cost Rate Proposal or Cost Allocation Plan on file. (\*FTA C 5010.1E, Page VI-11)

### Line Item Budgets

Operating assistance projects must include a line item budget with descriptions of all program costs to be reimbursed. Example, if insurance isn't included as a budget line item, it will not be permitted as part of the reimbursement after award.

Budgets must include only those items that directly support the transportation or mobility management programs. For instance, volunteer mileage reimbursement is permitted. However, costs including rent, utilities, volunteer recognition and food are not permitted. Office supplies may be eligible if they are direct costs associated with the single program, not those supplies that support the entire agency and/or other programs.

Please note, at the time of this release, FTA has not released funding apportionments. Funding awards will be based on the federal program funding requirements as noted in the next section, and the available final funding federal apportionments published in the federal register.

### De Minimis (10%) Indirect Cost Rate

The Uniform Grant Guidance allows any non-Federal entity that has never received a negotiated indirect cost rate to elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and sub-awards and subcontracts up to the first \$25,000 of each sub-award or subcontract (regardless of the period of performance of the sub-awards and subcontracts under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each sub-award and subcontract in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

### Reporting Requirements

All subrecipients will be required to submit annual progress reports including grant milestones, financial status, vehicle information, and program measures to the City of Phoenix. Specific reporting requirements will be outlined in the Grant Pass Through Agreement. MAP-21 also changes the performance measure reporting requirements and the City of Phoenix will communicate any changes with subrecipients when FTA finalizes the requirements.

### Milestone Progress Reports (MPR)

Annually, subrecipients are required to submit milestone progress reports for all active FTA funded projects. The subrecipient will provide revised estimated project milestone and/or actual completion dates to PTD as appropriate and narrative descriptions of progress for each project. An explanation as to why the date changes are necessary should be included in the report. Section 5310 subrecipients must provide program measures for their projects as indicated. In addition, subrecipients are required to provide the following as applicable:

- Vehicle maintenance records for the previous year (See Addendum A)
- Vehicle Maintenance Log (See Addendum A)
- Vehicle Maintenance Plan (See Addendum A)
- Vehicle Inspection results (See Addendum A)
- Current certificates of insurance with City of Phoenix as loss payee/additional insured
- Copy of Single Audit results from the most current audit (when applicable)
- Title VI plan must be up to date (updated every three years)
- Annual Title VI form
- SAM.gov status must be current (**updated annually**)
- Lobbying certification/activities must be current
- Change orders in excess of \$100,000
- List and Claims/Settlements settled or in excess of \$100,000

### Project Management & Expending Funds

#### Forfeiture of Funds or Equipment

Subrecipients who report no progress toward completing the grant funded activities in a quarter (without sufficient justification), or who have federally funded vehicles or equipment not in service during their useful life will be cautioned to expedite progress or put the equipment back in service. After significant lack of progress or delay in utilizing the equipment during its useful life, subrecipients may be subject to forfeiture of the grant funds or equipment. Agencies who have returned Section 5310 awarded vehicle(s) to the Designated Recipient for release back into the program, will have a two year waiting period from date of notification in order to reapply for vehicles.

Funds or equipment forfeited during the federal period of availability of funds (the year of apportionment plus two years), may be re-awarded to the highest ranked, un- or under-funded projects within the same selection process, redistributed proportionally between the remaining projects within the same grant, or rolled over for the next competitive selection process.

Funds or equipment forfeited after the period of availability has passed, may be awarded to the highest ranked, under-funded projects within the same selection process, redistributed proportionally between the remaining projects within the same grant or otherwise redistributed by the designated recipient.

#### Surplus Funds or Equipment

Surplus funds resulting from projects that do not use the entire assigned grant budget or equipment no longer needed with remaining useful life identified **within the federal period of availability of funds** may be awarded to the highest ranked, un- or under-funded projects for

the application period, redistributed proportionally between the remaining projects funded within the same grant, or rolled over for the next competitive selection process.

Surplus funds resulting from projects that do not use the entire assigned grant budget or equipment no longer needed with remaining useful life which are identified **after the period of availability has passed**, may be awarded to the highest ranked, under-funded projects for the application period, redistributed proportionally between the remaining projects within the same grant or otherwise redistributed by the designated recipient.

## **ASSET MANAGEMENT**

### **Vehicle Acceptance**

PTD procures vehicles on behalf of subrecipients based on their unique needs and performs an initial inspection of vehicles at the dealership. PTD completes a Vehicle Delivery & Acceptance Inspection Form. Once a vehicle has passed PTD's inspection, PTD will inform the subrecipient that the vehicle is ready for delivery/acceptance and will provide a Vehicle Delivery & Acceptance Inspection Form completed by a City of Phoenix Equipment Analyst or Quality Assurance Engineer. Upon delivery or receipt of the vehicle, the subrecipient must perform their own inspection of the condition of the vehicle, verify that the vehicle received has the correct vehicle identification number (VIN) and that the vehicle was delivered as ordered. The subrecipient will sign and return the Vehicle Delivery & Acceptance Inspection Form, attesting that the vehicle is accepted, has been added to the Agency's Vehicle Maintenance Plan and that the vehicle will be maintained, at a minimum, according to the original equipment manufacturer (OEM) requirements.

### **Vehicle Use**

Vehicles must be maintained and used for the intended purpose under which they are purchased. Maximum use of vehicles is encouraged, first for program related purposes, then other federal programs and project purposes. PTD is responsible for maintaining continuing control over vehicles and ensuring the vehicles are being utilized for eligible public transit purposes.

### **Vehicle Title and Lien**

In order to ensure proper use of grant funded equipment throughout its useful life, the City of Phoenix holds a first lien on all equipment in the amount of the federal share of the equipment cost. The lien extends through the useful life of the capital equipment, until the remaining asset value is less than \$5,000, which is usually demonstrated at the time of vehicle disposition.

### **Maintenance and Annual Inspection Requirements**

The City of Phoenix is responsible for ensuring that all vehicles purchased with federal funds are maintained in good operating order. Subrecipients are required to follow manufacturer's suggested maintenance schedules to maintain good working order. The subrecipient is required to have vehicle(s) inspected annually by a qualified mechanic and to provide copies of maintenance and inspection records annually. Annual inspection documentation must be signed and dated by a qualified mechanic and accompanied by condition reports

### Vehicle Maintenance Plans

The FTA requires written Vehicle Maintenance Plans (VMP) that describe periodic inspections, preventive maintenance intervals and maintenance procedures that keep federally assisted property in good condition. Subrecipients must submit written VMPs to the City of Phoenix that include all required elements and implement processes/procedures to address inventory, security, incident/accident reporting, preventative maintenance, vehicle inspections, manufacturers recommended maintenance intervals, vehicle dispositions, warranties and record keeping. A Vehicle Maintenance Plan Template can be found at (attachment).

### Vehicle Maintenance Requirements

PTD is responsible for ensuring that all vehicles purchased with federal funds are maintained in good operating order and has developed maintenance reporting procedures to ensure that management and oversight of federally assisted property is properly administered for assets controlled by subrecipients. Subrecipients are required to submit maintenance logs and maintenance records annually. Annual Maintenance Reporting Procedures can be found at (attachment).

### Required Insurance Coverage

Recipients are responsible for acquiring and maintaining current, appropriate insurance on their capital equipment while under City of Phoenix lien. Vehicle and large capital equipment require the recipient to list City of Phoenix as the Certificate Holder, Loss Payee and Additional Insured on their policy. The Certificate of Insurance must be submitted to City of Phoenix prior to taking delivery of the vehicle(s) and updated copies provided annually or as significant changes occur.

### Change in Vehicle Status or Condition

Subrecipients must report substantial damage and changes in the status or condition of a vehicle or other capital equipment (including damage, operational failure, or legal involvement), must be reported to the City of Phoenix within five (5) business days, even if satisfactory repair can be made within this period. Substantial damage is defined as damage to any involved vehicles, that disrupts the operations of the agency and adversely affects the structural strength, performance, or operating characteristics of the vehicle, requiring towing, rescue, on-site maintenance, or immediate removal prior to safe operation. Substantial damage does not include cracked windows; dents, bends, or small puncture holes in the body; broken lights or mirrors; or removal from service for minor repair or maintenance, testing, or video and event recorder download. Items such as flat tires, minor glass and paint scratches, minor dings, other incidental body dents, and regular, non-accident related repair or normal replacement items are not subject to this requirement unless a vehicle is out of service for more than 72 hours.

### Accident Reporting

Subrecipients must have a written procedure for documenting and reporting accidents and incidents associated with the operation of the program vehicles. Vehicle accidents or casualty must be reported to the City of Phoenix within 72 hours of the occurrence. An accident means an occurrence associated with the operation of a vehicle, if as a result: (1) An individual dies; or (2) an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or (3) an occurrence in which the mass transit vehicle involved is a

bus, electric bus, van, or automobile, one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and such vehicle or vehicles are transported away from the scene by a tow truck or other vehicle; or (4) if the vehicle is removed from operation.

A casualty is the loss of property, including damage and destruction that occurs because of a sudden event. Vehicles that are damaged and repairable must be repaired to an equal or better condition, compared to the condition prior to the incident. If the vehicle is deemed a total loss, the following documentation must be submitted to the City of Phoenix within 10 working days of the incident: Vehicle Identification Number; vehicle make, model, and model year; vehicle mileage at the time of the incident; Arizona Accident Report or Incident Report forms; and insurance company correspondence indicating the settlement. **Report accidents or vehicle status change to Wendy Miller, Management Assistant II, City of Phoenix via email at [wendy.miller@phoenix.gov](mailto:wendy.miller@phoenix.gov)**

#### Vehicle Appearance Standards

Subrecipients are responsible for ensuring that program vehicles are safe, fully operational and always maintain a clean appearance of both the exterior and interior of the vehicle while in-service. Vehicles should be maintained free of body damage, have no missing panels, and all systems maintained properly as required by the manufacturer's requirements. All bodywork and painting must be performed to industry best standards or OEM specifications. No unit may be run in service with any type of major body damage to the vehicle.

Vehicles should be maintained to ensure fully operational air conditioning and heating, wheelchair ramps and lifts, securement belts, flip seats and radios. Vehicles should be free of body damage, have no missing or unpainted panels, any defects, flats, wheel curbing, or missing lugs with wheels and tires at proper inflation. Vehicles should be free of graffiti and should have all safety items fully operational; i.e., lights, brakes, horn, tires, wheelchair tie-downs, seat belts, fire suppression systems, etc.

#### Asset/Vehicle Disposals

Subrecipients are required to obtain approval from the City of Phoenix prior to disposal of any federal asset received through the City of Phoenix Section 5310 program. Subrecipients are to work with the City of Phoenix on all requests for disposals. A lien-released vehicle prior does not provide an agency with the opportunity to trade in or sell the vehicle without prior approval from the City of Phoenix. Vehicles that have been involved in an accident and are considered a total loss cannot be kept for the purpose of utilizing any parts of the vehicle after the insurance has paid for the loss. For complete information on asset/vehicle disposals please refer to the City of Phoenix Public Transit Department, Program Management Plan, Section 5310 Enhanced Mobility of Seniors and Individuals with Disability Grant Program at the following link, <https://www.phoenix.gov/publictransit/subrecipient-resources>.

**Please note:** Assets obtained via the ADOT Section 5310 program must be handled through ADOT. For more information contact Lindsay Post, ADOT Transit Program Manager, Multimodal Planning Division, [Lpost@azdot.gov](mailto:Lpost@azdot.gov).

## **COMPLIANCE REQUIREMENTS**

### **Civil Rights**

PTD and its subrecipients will certify compliance with the requirement of Title VI, Equal Employment Opportunity, (EEO), and Disadvantaged Business Enterprise (DBE) laws and regulations. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin for programs and activities receiving Federal financial assistance. Six Federal laws enacted between 1964 and 1991 comprise the Federal Equal Employment Opportunity (EEO) program, which prohibit job discrimination passed on race, color, religion, sex, national origin, age, disabilities and provide for monetary damages in cases of intentional employment discrimination..

#### **Title VI**

To ensure compliance with DOT civil rights regulations (49 CFR 21.5(2), 49 CFR 21.5(7), and 49 CFR 21.9(b)), and the DOT Order on Environmental Justice, FTA requires PTD to document that FTA funds are distributed without regard to race, color, and national origin. To fulfill this requirement, PTD and its sub recipients must ensure that their programs, policies and activities are in compliance with FTA Circular 4702.1A entitled "Title VI and Title VI- Dependent Guidelines for Federal Transit Administration Recipients". In order to meet FTA requirements, subrecipients must provide information to the public regarding their Title VI obligations and shall disseminate information on the agency's website. Title VI procedures must address how passengers file a Title VI complaints. Procedures must incorporate appropriate due process standards and provide for prompt and equitable resolution. The Title VI complaint process must be separate and distinct from ADA complaints. Sample Title VI Complaint Forms and Procedures can be found at, <https://www.phoenix.gov/publictransit/subrecipient-resources>.

#### **Americans with Disabilities Act**

Subrecipients are required to have procedures for addressing ADA complaints that incorporate appropriate due process standards and provide for prompt and equitable resolution. This complaint process is separate and distinct from Title VI complaints. Recipients must advertise the process through means such as websites. Sample ADA Compliant Forms and Procedures can be found at, <https://www.phoenix.gov/publictransit/subrecipient-resources>.

#### **Equal Employment Opportunity (EEO)**

Recipients and sub recipients with 50 or more transit employees that have received in the previous federal fiscal year FTA grants, cooperative agreements, and received in excess of \$1 million in capital or operating assistance or contracts totaling over \$250,000, in planning assistance in the previous Federal fiscal year, must develop and submit for approval to FTA an EEO program in accordance to FTA Circular 4704.1. The same requirements apply to the PTD and its contractors that are engaged in providing transit services and receive funds under Federal grant assistance. Areas covered by the EEO program are specified in FTA Circular 4704.1, "Equal Employment Opportunity Program Guidelines for Grant Recipients." The required EEO components are outlined in Chapter III of FTA Circular 4704.1.

### Disadvantaged Business Enterprise (DBE)

If the recipient receives planning, capital, and/or operating assistance and will award prime contracts exceeding \$250,000 in FTA funds in a fiscal year, DOT regulations require the recipient to have a DBE program. PTD is required to comply with all provisions of the City of Phoenix DOT approved DBE Program Plan. All subrecipients that receive planning, capital, and/or operating assistance and will award prime contracts exceeding \$250,000 in FTA funds in a fiscal year must also have a DBE program or accept all provisions of the City of Phoenix DBE Program Plan. FTA recipients who meet the thresholds above must submit a DBE program goal to FTA for review by August 1 of each year.

### **SECTION 504 AND ADA REPORTING**

PTD agrees to comply, and assures the compliance of each third party contractor and each subrecipient at any tier of a project, with the applicable laws and regulations, discussed below, for nondiscrimination on the basis of disability.

1. Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended (29 U.S.C. 794), prohibits discrimination on the basis of disability by recipients of Federal financial assistance.
2. The Americans with Disabilities Act of 1990 (ADA), as amended (42 U.S.C. 12101 et seq.), prohibits discrimination against qualified individuals with disabilities in all programs, activities, and services of public entities, as well as imposes specific requirements on public and private providers of transportation.
3. U.S. DOT regulations implementing Section 504 and the ADA include 49 CFR parts 27, 37, and 38. Among other provisions, the regulations specify accessibility requirements for the design and construction of new transportation facilities; require that vehicles acquired (with limited exceptions) be accessible to and usable by individuals with disabilities, including individuals using wheelchairs; require public entities, including a private non-profit entity as a subrecipient providing fixed-route service, to provide complementary paratransit service to individuals with disabilities who cannot use the fixed-route service; and include service requirements intended to ensure that individuals with disabilities are afforded equal opportunity to use transportation systems. In addition, recipients of any FTA funds should be aware that they also have responsibilities under Titles I, II, III, IV and V of the ADA in the areas of employment, public services, public accommodations, telecommunications, and other provisions, many of which are subject to regulations issued by other Federal agencies.

### **MOBILITY MANAGEMENT POSITIONS**

Mobility management under the FTA definition consists of 'short-range planning, management activities and projects for improving coordination among public and private transportation service providers with the intent of expanding the availability of services'. A strategy outlined in the MAG Human Services Coordination Transportation Plan is the utilization of sub-regional mobility managers in the region. The primary role of sub-regional mobility managers is to both

enhance and promote regional mobility coordination planning efforts as federally required. This has included identifying sub-regional mobility manager as community liaisons for the East Valley, West Valley, and Central areas of the MAG region. Sub-regional mobility managers will participate in designated workgroups, provide feedback on the brown bag trainings, and provide support for regional coordination strategies outlined in the MAG HSCTP. Sub-regional mobility managers will report on their agency's coordination efforts and program activities to regional stakeholders, and the Designated Recipient's Milestone Progress Report, as appropriate. Based on national averages, funding parameters for sub-regional mobility managers is \$45,000 for a full-time position dedicated to regional mobility management activities. Mobility management position applicants will also need to adhere to the Scope of Work as outlined below.

The Scope of Work ensures that sub-regional mobility management programs, awarded through the FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program, adhere to the purpose and scope of work in support of regional coordination efforts. The purpose of the sub-regional mobility management program, as outlined in the MAG Human Services Coordination Transportation Plan, is to utilize sub-regional mobility managers as community liaisons to strengthen regional collaborative efforts and engage providers in coordination planning activities.

The scope of work, as outlined in the MAG *Commitment to Strategies*, includes the following:

- Attendance at designated human services transportation meetings to assist in the development and implementation of regional coordination planning.
  - Attend all quarterly MAG Transportation Ambassador Program meetings and the Regional MAG Transportation Ambassador Program conference.
  - Attend monthly sub-regional mobility managers meetings.
  - Participation in workshops and trainings offered to regional stakeholders.
- Compliance with information and data requests to aid in the collaborative efforts of the planning process.
  - Provide assistance and participation in the collection of regional human services transportation surveys, including but not limited to, the MAG Human Services Provider Inventory.
  - Provide a progress report on Section 5310 mobility management awarded projects, reflecting quantitative and qualitative advancement of activities.
- Demonstrate support and achievement of goals, as appropriate and identified in the MAG Human Services Coordination Transportation plan.
  - Participate in a sub-regional mobility manager debriefing and assessment of regional project activities with the MAG Human Services Transportation Planner.
  - Provide progress reports of activities to regional stakeholders through the MAG Transportation Ambassador Program meetings.

Sub-regional mobility management program activities not achieving the purpose and scope of work, as outlined, may be determined a "program of concern". The MAG Human Services Transportation Planner, as the Regional Mobility Manager, will inform the Designated Recipient of Section 5310 sub-recipient's program activities that are identified as a "program of

concern". Programs of concern will be required to develop an action plan for improving program performance in the area(s) identified as, "not achieved". Programs of concern will be required to participate in quarterly progress meetings with the MAG Human Services Transportation Planner as the Regional Mobility Manager. The meetings are intended to assess progress, and ensure programs are taking steps towards implementing their action plan.

The MAG Human Services Transportation Planner will assess the sub-regional mobility management project performance, in accordance to the outlined purpose and scope of work, at the end of each quarter to determine if the program is improving in the areas identified as "not achieving". If the program performance has not improved significantly, as determined by the MAG Human Services Transportation Planner, the program may be recommended to the City of Phoenix as the designated recipient for reprogramming of funds according the established programming guidelines.

The scope of work will be evaluated and revised, as necessary, on an annual basis to address the needs of human services transportation concerns in the region. This will include the Designated Recipient's federal requirements, and as appropriate, recommendations offered by the MAG Elderly and Persons with Disabilities Transportation Ad Hoc Committee, and the MAG Regional Mobility Manager.

## **SUBRECIPIENT REVIEWS/OVERSIGHT**

### **Record Keeping and Audits**

Records must be maintained in an auditable manner during the period of contractual obligation to City of Phoenix/FTA and for six years after the date of completion of the project and/or release of the lien or disposition date of the vehicle. The subrecipient 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 subrecipient should also keep up-to-date records on such aspects as ADA and other Civil Rights program requirements.

### **Desk Reviews**

Desk Reviews will be conducted annually for subrecipients with any grant funded vehicles on lien from the City of Phoenix. Subrecipients will be required to submit applicable items such as proof of insurance, annual vehicle inspection documentation and maintenance records.

### **Site Reviews**

Site Reviews will be conducted at least once every three years and will include an assessment of all applicable Federal, State, and City of Phoenix requirements. A subrecipient may be reviewed by the City of Phoenix, applicable Federal agencies, or their designees without notice at any time during this period.

## APPENDIX

### **PART 1 - Applicant Resources**

City of Phoenix Public Transit Grant Subrecipient Resource Page:

<https://www.phoenix.gov/publictransit/subrecipient-resources>

FTA Americans with Disabilities Act Guidance:

[http://www.fta.dot.gov/legislation\\_law/12349\\_16591.html](http://www.fta.dot.gov/legislation_law/12349_16591.html)

FTA Americans with Disabilities Act Regulations Part 37- Transportation Services for Individuals with Disabilities:

[http://www.fta.dot.gov/12876\\_3906.html](http://www.fta.dot.gov/12876_3906.html)

FTA Certifications and Assurances:

<http://www.gpo.gov/fdsys/pkg/FR-2014-01-31/pdf/2014-01888.pdf>

FTA Enhanced Mobility of Seniors and Individuals with Disabilities-Section 5310:

<https://www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310>

FTA Fixing America's Surface Transportation Act (FAST Act) Resources:

<https://www.fhwa.dot.gov/fastact/>

FTA Department of Transportation Master Agreement:

<http://www.fta.dot.gov/documents/20-Master.pdf>

FTA Final Circular Published July 7, 2014:

[http://www.fta.dot.gov/documents/C9070\\_1G\\_FINAL\\_circular\\_4-20-15\(1\).pdf](http://www.fta.dot.gov/documents/C9070_1G_FINAL_circular_4-20-15(1).pdf)

MAG Human Services Coordination Transportation Plan

[https://azmag.gov/Portals/0/Documents/MagContent/EPDT\\_2018-03-13\\_Human-Services-Coordination-Transportation-Plan.pdf](https://azmag.gov/Portals/0/Documents/MagContent/EPDT_2018-03-13_Human-Services-Coordination-Transportation-Plan.pdf)

US Federal Register:

<https://www.federalregister.gov/articles/2016/02/16/2016-02821/notice-of-fta-transit-program-changes-authorized-funding-levels-and-implementation-of-federal-public#h-86>

*For agencies outside of the Phoenix-Mesa Urbanized Area, visit ADOT's grant page at:*

<http://www.azdot.gov/planning/TransitProgramsandGrants/program-handbook-applications-and-awards>

## **APPENDIX**

### **PART 2 – Definitions**

***Americans with Disabilities Act (ADA):*** Public Law 336 of the 101st Congress, enacted July 26, 1990. The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation.

***Annual Passenger Trips:*** The number of passenger boardings counted each time individuals board vehicles no matter how many vehicles individuals use to travel from their origin to their destination. Trips should be counted regardless of whether an individual fare is collected for each leg of travel. It includes passenger trips on volunteer vehicles. A passenger traveling to the hospital, then receiving a return trip home constitutes two passenger trips.

***Applicant:*** An entity that is seeking, but has not yet been awarded, specific federal financial assistance directly from FTA.

***Capital:*** Projects related to the purchase of equipment. Equipment means an article of non-expendable tangible personal property having a useful life of more than one year. Capital expenses do not include operating expenses that are eligible to use capital funds.

***Capital Costs:*** The expenses incurred within the year related to the purchase of facilities, vehicles, and equipment.

***Complementary Paratransit Services:*** Required by the ADA for individuals with disabilities who are unable to use fixed route transportation systems. This service must be comparable to the level of service provided to individuals without disabilities who use the fixed route system and meet the requirements specified in Sections 37.123-137.133 of *Transportation Services for Individuals with Disabilities* (Part 37), CFR 49, Volume 1.

***Coordination Plan:*** See “Locally Developed Coordinated Public Transit-Human Services Transportation Plan.”

***Cost per Passenger-Trip:*** The total operating expense (including administration and maintenance) divided by the total annual number of passengers.

***De Minimis:*** De Minimis refers to a difference so little that the law does not refer to it, and to minor to merit consideration.

***Direct Costs:*** Direct costs are those for activities or services that benefit specific projects, for example salaries for project staff and materials required for a particular project. Because these activities are easily traced to projects, their costs are usually charged to projects on an item-by-item basis.

**Employee(s):** An individual who is compensated by an agency; for directly operated services, the labor expense for the individual is reported in object class (501) labor.

**Employee Work Hours:** Employee labor hours, not including fringe benefit hours such as sick leave, holidays, and vacations. Work hours include only labor hours for employees of the agency, both full time and part time, permanent and temporary.

**Fare Revenues:** All income received directly from passengers, either paid in cash or through pre-paid tickets, passes, etc. It includes donations from those passengers who donate money for the ride.

**Federal Transit Administration (FTA):** The agency under the U.S. Department of Transportation that provides financial assistance to develop new transit systems and improve, maintain, and operative existing systems.

**Federal Award:** The amount of FTA share assistance being provided subrecipients based on the approved application. Also referred to as the Federal/FTA Share or FTA award.

**Fixed Route Services:** Services provided on a repetitive, fixed schedule basis along a specific route with vehicles stopping to pick up and deliver passengers to specific locations; each fixed route trip serves the same origins and destinations, such as rail and bus, unlike demand responsive and vanpool services.

**Full Time Employees:** Employees of the transit agency meeting the local definition of full time hours. Normally, these persons are entitled to receive full benefit packages (e.g., sick leave, vacation, and insurance benefits).

**Grantee:** Also referred to as a “subrecipient,” a grantee is an organization that has applied for funds, has been awarded funds, and has executed a Grant Agreement with the City of Phoenix.

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

**Indirect Costs:** Indirect costs are those costs not readily identified with a specific project or organizational activity but incurred for the joint benefit of multiple projects and activities. Indirect costs are usually grouped into common pools and charged to benefiting objectives through an allocation process/indirect cost rate. Indirect costs include costs which are frequently referred to as overhead expenses (for example, rent and utilities) and general and administrative expenses (for example, officers' salaries, accounting department costs and personnel department costs).

**Individual with a Disability:** An individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual

who is a wheelchair user or has semi---ambulatory capability), cannot use effectively, without special facilities, planning, or design, public transportation service or a public transportation facility (49 U.S.C. 5302(a) (5), *Definitions*).

***In-Kind Contributions:*** In-kind contributions are goods and services donated from outside your agency. The value of noncash charges for real property and equipment, and the value of goods and services must directly benefit and be specifically identifiable to the project. To be eligible as match, the monetary value of the in-kind contribution must be documented.

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

***Mobility Management:*** Eligible capital expenses consisting of short-range planning and management activities and projects for improving coordination among public transportation and other transportation service providers carried out by a recipient or subrecipient. Mobility management does not include operating public transportation services.

***Nonprofit Organization:*** A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c), *List of Exempt Organizations*, which is exempt from taxation under 26 U.S.C. 501(a), *Exemption From Taxation*, or one which has been determined under state law to be nonprofit and for which the designated state agency has received documentation certifying the status of the nonprofit organization.

***Non-Urbanized Area (Non-UZA):*** An area (a population of fewer than 50,000) designated by the U.S. Bureau of the Census, also referred to as a rural area.

***Number of Active Vehicles in Fleet:*** The total number of operational revenue vehicles in the fleet available for public and/or specialized transportation service, including spare or back-up revenue vehicles. The total should also include any operational revenue vehicles used by contractors in public or specialized transportation service. Non-revenue service vehicles and personal vehicles should not be included.

***Operating Assistance:*** Is financial funding to help cover the operating costs of providing transit services. Operating costs are classified by function or activity and the goods and services purchased. The basic functions and object classes are detailed in the Operating Expenses form (F-30) and are defined in Section 5.2 and 6.2 of the Uniform System of Accounts (USOA).

***Operating Costs:*** Operating costs are considered those expenses necessary to operate, maintain, and manage a transit system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one year. The term “operating expenses” is defined as all expenses associated with the operation of an individual mode by an operator. Operating expenses do not include reconciling items such as interest expenses

and depreciation. Generally, a subrecipient may call any eligible cost that is not a capital or planning cost an operating cost.

**Operating Revenues:** Revenues derived through the operation of a public transportation program, which includes fares, passes, rider donations, and advertising placed inside or outside a service vehicle.

**Paratransit:** Types of passenger transportation that are more flexible than conventional fixed-route transit but more structured than the private automobile. Paratransit includes demand response transportation services, shared-ride taxis, car pooling and vanpooling, and jitney services. Most often refers to wheelchair-accessible, demand response service.

**Part-Time Employees:** Employees of the transit agency who work less than the local definition of full time. Normally, these persons are not provided full benefit packages (e.g., sick leave, vacation and insurance benefits) associated with full time employment. Full time employees working part of their time in a function or mode are not part time employees.

**Passenger Fares:** The revenue earned from carrying passengers in regularly scheduled fixed route, route deviation, and demand response (DR) service. Passenger fares include base fare, zone or distance premiums, express service premiums, extra cost transfers, quantity purchase discounts applicable to the passenger's ride, and special transit fares.

**Passenger Trip Calculation:** A trip made by one person from one origin to one destination. A "round-trip" is considered two trips. Ride = trip. Calculation is based only on **one-way** trips and not round trips or rides.

**Passenger Trips per Service Hour:** The ratio of passenger trips to revenue hours of service.

**Preventive Maintenance:** Preventive maintenance is maintaining equipment in satisfactory operating condition by providing for systematic inspection, detection, and correction of incipient failures either before they occur or before they develop into major defects. All the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost effective manner for maintaining such asset. The primary goal of maintenance is to avoid or mitigate the consequences of failure of equipment.

**Private-For-Profit Provider:** A nonpublic entity that provides public transportation services. For-profit entities exist primarily to generate a profit (i.e., a surplus of revenues over expenditures).

**Private Nonprofit Provider:** A nonpublic entity with a tax-free status that provides transit services. Nonprofit entities exist to provide a particular service (e.g., public transportation) to the community. Nonprofit refers to a type of business—one that is organized under rules that forbid the distribution of profits to owners. Profit refers to a surplus of revenues over expenditures.

**Project/Project Request:** Public transportation services or public transportation alternatives proposed in an application.

**Public Transportation:** Public transportation is regular, continuing, shared-ride surface transportation service that is “open to the general public or open to a segment of the general public defined by age, disability, or low income.”

**Rolling Stock:** Vehicles such as buses, vans, cars, and trolleys as well as vehicles used for support services.

**Rural:** Population under 50,000, and neither “small urbanized” nor “large urbanized.”

**Seniors:** Individual who is 65 years of age or older. The term is used in the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program.

**Service Area:** A measure of access to transportation service in terms of population served and area coverage (square miles). The reporting transportation agency determines the service area boundaries and population for most services using the definitions contained in the Americans with Disabilities Act of 1990 (ADA).

**Service Vehicles:** The vehicles used to support revenue vehicle operations and that are not used to carry transit passengers. Types of service vehicles include tow trucks, supervisor vans, transit police cars, and staff cars.

**State of Good Repair:** The ability to define and maintain a target asset condition in which an asset performs at the level it was intended.

**State Management Plan:** The document developed by a Designated Recipient and submitted to FTA on a periodic basis that details the Department’s policies and procedures for administering FTA grant programs.

**Subrecipient:** Refers to a state or local governmental authority, nonprofit organization, or operator of public transportation services that receives a FTA grant indirectly through a recipient, such as ADOT.

**Total Project Cost:** Amount of FTA share assistance awarded **plus** the local match funds provided by the subrecipient that equals the total amount contracted for the project applied for and awarded during the application period.

**Travel Training:** Travel training is short-term, comprehensive, intensive instruction designed to teach students with disabilities how to travel safely and independently on public transportation. The goal is to train students to travel independently to a regularly visited destination and back. Specially trained personnel provide the travel training on a one-to-one basis.

**Urbanized Area (UZA):** An area defined by the U. S. Census Bureau that includes: One or more incorporated cities, Villages, and Towns (central place), and adjacent densely settled surrounding territory (urban fringe) that together have a minimum of 50,000 persons.

**Urbanized Areas, Large:** Large urbanized areas have populations of 200,000 or more.

**Urbanized Areas, Small:** Areas with populations between 50,000 and 200,000.

**Vehicle Hours (Miles):** The hours (miles) that a vehicle is scheduled to or actually travels from the time it pulls out from its garage to go into revenue service to the time it pulls in from revenue service. Does not include non-revenue hours.

**Vehicle Revenue Hours:** The hours that vehicles are scheduled to or actually travel while in revenue service. Vehicle revenue hours include layover/recovery time; but excludes deadhead, operator training, and vehicle maintenance testing, as well as school bus and charter services.

**Vehicle Revenue Miles:** The miles that vehicles are scheduled to or actually travel while in revenue service. Vehicle revenue miles include layover/recovery time; but excludes deadhead, operator training, and vehicle maintenance testing, as well as school bus and charter services.