

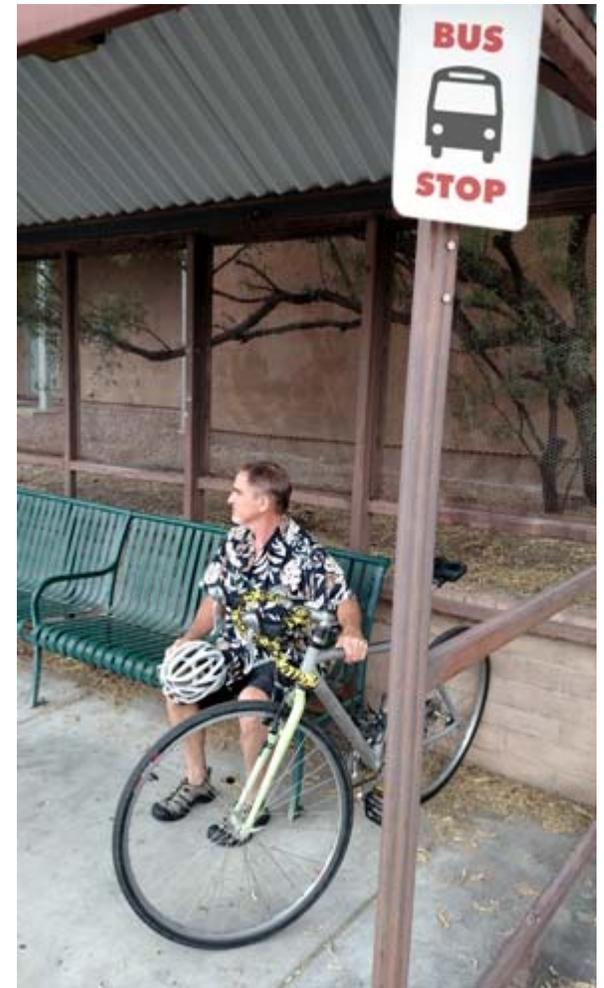
# 5311 Program Changes and Guidebook Update 2016



Presentation by ADOT Staff  
February 2016

# State Management Review Findings

- ▶ Intercity Bus
- ▶ Procurement
- ▶ ADA / Accessibility
- ▶ DBE
- ▶ Title VI



# Intercity

- ▶ Clarifying Intercity v. Intercity Feeder Routes
- ▶ Removing all who do not have an active connection with clear instructions for riders
- ▶ Working with Intercity providers to ensure compliance.
- ▶ Your route might need to change.
- ▶ Work with your program manager and connecting partners.

# What are Intercity and Intercity Feeder Routes

- ▶ Intercity—between 2 urbanized areas, not in close proximity, connected to a national network, carries baggage, limited stops.
- ▶ Intercity feeder—comes from a rural area and connects to an intercity provider.
- ▶ Am I intercity or commuter?
- ▶ Why it matters?



# Procurement

- ▶ Has to do with ADOT's internal procurement processes.
- ▶ Ensure that you have Buy America, and certifications with your quotes.
- ▶ Quote must have complete package.
- ▶ Dates are changing.
- ▶ Vehicle Procurement will be done prior to March 1<sup>st</sup>.
- ▶ Other option is to procure yourselves and be reimbursed by ADOT.

# ADA / Accessible Vehicles

- ▶ FTA rule: All fixed routes must have ADA compliant vehicles.
- ▶ ADOT requires all public transit buses to be ADA compliant.
- ▶ While primarily a 5310 issue, it impacts the purchase of any non-accessible vehicle.
- ▶ Must certify any non-ADA accessible vehicle for equivalent service.

# DBE

- ▶ ADOT / FTA / FHWA issue regarding the DBE plan.
- ▶ When the new plan is adopted and approved, we'll be sharing the information with you.
- ▶ Will affect new contracts with new contract language.
- ▶ Please ensure you report in the LPA system.
- ▶ LPA system—please open new contracts, and close-out old.
- ▶ Will affect your reimbursement, if you have not reported, we cannot reimburse you.

# Title VI

- ▶ Update your Title VI Plan. Changes to Title VI in the application.



# FAST ACT

- ▶ Made Private Providers eligible for planning funds.
- ▶ At this time, ADOT has not amended their eligibility because we are still using old funds for planning.
- ▶ Private Intercity Bus agencies can partner with non-profit, tribes, governmental agencies, including COG / MPO to receive funding for planning.
- ▶ Intercity planning is required in Coordination Plans. Please cooperate with COG / MPO's to assist in this.

# Status for Contracts

- ▶ Most of you have them
- ▶ We have a new process we're working on to speed up contracts.
- ▶ Moving to a 2 year process to avoid doing contracts annually.



# ADOT 2016 5311 Program Guidebook

- ▶ To Follow Along See: [www.azdot.gov/transitprograms](http://www.azdot.gov/transitprograms)
- ▶ Then Select Program Handbooks, Applications, and Awards
- ▶ Then pick the Program Guidebook in the 5311 section.

Program Handbook,  
Applications and Awards

## 5311 Rural Public Transportation Program

- FFY 2016 Funding Cycle Section 5311 Program Guidebook
- FFY 2015 Section 5311 Notice of Funding Availability (NOFA)
- FY 2016 Section 5311 Budget Worksheets

# Guidebook Updates

- ▶ Reformatted and Reorganized
- ▶ Pg. 4 Updates Outlined
- ▶ Contacts-2 Program Managers
- ▶ 2 Year Application Process-pg 6



# 2016 Policy Changes pg. 4

## POLICY CHANGES (Effective February 2016)

POLICY SUBJECT	CHANGE
<b>E-Grants</b>	The application has been updated on the following pages: Program Management, System Characteristics, Vehicle Page, Other Capital Requests, Budget, Local Match, and the Grant Agreement. The majority of the application can still be carried forward from prior year. Please review and update every page prior to submission.
<b>Public Outreach &amp; Stakeholder Involvement</b>	ADOT has updated the public hearing and stakeholder requirements to allow greater flexibility for public outreach and stakeholder involvement processes.
<b>Preventive Maintenance</b>	Preventive Maintenance may be placed under the Other Capital Section of the application, or included with the Operating budget for purposes of calculating the Administration/ Operating ratio. See PREVENTIVE MAINTENANCE in ELIGIBLE PROJECT EXPENSE AND REVENUE CATEGORIES Section.
<b>Reimbursement Requests</b>	Reimbursements for outstanding capital past the first awarding year will be entered on a quarterly basis—i.e. 2014 awarded capital. The 2015 application reimbursements will still be submitted monthly until the first 12 reimbursements have been completed. Then quarterly reimbursements will be available for any outstanding capital. With the 2016 awards being on the 2 year cycle, the reimbursements will be monthly for the entire 2 years.

# More Policy Changes pg.5

<b>Vehicle Procurement</b>	Vehicle procurements can be done using the ADOT contract or on a reimbursement basis. For ADOT procured vehicles, build sheet / quote and vendor required documentation must be submitted with the application, the local match must be submitted upon invoice prior to January 13th. See PURCHASE OF VEHICLES Section.
<b>Useful Life Policy</b>	Updated the Vehicle Useful Life Policy to be more in alignment with FTA requirements. Adds that Useful Life should follow the Manufacturer's Standards where applicable and established upon purchase or receipt of vehicle.
<b>Disposal of assets</b>	When FTA funded assets are disposed, and the value exceeds \$5000, the federal portion from the original purchase must be reimbursed to ADOT or applied to the federal portion of an approved capital purchase. Coordinate with your Program Manager.
<b>Intercity Bus</b>	Clarifies Intercity and Intercity Feeder Service and connectivity requirements as well as In-kind match submission.
<b>Title VI and EEO</b>	Title VI and EEO have been separated. Language for each separately has been updated to reflect current FTA guidance.
<b>Complaint Log</b>	A Complaint Log is now required for all types of complaints. Follow-up to be documented, specifically for Title VI and ADA.

# 2 Year Budget Cycle-pg. 7

While ADOT awards for 2 years, FTA awards annually. Grantees will be awarded an anticipated 1 year portion of funding in the first year. Grantees in good standing will have their 2<sup>nd</sup> year of the program amended to adjust for the remaining second year. ADOT will amend the awards towards the end of the 1<sup>st</sup> year to fund the remaining planned award for the 2<sup>nd</sup> year based on the applications and the budget discussion as well as where the Subrecipient is in their use of the funds. This will be done by a revision to the Exhibit A.

A 2 year budget spreadsheet should be attached to the budget page to demonstrate the desired fund allocations in each year. In this way the applicant may show the funding needed for each year and when the capital funds would most likely be expended. The local match from the Subrecipient must be committed for the full portion of the awarded exhibit A. The initial award is meant to cover the 1<sup>st</sup> year of administrative and operating expenses as well as any capital awarded. The amended 2<sup>nd</sup> year of funding will increase the total award, but ADOT recognizes that the local match for the first year was supported and expended per the grantee's reimbursements and does not require the full two years of the local match to be available towards the program at any one time. The 2 year budget allows applicants to demonstrate preferred funding by year. (See Budget page in E-grants 5311 application)

The switch to a 2 year funding cycle allows ADOT to better manage the grant funds from FTA as well as to more fully support the Rural Transit Grantees.

# ADOT 5311 Application Process pg. 7

## Only beginning and end.

Application Cycle:

Guidelines/ Application Distribution	February
Applicants' Workshop	February
Application Open*	March 1, 2016
Application Deadline	April 15, 2016
Federal Fiscal Year 2016 Begins	October 1, 2016

*\*Dates are anticipated, but subject to change. Awards are dependent on FTA approval of ADOT grant application.*

- ▶ Budget Discussions not noted, but included in cycle.
- ▶ Notice of Award
- ▶ Final Budget
- ▶ Contract Execution

# Subrecipient Responsibilities

- ▶ See Egrants User Roles—All Agencies must have an Organization Administrator pg. 7
- ▶ Project Eligibility Pg. 8
- ▶ Intercity—Private Operators—Pg. 9
- ▶ Timing Clarification for Transfer of funding from ADOT to FTA for Tribes-Pg. 9
- ▶ TAC—Allows for community flexibility—pg. 10

# Private Operators Involvement-Pg. 11

## Public and Private Sector Involvement

Section 5311 grantees must provide ways for active public involvement in the transit decision-making process. This is accomplished through the TAC, through public hearings, and other local government's citizen participation processes. *Public Involvement is required as part of the Section 5311 grant process.*

As part of this process, *private sector transportation providers must be notified of the agency's intent to apply for Federal transit funding* and be given an opportunity to comment. The transportation network in rural Arizona includes both publicly funded and private for profit services. Most often, private carriers in Arizona serve intercity needs, provide tour services or operate local taxi services. Both public and private sector services are valuable components of a comprehensive passenger transportation network and private operators must be given an opportunity to participate in the development of public transportation services, to the extent feasible.

- ▶ Reasonable provider notice—can be sent via email if return receipt provided via email.
- ▶ Public Outreach

# Application and Evaluation Process-pg. 12

- ▶ Added one criteria—must demonstrate benefit to Rural areas.
- ▶ Priorities for Existing Systems—Partnerships

Program Maintenance	Program Growth	Capital Investment
Maintain investment in administration and operations at least at the previous year's level recognizing economic factors such as decreased state and local revenues, inflation and conservation.	Capacity for individual program growth to meet local community needs as well as state program growth to ensure new program entry based upon the application review process.	Provide long term program capacity to meet annual variations in capital purchases without impacting administration and operations budgets.

# Local and In-Kind Match pg. 13

- ▶ Intercity In-kind is part of the application and must be uploaded
- ▶ Allowable for construction, but must be included at the time of application.

In-kind Match must be documented in the application and approved by ADOT. In-kind contributions may be used toward the local match only if the recipient formally documents the value of each non-cash share, and if this value represents a cost that would otherwise be eligible under the project. The net project cost must include the value of any in-kind contributions included in net project cost to the extent it is used as local match. In-kind match for Intercity funding must provide documentation of the in-kind miles being used as part of the application. ADOT must provide the Intercity in-kind match documentation to FTA as part of the federal grant application.

# Local Match Ratios pg. 13

## LOCAL MATCH RATIOS

The following table summarizes matching requirements for the different program elements.

Local Match Ratios	Maximum Federal Share	Minimum Local Share
Project Administration	80%	20%
Project Operating*	50% - 58%	50% - 42%
Capital (Sliding Scale / STP Flex)*	80%	20%
Preventive Maintenance	80%	20%
Planning	80%	20%
Training	100%	0%

*\*Sliding Scale may be applied. ADOT will determine ratio during budget award review*

# Intercity pg. 16

*Intercity and Intercity Feeder Service*– Both the Intercity and Intercity Feeder Routes are awarded as Intercity by ADOT. Intercity Routes are between two urbanized areas not close together. Intercity feeder routes are from a rural to an urban or connect from a rural to an Intercity Route. These routes must connect to a larger Intercity network. If the route does not connect, it will not be considered for Intercity funding. The marketing materials and websites must indicate that this is an intercity or intercity feeder route. These routes have limited stops in the communities they serve and must allow passengers to carry baggage. ADOT awards 15% of its formula funds to Intercity per FTA requirements. ADOT will not fund intercity routes that do not demonstrate a significant benefit to rural communities. As with all programs, ADOT funds the deficit of the operating expenses after the fare has been deducted. See Operating for eligible expenses.



# Preventive Maintenance pg. 16

- ▶ Associated Activities
- ▶ Apply under Other Capital, unless you need the off-set to Administration to meet the 30%
- ▶ **Reimbursements –pg. 17**



## ▶ Tell ADOT about changes to the budget or system-pg.18

In addition, transit managers have the primary responsibility for monitoring and reporting system performance on a daily, weekly, and monthly basis. The ADOT Program Manager must be notified as soon as possible of any significant variances in system performance and/or approved budget.

## ▶ Civil Rights updates pg. 19

- Compliance with hiring, terminating, and promoting in accordance with Equal Employment Opportunity and the applicable Titles of the Civil Rights Act of 1964.
  - Past Civil Rights, including Title VI and ADA, or Equal Employment Opportunity complaints and the outcome of such complaints.
-

# In Good Standing = Continuing funds

## pg.20-21

### In Good Standing

It is the policy of the MPD to administer state and federal grants in compliance with all appropriate Federal and State regulations and use best practices in the management of public funds and public accounting. Section 5311 grantees are expected to maintain a “good standing” status to continue to receive grant funds.

# Procurements pg. 23

- ▶ State Procurement office purchases
- ▶ Joint procurement is the preferred method
- ▶ Coordinate with ADOT Program Manager



# Vehicles pg. 25

- ▶ ADOT liens clarified and aligned with FTA standards
- ▶ Lien releases are to be done at time of vehicle disposal (Miles more important than years)
- ▶ Use of the vehicles clarified

4 years / 100,000 miles	5 years / 200,000 miles	7 -10 years / 400,000 miles*	10-12 years / 350-500,000 miles*
Vans (up to 15 passengers)	Mini buses (up to 30 passengers)	Buses (over 30 passengers or 30 ft. vehicles)	Heavy Duty Buses 35-40 Foot

*\*May be established at time of purchase per the manufacturers expected useful life where applicable.*

Grantees are expected to use equipment up to its useful life or the duration of their contract. When vehicles have reached the end of their useful life, grantees are required to submit a lien release request to ADOT. Grantees cannot sell, discard transfer or dispose of equipment without formal lien release approval from ADOT. Lien release will occur prior to disposition of equipment. Otherwise, ADOT prefers to leave the equipment on lien.

# Disposition of Assets pg. 26

## G. DISPOSITION OF ASSETS

When vehicles are sold, and the sale exceeds \$5000, the remaining federal portion from the purchase of the vehicle as calculated by the match ratio, must be reimbursed to ADOT or applied to the federal portion of an approved capital purchase in consultation with your ADOT Program Manager. The lien release and disposal of the equipment must be approved in advance of the sale.

Vehicles and other equipment which have reached their useful life can be transferred if the determined that it will no longer use the vehicle or other equipment for the transit project. Transfer must be approved by ADOT and follow FTA requirements as outlined in circular transfer of property.

# Insurance and Licensing pg. 26-27

- ▶ Insurance updated
  - Umbrella Policies can count towards total
  - Self-insurance is also eligible
- ▶ Licensing is updated

The current minimum requirement for automobile liability insurance is based on vehicle size, and is as follows:

Combined Single Limit (CSL) of \$5,000,000	Combined Single Limit (CSL) of \$2,000,000	Combined Single Limit (CSL) of \$1,000,000
For vehicles carrying sixteen (16) or more passengers	For vehicles carrying four (4) to fifteen (15) passengers	For vehicles carrying three (3) or less passengers

To comply with these requirements, Grantees are required to submit ongoing Certificate of Insurance renewals yearly based on renewal date and cancellation notices to [MVD1@azdot.gov](mailto:MVD1@azdot.gov) and list Transit in the subject line of the e-mail.

# Private Providers pg. 30-31

- ▶ Dispute process
- ▶ Review participation
- ▶ Updated Notice requirements—email reply

ADOT encourages all applicants to fully utilize the resources and expertise of private providers such as taxicab companies, intercity bus operators and human service transportation systems, considering the capability of these firms to provide the needed service. Purchase of service agreements or contracts with private operators are an appropriate means of providing general public transportation service.

Applicants should review local regulations to ensure that private companies are treated fairly. This includes revising or encouraging adjustments in local regulations to permit private companies to operate the applicants' services more efficiently.

Applicants should periodically review their existing services to determine if private companies can provide parts of the service, or the entire service, more efficiently. Consider the total cost of providing transportation service when comparing public and private service proposals. The subsidies provided to public and private nonprofit transportation providers such as capital assistance grants, operating subsidies, and the use of public facilities should be reflected in the cost comparisons.

Finally, applicants must have a process in place to resolve disputes with private transportation providers.

---

# Public Outreach Flexibility pg. 33

- ▶ Public Involvement requires information and the ability to comment. Method of Outreach is flexible.

Prior to submission, all applicants for Rural Public Transit Program funds must provide an opportunity for public involvement. Public notice must be sufficiently early for the public to participate in the decision making process. Any fare or significant route changes should also have an accompanying public involvement process.

Public notices shall be published in the newspaper(s) having general circulation in the vicinity of the proposed undertaking and/or on the front page of the community's website for a minimum of 2 weeks. Additional notices can be published through a Facebook page/social media, radio announcements, and community listserve(s). Publish two notices of public meetings, at least one week apart. Schedule the date of the meeting at least five days after the second notice is published. The notice of the public meeting must include the name of the applicant, the time, date, and place of the meeting, an adequate description of the project, including the area to be served by the proposed undertaking, items to be purchased, constructed, etc. The notice of the public meeting must also include a statement which allows individuals with Limited English Proficiency per Title VI requirements and needed ADA assistance the ability to request an accommodation.

# Meeting or Process? Pg. 32

- ▶ Proposal must be available
- ▶ Accessible location

Public Involvement Meeting--The grant proposal, any fare changes, and/or significant route changes must be made available for public inspection. Any public meetings should be held at a place and time generally convenient for persons affected by the proposed undertaking. The site must be accessible to the elderly and persons with disabilities. Provisions should be made for submission of written statements, exhibits, and oral statements. Interpreters must be provided for non-English speaking persons if requested. A written summary of the oral proceedings must be prepared. The Title VI notice must be included in the notice and visible at any public involvement meeting. (See Sample Notice of Public Hearing in Application.)

- ▶ Must have written, & oral submissions possible.
- ▶ Title VI notice posted

# Other

- ▶ Complaint log required. ADA and Title VI complaints must be separated. Follow your Title VI complaint process.
- ▶ Charter must be reported monthly and posted to FTA charter website prior to service. (Easy way is in the comments on reimbursements.
- ▶ School Bus tripper service
- ▶ NTD data

# Your thoughts?

- ▶ What thoughts do you have on the Guidebook?
- ▶ What are we missing you wish we discussed?
- ▶ Are we wrong and need to correct something?
- ▶ You can email us.

# Questions?

