



**ADOT**

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**Multimodal Planning**

**Coordinated**

**Mobility Program**

**Section 5310**

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

**Grant Guidebook**

**FY 2023**

Arizona Department of Transportation  
Multimodal Planning Division  
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*\*This version supersedes all previous versions of this guide.*

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# Chapter One – Application Process

## *Introduction*

The Multimodal Planning Division (MPD) of the Arizona Department of Transportation (ADOT) administers several Federal Transit Administration (FTA) grant programs for the State of Arizona. This guidebook details the program requirements for the FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant program. ADOT refers to this program as the “Coordinated Mobility Program.”

The Coordinated Mobility Program, FTA Section 5310, is a grant program that provides funding to assist with costs for mobility management activities, the purchase of capital equipment, and operations to meet the mobility needs of seniors (sixty five years and over) and individuals with disabilities of any age. The goal of the Section 5310 Program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding the transportation mobility options available.

ADOT works closely with regional transportation planning agencies to solicit, review and award grant applications under the Coordinated Mobility Program. In rural areas of Arizona these agencies are Council of Governments (COG). In urbanized areas, Metropolitan Planning Organizations (MPO) fills this role. Many MPOs have partnered with COGs to provide a regional approach for both the rural and urban coordination.

This Guidebook provides basic information needed to understand what is required to apply for Section 5310 grant funds as well as what the program responsibilities are once funded.

Each grant agreement contains additional language regarding federal guidelines and it is the responsibility of every sub-recipient who receives 5310 FTA funds, distributed by and through the State of Arizona, to understand and adhere to the guidance in all resources referenced.

## Program Updates – New for 2023

- With the IIJA, there is a new vehicle disposal policy which allows for the recipient to retain a portion of the funds - \$5000 plus the percentage of its local share in the original award. The accident policy has not changed so that recipients only retain the percentage of the local share in the original award.
- New Insurance Form has been added
- Other links have been updated including the FTA Master Agreement and Vehicle Disposal Forms.
- Buy America compliance requirements may result in ADOT being unable to purchase vehicles on behalf of subrecipients that are not ADA accessible.
- The Avondale / Goodyear UZA will be eligible for one year of funding, but 2nd year requests will be accepted due to the impacts of the 2020 Census on the Urbanized Area Boundaries.
- The City of Maricopa and Bullhead City areas will be Rural in Year 1 and Small Urban in Year 2 due to 2020 Census impacts on the Urbanized Areas Designations.

## 5310 Grant Timeline

<b>5310 Grant Cycle</b>	
ADOT posts the 2023 Notice of Funding Availability (NOFA) and Guidebook.	February 7, 2023
ADOT opens E-Grants applications <a href="https://egrants.azdot.gov">https://egrants.azdot.gov</a>	
Applications due in E-Grants system	March 21, 2023 by 4PM
Coordination Plan Updates Due	March 31, 2023
Preliminary Awards Announced	May/ June 2023
Appeals Due 10 days after Awards released	May / June 2023
New Contracts Executed	September 30, 2023
Award Begins	October 1, 2023
First Reimbursements Eligible	November 1, 2023
Budget Reviews for Year 2	Spring 2024
Year 2 preliminary awards announced	May 2024
Exhibit A's Signed / Year 2 Funds Available for expenditure	October 2024
2023 Contracts End	September 30, 2025

<b>Regional Mobility Management Grant Cycle</b>	
Budget Discussions Year 2	February / March 2023
Year 2 Preliminary Awards Announced	May / June 2023
Appeals Due 10 days after Awards released	May / June 2023
Exhibit A's signed / New 2023 Funding Available	October 2023
Egrants Opens for Regional Mobility Management Grant Applications	January / February 2024
2021/2022 Mobility Management Contracts End	September 30, 2024

\*Timeframes are approximate and subject to change. Awards are dependent on FTA approval of ADOT grant application.

### ***Grant Roles & Responsibilities***

#### **Arizona Department of Transportation (ADOT)**

ADOT is a statewide transportation agency that delivers a range of transportation programs and grants to serve Arizona residents and businesses. Primary responsibilities include:

Designated recipient of funding from the Federal Transit Administration (FTA)

- Program Oversight & Grant Agreement Administration - FTA requires each state to manage program oversight. Each ADOT subrecipient grant agreement contains FTA requirements, which upon signing, each agency agrees to adhere to the terms and conditions contained in the grant agreement.
- ADOT performs oversight throughout the grant cycle. ADOT considers risk in selecting oversight methods and agencies to review. Oversight may include: Vehicle Inspections, Site Visits, and Audits, or other oversight as needed.
  - Vehicle Inspections - ADOT requires vehicles to be inspected annually and offers inspections through the ADOT Equipment Services (EQS). Site Visits - State visit to agency to verify if grantee is compliant with government requirements and providing the adequate service referenced in their application.
  - Audits - Audits may review any records required by the grant which show compliance with the program requirements. A financial audit may be a formal review of an agency's financial records, verifying funding awarded has been spent appropriately.
- Expense Reimbursement - ADOT will review and either reject or pay Reimbursement requests within 30 days of submission.
- Performance and Progress reports.
- Procurement - Ensure contract administration compliance to government regulation and contract terms.
- Asset Management - Management of equipment inventory and maintenance.

## COG/MPO Responsibilities

ADOT works closely with the COG or MPO in each region and these organizations have significant responsibilities in assisting ADOT in managing the Section 5310 grant process. Major responsibilities include:

- Develop and maintain the regional Coordinated Public Transit - Human Services Transportation Plan which includes:
  - Stakeholder involvement
  - Inventory of available services and resources including: transportation providers and their services, fleet inventories and availability, and key human service programs and how transportation is provided to those human service clients
  - Assessment of transportation needs for targeted groups of people including supporting demographic and employment data
  - Evaluation of areas of redundant transportation service and gaps in service
  - Identification of coordination actions and strategies to eliminate or reduce duplication in services, to improve customer access to services and to improve utilization of resources
  - Priorities for projects, strategies and actions (including vehicle replacement plans)

- Annual listing of projects eligible for funding in the region.
- Prioritize regional project funding recommendations based on Coordination Plan defined goals and objectives, as well as funding availability.
- Provide regional technical assistance to applicants and sub-recipients in complying with federal and state grant requirements.
- Coordinate transportation activities in the region within a mobility management framework.
- Any and all duties and deliverables associated with the scope of work attached to every Mobility Management grant agreement.

## **Applicant Responsibilities**

Each ADOT 5310 grant agreement contains FTA regulation requirements and upon signing, each agency agrees to adhere to terms and conditions contained in the grant agreement and communicate with ADOT staff promptly. Additional applicant responsibilities include:

- Work directly with local COG or MPO staff on Section 5310 program requirements. (see Mobility Manager contacts in the Appendix)
- Participate actively in a regional coordinating council in order for projects to be considered for funding.
- Utilize awarded vehicles and capital equipment from ADOT increasing mobility for seniors and/or people with disabilities for the useful life of the item.
- Expend awarded funds in the grant agreement period according to ADOT guidelines. Sub-recipients must submit reimbursement requests and grant agreement and expenditure reports to ADOT at least quarterly but no more than monthly.
- Maintain accurate financial, operating and maintenance records and make them available for audit and site visits.
- Maintain collision and comprehensive insurance on awarded vehicle (s).
- Commit to coordinate with other transportation providers in the area of proposed/existing service with awarded vehicles.
- Integration of coordination into transportation program activities through policies, budget, and staffing authorizations.
- Commit to leverage vehicle usage and other assets between regional partners during peak and non-peak times

## ***Planning***

### **Regional Transportation Coordination Plan**

All projects funded under the Coordinated Mobility Program must be “included in” (specifically described in and consistent with) a coordinated public transit-human services transportation plan developed and approved by the following agency representatives and local constituents:

- Seniors



- Individuals with disabilities
- Public, private, and non-profit transportation and human service providers
- Other members of the public

If applying for a project that is consistent with the Coordination Plan but not specifically described or prioritized in the text, projects need to be listed in the annual amendment to the plan containing the current project list in order to be considered eligible for funding. It is anticipated that any newly added projects will become part of the ongoing planning process and included automatically in future coordination plan project lists. Those who are unsure on whether their proposed project is eligible based on these planning requirements should contact their regional COG or MPO.

The State of Arizona is divided into twelve planning regions. To view your specific planning area, click on the **Districts Map** link under COG/MPO Quick Links on [ADOT's Planning Web Site](#) to find your local COG / MPO contact. Regional Mobility Managers serve as a liaison to 5310 agencies to provide support in their application process and program. The [Mobility Manager contacts](#) can be found in the Guidebook appendix or on the ADOT Transit website and are usually part of the MPO or COG staff. Coordinated Public Transit - Human Services Transportation Plans are developed for one of more regions of the state. For key elements of this plan please contact your COG/MPO. Coordination Plans meeting all standards will be approved for four years with an annual update that includes projects eligible and prioritized for funding for the upcoming Coordinated Mobility Program grant cycle. Note that a region's Coordination Plan may be updated as needed to reflect the implementation of a mobility management program and/or changes in strategies.

## **Metropolitan and Statewide Transportation Planning**

Projects identified in the coordination planning process and selected for FTA funding must be incorporated into both the Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) in Urbanized Areas (UZAs) with populations of 50,000 or more; and incorporated into the STIP for rural areas less than 50,000 in population. Use this [map link](#) to determine if your agency qualifies under Urban, Small Urban or Rural.

## ***Eligibility Requirements***

### **Eligibility Certification**

Applicants will be required to certify eligibility in two ways:

- Application Process - Applicants are required to identify agency type and submit the appropriate documentation to verify eligibility. ADOT will evaluate certifications and documents to determine eligibility.
- Regional Coordination Planning Identification - requires that eligible Section 5310 projects be determined at a regional level, prioritized according to the plan's goals and objectives, and included in the plan annually. Regions will be required to ensure there is no duplication of services among eligible agencies providing Section 5310 services.

## Eligible Applicants

Section 5310 funds eligibility is limited *primarily* to private non-profit organizations; however, public and private agencies are eligible in certain circumstances described further below. Applicant eligibility is determined at the time of application; supporting documentation must be submitted with the application.

**Private Non-profit Organizations:** The private not-for-profit organization is the primary eligible applicant and must have evidence of non-profit status (Proof of 501(c) status/IRS non-profit determination letter).

**State or local government Authority, Tribal Government or related Tribal community agencies that** provide transportation service to seniors and/or persons with disabilities can apply if they certify to ADOT that no private non-profit organization(s) is readily available in the service area to provide the needed service. The operational definition of “readily available” implies agencies that are also “capable and willing.” Evidence of this certification is demonstrated by submittal of contact letters, support letters and / or outreach materials, to local non-profits and coordination plan meeting minutes, etc....that show non-profits are unable or unwilling to provide the transportation A State or local government entity that operates a public transportation service and that is eligible to receive direct grants through 5311 or 5307 is also an eligible recipient for Section 5310 funds.

**Public Agencies, such as Council of Governments (COGs) or Metropolitan Planning Organizations (MPOs).** Provide oversight and administration (not necessarily transportation service) for a project that is conducted in the interest, or strongly supportive, of local, regional, and/or State coordination objectives, such as a COG conducting regional mobility management activities. For a governmental authority to take a lead role in overseeing such a project the State must approve this role and it must be reflected in regional coordination planning activities. Evidence of this approval is demonstrated by submittal of contact letters, support letters, outreach materials, coordination plan meeting minutes, etc. documenting the COG/MPO is the lead agency.

**Operators of Public Transportation** may receive 5310 funds directly or indirectly through another eligible recipient.

**Private Taxi Operators as Eligible Sub-Recipients of 5310 Grantees.** Private operators of “public transportation” may not apply directly to ADOT for a grant, but are eligible sub-recipients or vendors of ADOT 5310 grants. Any grant that includes a subrecipient status must be coordinated with ADOT. The definition of “public transportation” includes shared-ride surface transportation services. Private taxi companies that provide shared-ride taxi service to the general public on a regular basis are operators of public transportation and are eligible sub-recipients. A “shared-ride,” means two or more passengers in the same vehicle who are otherwise not traveling together.

- Similar to the general public and ADA demand response service, every trip does not have to be shared-ride in order for a taxi company to be considered a shared-ride operator, but the general nature of the service must include shared rides.
- Local (Municipal/State) statutes or regulations, or company policy will determine whether a taxi company provides shared-ride or exclusive-ride service.
- Exclusive-ride taxi companies are not eligible sub-recipients but may participate in the Section 5310 program as contractors. Exclusive-ride taxi companies may receive Section 5310 funds to purchase accessible taxis under contract with a state, designated recipient or eligible sub-recipients such as a local government or non-profit organization.

## Population Area Designations

Generally, The Census Bureau defines state population areas as follows and for the 2023 funding will be as below:

- Non-urbanized (rural) area - area with population under 50,000; includes all areas outside of an urbanized area.
- Small-urbanized area (UZA) - area with population between 50,000 and 200,000. Small-urbanized areas are Avondale – Goodyear, Casa Grande, Flagstaff, Lake Havasu City, Prescott Valley - Prescott, Sierra Vista, and Yuma.
- Large urban areas - areas with populations greater than 200,000. Large UZAs are Phoenix - Mesa and Tucson.

The 2020 Census Data identified changes to urbanized areas, which will be implemented in FFY 2024, including Bullhead City and City of Maricopa areas moving to Small Urban from Rural, and the Avondale / Goodyear areas moving from small urban to large urban. The applicants for the 2<sup>nd</sup> year funding in the Bullhead City and City of Maricopa will be considered for small urban funding. Grantees in the Large Urbanized Areas will be considered if the funding stays with ADOT as they will be making that determination this year, but if the funding switches to a new entity ADOT will coordinate with the new funding entity.

There is a section in the online application that requires agencies to locate their primary area(s) of service via an ADOT map website link and to provide information regarding what percentage of their service is located in either the non-urbanized, small-urbanized, or large-urbanized areas of the state. Since the Section 5310 funding is now provided based on these designations, the information provided by the applicant is an important factor in determining the best way to allocate project funds by designated population service area.

Federal guidelines allow large urbanized areas (UZAs) to directly administer Section 5310 funds. Arizona has two large urbanized areas: the Phoenix–Mesa UZA, located in the MAG region and the Tucson UZA, located in the PAG region.

For the 2023 application cycle, all regions in the State, with the exception of the Phoenix-Mesa UZA, which is a part of the MAG region, are eligible to apply through ADOT for Section 5310 funds. The Phoenix-Mesa UZA **does not** use ADOT to administer their Section 5310 funding. Applicants apply directly through the City of Phoenix in coordination with MAG. Applicants providing 51% of their service in the rural and small urbanized areas of the MAG region still apply to ADOT for 5310 funds.

Urbanized areas are designated by boundaries dictated by the 2010 US Census. In the appendix section, you will find the MAG Urbanized Map to help determine if your agency should apply to ADOT or to MAG / City of Phoenix directly for Section 5310 funds. If after review, there still remains any question as to what service area or primary agency address falls within the Phoenix-Mesa UZA, please contact your ADOT Section 5310 Program Manager.

ADOT administers Section 5310 funding for the Tucson UZA. The Tucson UZA is apportioned a specific amount to fund projects and in coordination with PAG will dictate how the funds are spent in their regional Coordination Plan goals and objectives.

## Eligible Projects

Capital projects that meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable or inappropriate are the principle purpose of the 5310 program and must be funded at a minimum of 55% of the federal 5310 formula funding received into the program. Funding is available for capital and operating expenses to support the provision of transportation services to meet the specific needs of seniors and individuals with disabilities and may also be used by the general public. Projects must be carried out by an eligible applicant.

## Capital Equipment and Maintenance

Agencies can apply for software, hardware, computers, AVLs, etc. to support a single agency's needs or coordinated dispatch and scheduling efforts. However, coordinated dispatch center equipment must be applied for under the Other Capital section and the technology and equipment needed must be supported by a written assessment (Systems Engineering Analysis) and documented in the Regional ITS Architecture Plan. Also, ADOT is not supportive of single radio or computer requests unless that request is tied to a need for coordinated dispatch services.

Agencies can apply for Preventive Maintenance which FTA defines as "All maintenance costs related to vehicles and non-vehicles. Specifically, it is defined as 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, up to and including the current state of the art for maintaining such an asset."

## Vehicle Requests

ADOT conducts the procurement for Section 5310 funded vehicles. Therefore, vehicle types and sizes obtained are *usually* pre-determined by ADOT at the time of application. ADOT utilizes the State's procurement contract for all vehicles; final vehicle pricing is determined by the State's contract. A sample vehicle list is provided in the application, but vehicle purchases will depend upon contract and manufacturer availability.

### Most Frequently Requested ADOT Procured Vehicles

- Cutaway With Lift – 9 Passenger - Raised-roof "body-on-chassis cutaway" with wheelchair lift, seats up to nine (9) ambulatory passengers and has 2 wheelchair positions (less ambulatory capacity with wheelchair occupancy);
- Cutaway With Lift –12/14 Passenger - Raised-roof "body-on-chassis cutaway" with wheelchair lift, seats twelve (12/14) ambulatory passengers and has 2-4 wheelchair positions (less ambulatory capacity with wheelchair occupancy); An additional 2 passenger fold-away seat is available with this weight class
- Maxi-van with Lift: An 11 or 12 passenger (including driver) van with a wheelchair lift;
- Minivan with Ramp: Minivan with at least one (1) wheelchair position and manual accessibility ramp, seats up to five (5) ambulatory passengers (less or no ambulatory capacity with wheelchair occupancy). Since this has limited seating, requests for this type of vehicle will review on a case-by-case basis;
- Maxi-van No Lift: A Twelve (12) passenger (including driver) standard van without a wheelchair lift/ramp; (Currently unable to be procured by ADOT due to Buy America requirements) and

- Minivan No Ramp: A Seven (7) passenger (including driver) minivan without a wheelchair lift/ramp. (Currently unable to be procured by ADOT due to Buy America requirements)
- SUV: A Five (5) or Seven (7) passenger 4x2 or 4x4 no wheelchair lift or ramp available. Equivalent Certification is required.

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

Equivalent service means that in order to obtain a non-accessible vehicle, an applicant must already have in its fleet or under contract, regular, guaranteed availability of an ADA-compliant wheelchair-accessible vehicle(s), in reliable and safe operating condition, to serve the area targeted by the application, as well as qualified drivers to operate it. The agency must be able to provide accessible service on a scheduling and capacity basis that is equal to that provided by non-accessible vehicles. If equivalent service is by contract, the contractor must have a back-up plan in order to ensure that equivalent service is available. The Certificate of Equivalent Service is included in this Guidebook as an attachment. Failure to provide Equivalent Service may preclude your agency from receiving an award.

At this time non-accessible minivans or maxivans are not Buy America compliant and ADOT is still determining a solution to this issue.

Feedback on vehicle types and needs assists ADOT in the selection process. Coordination with the COG / MPO to select vehicles or equipment not listed above may not result in a change during an application round, but will be considered for future procurements.

## Eligible Trip Purpose

Equipment provided through this program may be used for all trip purposes for seniors and disabled populations. Transportation trip locations include:

- Medical appointments
- Employment
- Social services and facilities
- Meals (not meal delivery)\*
- Rehabilitation services
- Shopping
- Recreational and social activities

Trip Purpose Exceptions:

\*Vehicles and related equipment may not be used for the following purposes:

- To deliver meals **primarily** to persons in their homes. Sub-recipients may coordinate and assist in providing meal delivery service for homebound individuals as long as the delivery service does not conflict with the delivery or reduce public transportation service to passengers. (Please contact ADOT for any questions regarding this exemption.)
- To provide emergency medical transport or ambulance service on a regular basis.

- Use transportation to engage in regularly scheduled school bus service. Section 5310 sub-recipients may operate multi-functional vehicles that meet the safety requirements for school transportation, but may not provide exclusive school service.
- Vehicles must be able to transport individuals for the purpose of specialized transportation and not be used as staff support vehicles.

Applicants are encouraged to coordinate their services with public transit operators, and others, especially when it supports the mobility of seniors and individuals with disabilities.

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

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

## Capital - Mobility Management

Mobility Management is considered a capital project and expense under the Section 5310 program. Mobility Management projects consist of several different types of activities and are intended to build coordination among existing public and private transportation providers with the result of expanding the availability of service.

Projects which support the coordination of transportation services, public or otherwise, is a top priority for ADOT under the 5310 program. Regional Mobility Managers are required to:

- Undertake the necessary planning work required to manage the regional Coordination Planning process;
- Coordinate transportation provider partnerships,
- Implement coordination actions through formation and oversight of local coordination councils,
- Coordinate vehicles and other capital resources;
- Develop and provide information and referral services
- Oversee sub-regional coordination activities within their regions, and
- Monitor sub-recipient performance through site visits, and data collection and reporting.

Additional Mobility Management activities include:

- Planning and implementation of travel training programs.
- Transportation brokerages, and
- Planning and implementing centralized dispatch / one-call centers. The operations of transportation brokerages to coordinate providers, funding agencies and passengers are eligible as mobility management capital projects.
- Participate and assist with Tribal Coordination see link <https://aztribaltransportation.org/training>



Mobility managers will use these tasks to achieve the regional and state priorities and assist in determining what other projects agencies should be applying for at both the regional and sub-regional levels.

Given limited funding resources at the regional and state level, the regional mobility manager positions are tasked with:

- Establishes mechanisms to share resources, i.e. vehicles, joint trainings, or other services and supplies.
- Identify appropriate regional fleet size required to serve local and regional transportation needs and maintenance methods to keep vehicle fleet in state of good repair.

Applications for mobility management projects should only apply when their project or idea has evolved and been appropriately vetted through the coordination planning process and regional mobility management program evaluation measures. Applications for mobility management projects in the PAG region and MAG region outside the Phoenix-Mesa UZA should be included in their regional coordination plans.

PAG and the City of Tucson will be evaluating and determining which projects to fund in the Tucson UZA. Rural applicants in the PAG region are prioritized by ADOT and the panel review process.

## **Other Capital Projects**

Projects which are designed to support Public Transportation projects may be eligible under the FTA circular, but are not part of the 55% traditional 5310 program, as defined by FTA, are generally funded under operating. Eligible Public Transportation Agencies are encouraged to apply under other programs such as the 5339 Bus and Bus Facilities Grant program.

## **Operations Funding**

Operating projects must be for public transportation services that address the mobility needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate or unavailable and meet at least one of the following three purposes:

- Exceed the minimum requirements of the ADA
- Improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary ADA paratransit service.
- Provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Projects provided operating funds must be targeted toward meeting the transportation needs of seniors and individuals with disabilities. FTA encourages projects that are open to the public as a means of avoiding unnecessary segregation of services. ADOT prioritizes operating funds to subrecipients that serve the general public as well as their client base.

There is no federal requirement to spend any program funds on operating projects, and only a maximum of 35% of the formula apportionment may be awarded to operating. Exceptions will be noted in the NOFA. Regions in which operating funds are allocated must show vehicle fleets are in a state of good repair and operating funds leverage the resources of other programs.

## Examples of Eligible Operating Projects

### *Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities*

- Supporting the administration and expenses related to 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 provided to purchase rides for: a) mileage reimbursement as part of a volunteer driver program; b) taxi trips; or c) trips provided by a human service agency. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible.
- Supporting volunteer driver and aide programs. Volunteer driver programs are eligible for costs associated with administration, driver recruitment management, safety, background checks, scheduling, mileage reimbursement, and insurance associated with volunteer driver programs.

### *Public Transportation Projects that Exceed the Requirements of the ADA*

- 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 (if any) of making door-to-door service available to all eligible ADA paratransit riders, but on a case-by-case basis for individual riders in an otherwise curb-to-curb system; and
- Enhancement of the level of service by providing escorts or assisting riders through the door of their destination.

## Eligible Project Expenses

### Eligible Costs

ADOT's policy is that eligible costs applied for under both operating and mobility management projects must be considered direct project costs.

Direct costs are those expenses that can be associated on a one-to-one basis with a given service. Examples are driver wages, fuel, and maintenance costs. ADOT allows both operating and administrative costs to be considered as direct costs. Administrative costs are only eligible if they are direct costs that support transportation service or mobility management specific duties. If an administrative cost is shared and an agency can clearly document through timesheets and other related documentation the amount of time spent on transit related activities, then this cost will be considered in the application for funding and reimbursement. There still has to be a direct one-to-one relationship though with the shared administrative cost for it to be eligible.

Many of the direct costs of transportation are variable costs. Variable costs change with the amount of service provided. Vehicle operations costs are usually the bulk of direct costs considered for Section 5310 program reimbursement. Please note that administrative costs, such as the time a bookkeeper spends directly working on a Section 5310 transportation project, can also be included as a direct expense.



The only exception is for those agencies with approved Indirect Cost Allocation Plans (ICAP) that have been approved by their cognizant agency and submitted to ADOT. Applicable indirect costs can be applied for under operating and mobility management projects by agencies with a submitted and approved ICAP.

Indirect costs are those which cannot be associated on a one-to-one basis with a given transportation service. Some public transit systems, such as units of local government, or multi-purpose non-profit organizations, perform many departmental or program functions and would likely incur indirect expenses. In these cases, the expenditures benefit not only transit but also other programs and departments. The majority of these shared or indirect costs are administrative costs. These costs cover items such as planning, accounting, and legal services. Shared costs are generally fixed costs. Fixed costs are those that do not change with the amount of service provided.

Administrative costs that are considered indirect costs (not directly related to the transportation project or derived from an indirect cost allocation plan) are not eligible expenses without an approved ICAP on file with ADOT. ICAPs should be submitted at time of application. ICAPs without a federal cognizant agency can submit to ADOT PM for our financial review prior to reimbursement of allowable ICAP charges. An ICAP can only be applied if it has been submitted and approved prior to the grant agreement execution.

In the application, under the operating project request, there is only one line item budget that must be completed for each project to reflect the total costs of the project. For mobility management project requests, only the proposed project year of expenses should be defined. In the application's narrative below the budget section, applicants can define the expense categories where Section 5310 funds should be assigned if awarded. Each year of each project such as operating, or mobility management must be applied for separately as its own project.

### Cost Reimbursement Criteria

To be allowable for reimbursement under the Coordinated Mobility Section 5310 Program, costs must also meet the following general criteria:

- Be necessary and reasonable for proper and efficient performance and administration of the project;
- Be an eligible expense;
- Be treated consistently. A cost may not be assigned to the grant as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a grant as an indirect cost;
- Be determined in accordance with generally accepted accounting principles;
- Not be included as a cost or used to meet cost sharing or matching requirements of any other Federal award in either the current or a prior grant period;
- Be the net of all applicable credits; and
- Be adequately documented in a system generated financial summary, or Excel spreadsheet, accompanied by appropriate backup documentation (i.e. invoices, payroll, etc.), which identifies an expense amount, matching that shown on the invoice.

## ***Funding and Application Requirements***

### **Overview**

Pursuant to federal law, a minimum of 55 percent of the available program funds in each urbanized and non-urbanized areas must be used to support traditional projects that are designed to meet the special needs of seniors and individuals with disabilities that are planned, designed and carried out by eligible entities. Traditional projects include the purchasing of buses, vans, wheelchair lifts, ramps and transit-related technology systems.

Ten percent of the funds are allocated to ADOT for administration of the 5310 program. No more than 35 percent of the remaining program funds may be used for operating to support enhanced transportation projects. Enhanced transportation projects are those that exceed the requirements of the Americans with Disabilities Act (ADA), improve access to fixed-route service, decrease reliance by individuals with disabilities on complementary paratransit or provide alternatives to public transportation that assist seniors and individuals with disabilities.

### ***Funding Availability and Priorities***

ADOT has developed the following five objectives as the guiding program management principles.

1. Build a foundation of mobility management activities in ADOT's small urban and rural regions.
  - Maintaining regional mobility management throughout the state
  - Establishing partnerships among human service agencies, transit providers, and other stakeholders.
  - Developing measures to report progress toward mobility management goals.
  - Administering a transportation coordination planning process that results in active and engaged regional coordinating councils and coordination plan that reflects the goals, objectives and activities of the region.
2. Ensure information and referral is available in the region and its sub-regions.
  - Information and referral refers primarily to developing resources and staff capacity to assist passengers in obtaining trips.
3. Capital investment decisions are made within the mobility management framework.
  - Within each region, coordination procedures are in place to optimize the fleets of vehicles for service to seniors or individuals who have disabilities.
  - Replacement or expansion vehicles are selected based on the use of the vehicle, coordination with other providers and maintaining the region's vehicles in a state of good repair.
4. Regional and sub-regional mobility management priorities have been established and strategies and projects are identified for achieving these priorities.
5. Ensure that program sub-recipients have the capacity to provide services and effectively manage their grant funds from a program and financial perspective.

Application questions and evaluation criteria are designed to support these guiding principles. COG and MPO regions are to prioritize applications within this framework and funding decisions at the state level

will support mobility management activities, capital equipment, and service operations that best meet the state defined objectives for the Section 5310 program.

## Federal Funding Availability

ADOT principally uses two types of Section 5310 funding to support eligible projects, Formula funds and Surface Transportation Block Grant (STBG) funds. Formula funds can be used for all eligible projects in the rural and urbanized areas of the state. STBG funds can be used for capital equipment and mobility management projects and *only* in the rural areas of the state. STBG is apportioned to Small Urban and Urban projects through direct FTA recipients for each region. At times other funding is allocated, in 2020 CoronaVirus Response and Relief Supplement Appropriations Act (CRRSAA) funding was allocated to 5310, in 2021 the American Rescue Plan (ARP) funding was allocated to 5310, and some 2020 Coronavirus Aid Relief and Economic Security Act (CARES) funding was used for Mobility Management although that funding was administered by the 5311 program. These funding types were one time only and are not anticipated to be a continuing source of funding for this program. Any future funding dedicated to the 5310 program may be used as ADOT can manage and allocate the funding. Please refer to the Section 5310 NOFA for estimated amounts by funding type.

## Local Match Requirements

### Capital

Capital projects funded under the Coordinated Mobility Program primarily utilize a local match ratio of 20% of the final invoice for all projects, including Mobility Management. Currently an additional administrative fee of 2% is added for vehicle capital equipment procurements conducted by ADOT on behalf of the sub-recipient. ADOT can provide different match ratios for capital projects, depending on the type of funding awarded and fund availability. ADA accessible projects may be eligible for a higher federal match such as 85% or 90%.

Local Match for ADOT Procured equipment (usually all vehicles), must be in monetary form, such as an agency check or cashier's check, and submitted to ADOT within 30 days of receiving the invoice for the vehicle local match.

**Mobility Management** local match share can be either in cash *or* in-kind resources. Assurance of the availability of dedicated local funds in the form of cash match or in-kind resources is required at the time of application.

### Operations

Projects funded under the Coordinated Mobility Program utilize a local match ratio of 50% for **operating** expenses. The federal share, which is also at a 50% ratio, cannot exceed 50% of the *total net operating deficit* of the service, which is defined as total operating expenses minus operating revenues (e.g., fares, donations in lieu of fares).

The equation to identify the total net operating deficit is:

*Total operating expenses (minus) unallowable expenses (minus) fare-box and other operating revenue = Net Operating Expenses.*

Unallowable expenses could include indirect cost expenses not supported by an approved indirect cost allocation plan.

Operating local match share can be either in cash *or* in-kind resources. Assurance of the availability of dedicated local funds in the form of cash match or in-kind resources is required at the time of application.

More information on sources of local match and the requirements involved with submitting in-kind as local match are described in greater detail below.

## Local Match Sources

### Cash Revenue

Although some revenue (income) can be used as local match, not all types of revenue can be used. As described above, fare-box or donation revenue from passengers to ride the service is not eligible local match revenue.

### *Revenue Overview*

There are four major categories of revenue for transportation services:

- Fares
- Agency Contracts
- Grants and Other Governmental Payments
- Other Sources

### Fares

Fares may be charged for senior and disabled transportation services as long as the fares do not exceed those required to operate service. In determining fair and reasonable charges, service providers should keep in mind the primary end-user/clientele group utilizing the services and their income status.

Fare-box revenue includes fares paid by senior and disabled passengers, pre-paid fare media used by passengers including multi-ride passes and tokens, route guarantees, pre-paid passes or other fare media purchased by a human service agency for distribution to its clients, and user-side subsidy arrangements. Fare-box revenues also include “private pay” fares where the customer pays the full cost of the service. Fare revenue must be reported on operating reimbursements and are split between the local and federal share.

### Agency Contracts

Contract revenues are monies received from an entity (such as a human service agency, a hospital or medical plan, or a business) which contracts with a transit system to provide transportation for the passengers specified by the agency. Section 5310 sub-recipients have the option to use income from contracts to provide human service transportation to either 1) reduce the net operating project cost (use as fare revenue); or 2) provide as local match for Section 5310 operating assistance. The manner in which an agency applies income from these contracts affects the calculation of net operating expenses and, therefore, the amount of Section 5310 operating assistance the agency is eligible to receive.

This contract revenue is a valuable source of local matching funds. Transportation providers may be involved with many contracts, generally lasting for one year and negotiated annually. Funds received for agency contracts with a state, local social service agency, or a private social service organization may be treated as local match rather than federal funds, even though the original source of such funds may have been from another Federal program.

### Grants and Other Governmental Payments

Any grant coming from the USDOT, including Section 5311 and Veterans Transportation and Community Living Grants, **cannot** be used as local match. Grants or payments from sources other than the US Department of Transportation (DOT) can be used as local matching funds. Sources include Older

Americans Act Title III (typically funded by an Area Agency on Aging (AAA)), Temporary Assistance for Needy Families, and Community Service Block Grant funds.

### Other Sources

Other sources of local match include local government appropriations, tax revenues, private donations not given in lieu of paying a fare for a ride (for example a cash donation from an individual or group that values the agency’s services and wants to support the organization), and net income from advertising or concessions. Although it must be noted, that advertising on 5310 funded vehicles is not permitted by ADOT.

The Coordinating Council on Access and Mobility (CCAM) developed a [Federal Fund Braiding Guide](#) outlining the available funds which can be used as local match. The table on the next page provides examples of Non-DOT federal program funds that can be used as local match.

<p><b>U.S. Department of Health and Human Services</b></p>	<ul style="list-style-type: none"> <li>○ <b>Community Services Block Grant</b></li> <li>○ <b>Head Start</b></li> <li>○ <b>Older Americans Act Title III</b></li> <li>○ <b>Temporary Assistance for Needy Families (TANF)</b></li> </ul>
<p><b>U.S. Department of Labor</b></p>	<ul style="list-style-type: none"> <li>○ <b>Retired Senior Volunteer Program (RSVP)</b></li> <li>○ <b>Senior Companions</b></li> </ul>
<p><b>U.S. Department of Interior Bureau of Indian Affairs</b></p>	<ul style="list-style-type: none"> <li>○ <b>Indian Reservation Roads Program</b></li> </ul>
<p><b>U.S. Department of Housing and Urban Development</b></p>	<ul style="list-style-type: none"> <li>○ <b>Community Development Block Grant</b></li> </ul>

### Non-Cash (In-Kind) Revenue

Non-cash, or in-kind match, such as donated goods and volunteer services, may be used as local match **only** if the applicant formally documents and can verify determination of the value of each non-cash match amount. Any non-cash match must represent a cost that would be eligible under the project, cannot be used to match another Federal grant, and must be applicable to the grant period to which the cost is applied.

### In-Kind Match Valuation Proposal

If in-kind revenue sources are listed as match for an application proposed project budget, the applicant is required to submit, in addition to the application, an ***In-Kind Match Valuation Proposal***. This is formal documentation of how the value(s) of the in-kind match was determined for eligible grant activities. ADOT is providing a form, in the appendix section of this document, to complete and attach to the application for **every** third party contributed in-kind goods or service listed as in-kind match in the application’s proposed project budget. For each third party good or service, the applicant must list the:

- Donor name;
- Item(s) or service(s) donated;
- Identification if the item donated is a “good” or “service”;
- Fair market value (FMV).
- How the fair market value was determined. (See below for information on how to determine FMV.)

The **In-Kind Match Valuation Proposal** will need to provide necessary rationale and back-up documentation to show how costs are determined. Back-up documentation for goods and services should include donation receipts stating the donor, the item donated, and its fair market value. Volunteer time should include time cards and be charged at either the local prevailing wage or the wage rate paid to an employee performing similar duties.

**Please note:** In-kind match must come directly from an outside third-party source, i.e.: **not** from the applying agency. Services provided by an applicant’s staff, regardless of their duty status, are valued at the actual cost to the agency *for cash match* and these costs are not considered in-kind contributions.

In-kind match should not be confused with indirect or overhead costs associated with the agency providing transportation service. In-kind match costs are not costs from within the agency that are shared amongst different departments or individuals doing multiple tasks. In-kind match is donated time or items coming from a third party contributor not involved with the agency in a paid manner.

*Determining Fair Market Value (FMV)*

There are multiple ways to determine the FMV of donated goods or services. This guidance is based on the Code of Federal Regulations, Title 49 Section 18.24, *Match or Cost Sharing*, which is the U.S. Department of Transportation’s regulations for match, in-kind match, and cost sharing.

For Donated Services:

**Volunteers** - Unpaid services provided to an applicant by an individual are valued at the pay for similar work in the applicant’s organization. Request a valuation by your personnel staff of the job or, if the job is foreign to your agency, use minimum wage or seek private market value of the work in relation to the local labor market. A reasonable amount may be included for fringe benefits.

**Employees of other organizations** - When another organization furnishes, free of charge, the services of an employee in that employee's line of work, the services are valued at the employee's regular rate of pay inclusive of fringe benefits and overhead costs. If the services are in another line of work, then the value is calculated in the same manner as that for volunteers.

For Donated Use of Equipment/Space/Property (Title is retained by the donor):

**Equipment or space** - Equipment or space is valued at its fair market rental rate. State motor pool rates may be used for vehicles and rolling stock.

**Land** - If only the use of the land is required, and ownership is not necessary for grant purposes, then fair market rental of the land is used as the in-kind match amount.

For Donated Supplies/Equipment/Real Property (Title passes to the Applicant):

**Supplies** - Supplies are valued at their market value at the time of donation.

**Equipment and buildings** - The fair market value of equipment and buildings at the time of donation may be used for in-kind match.

**Land or Buildings** - If fee title ownership of land is necessary for the accomplishment of grant purposes, the appraised market value of the land may be counted as match.

#### *FMV Examples*

Below are examples of how to estimate and document the value of in-kind match.

**Equipment/Goods:** A 2012 Dodge Caravan with 30,000 miles is donated to Agency X, a non-profit organization that provides rides for their grant-funded specialized senior transportation program. Using Kelly Blue Book or a National Auto Dealership of America (NADA) Used Car Value Guide, both of which can be located on the Internet, determines the fair market value (FMV) of the donated van.

The condition of the van is considered “Good”; therefore, the value of the van via Kelley Blue Book is \$14,000.

**Services:** Maria Smith, an attorney who normally charges \$160 per billable hour, donates her services to Agency X. If she provides 10 hours of legal services, the in-kind market value would be \$1,600 (10 hours @ \$160/hour).

On occasion, Maria Smith volunteers her time to drive Agency X clients to appointments. In this case, the fair market value is based on the rate the agency pays its employed drivers. It is not her normal billable rate as an attorney. If the drivers’ hourly rate is \$12.50/hour and she spends 4 hours driving for the agency, the in-kind value is \$50 (4 hours @ \$12.50/hour).

## ***Application Requirements***

### **Application Process**

The application timeline and information regarding applying for 5310 funds are included in the ADOT FFY 2023 Section 5310 Notice of Funding Availability (NOFA) which is posted to the ADOT website at [www.azdot.gov/transitguidebooks](http://www.azdot.gov/transitguidebooks).

Applicants must complete all required application and grant agreement forms in the E-Grants system, as well as upload all required supporting documentation by the grant deadline identified in the NOFA. E-grants is the on-line program for all Transit Applications submitted to the Arizona Department of Transportation. See <https://egrants.azdot.gov>. All users must register and be granted access. All users from an organization that need access to their application should register in E-grants prior to initiating an application. This ensures that they will be automatically assigned to the application.

For more step-by-step instructions on how to obtain login information, identify E-Grants user roles and submit the online application, please follow the “E-Grants User Guide” at [www.azdot.gov/transitguidebooks](http://www.azdot.gov/transitguidebooks) (see More Information).

The applicant shall establish and maintain an entity registration on the federal System for Award Management website: <https://sam.gov/content/entity-information>. This registration will be used by ADOT to confirm eligibility to receive federal funds.

The 5310 Application is a 2-year application cycle and will be open in odd years for the majority of 5310 programs and even years for Regional Mobility Management. Applicants will need to apply for both years



in the same application. For the majority of funding, applicants that do not apply in 2023 will not have an opportunity to apply until 2025. At ADOT's discretion, ADOT may call for projects for new applicants in the off year. The regional mobility management application will occur in even years (2024) opposite from the rest of the program so that the mobility managers may support the application process for other grantees.

While ADOT applications are for 2 years, the Federal Transit Administration (FTA) awards annually. ADOT Grantees will be awarded one year of funding in the first year, but the expenditure timeline will extend into the second year. Grantees in good standing will be offered funding for year 2 when funds are made available from the Federal Transit Administration. Grantees that received funding awards in year 1 will have their grant agreement amended to include funding for year 2. Grantees with awards for year 2 only will receive an executed grant agreement from ADOT when FTA awards funding to ADOT for the even year.

## **Project Evaluation and Selection**

Applications will be considered for funding based on the evaluation and selection criteria provided in this section. Specific criteria guide the development of the Coordinated Mobility Program and are related to the federal and state goals defined for the Section 5310 program. In order to ensure fair and equitable distribution of FTA funds, the criteria listed are used as the basis for review and selection of applications for program funding.

Applicants must have their projects listed in their Regional Coordination Plans to be eligible. Please note that the information submitted in the application as well as regional input, geographic distribution, and information documented in the region's coordination plan and the applicant's previous performance using prior year's grant funds for a project (as appropriate), will all be considered when reviewing and prioritizing a funding request. This approach includes placing additional emphasis on accountability and program management on the part of the applicant in the evaluation process.

The final decision on project selection and funding will be made by ADOT with the exception of applications under the Tucson UZA in which the final decision on project selection and funding will be made by the City of Tucson and PAG. ADOT retains sole discretion in determining which projects will be funded and the amount of funds awarded to any given project, except in the Tucson UZA.

## **Project Threshold Criteria**

Applications are first reviewed to ensure that all basic eligibility requirements are met. If an application does not meet basic threshold requirements, it may not be forwarded onto the ADOT Evaluation Review Committee for further evaluation and scoring. The threshold criteria are as follows:

- Application materials were submitted on time.
- Applicant completed all questions and attached required documentation.
- Applicant attended the ADOT Section 5310 program workshop or webinar. (Requirement may be waived.)
- Applicant certified and verified agency eligibility requirements.
- Project(s) applied for are eligible projects per FTA guidelines.
- Project(s) applied for are consistent with, and listed in, the Regional Coordination Plan.



## Project Evaluation Criteria

The Section 5310 application is ranked against all applications statewide by a panel of reviewers according to three main project evaluation criteria categories, with multiple subcategories, to determine an overall score for a project application. This evaluation method combined with the regional prioritization decides the final award ranking. Funding is then allocated based upon scores in each of the geographically eligible regions: rural, small urban and the Tucson urbanized area. The three main project categories are:

- Project Management;
- Coordination; and
- Project Specific Criteria.

Under Project Specific Criteria, there are three subcategories for each project: Mobility Management, Capital Equipment, and Operating. Each main category holds a percentage weight and is combined to determine a total application project score (totaling 100%). Subcategories are also considered and make up a category score total.

In addition, some of the selection criteria include standards that must be met for continued funding. If these criteria categories are partially met (e.g. in one part of the region but not others) and an applicant is showing reasonable progress, justification can be provided for why funding should be continued. This information will be considered on a case-by-case basis.

The following is a general list of the evaluation categories and subcategories:

### Project Management Criteria

- Current program sub-recipients are on track to fulfill their ADOT Grant Agreement Exhibit A scope requirements and are submitting timely, complete, and accurate project reimbursement requests and expending funds during the grant agreement period.
- Applicants have the staff, resources, and accounting systems necessary to manage federal funds.
- Applicants properly document the availability, source, and commitment of local match.
- Applicants describe their mission and the transportation services fit their mission.

### Coordination Criteria

- Participation in regional coordination activities.
- Applicant's level of involvement in coordinating services or resources with other agencies.
- The transportation service effectively serves seniors and persons with disabilities and fits with the regional needs.

### Project Specific Criteria

#### Mobility Management

- Foundation for Mobility Management; demonstrated support for mobility management among stakeholders and demonstrated coordination and relationship building.

- Timely and accessible Information and Referral
- Capital Investment Decisions
- Regional Prioritization process in place
- Appropriate mobility management activities and strategies have been identified and carried out to benefit the region.

## Capital Equipment

### Replacement Vehicles or Equipment:

- Age
- Mileage
- Need Based on Maintaining Regional Fleet in a State of Good Repair
- Local Vehicle Availability and Regional Resource Utilization

### New/Expansion Service Vehicles or Equipment:

- New/Expansion Service Needs
- Existing Fleet Capacity
- Project Ability to Enhance Regional Coordination Efforts

### Other Capital

- Applicant provides sufficient documentation of their needs and project benefits
- Cost / Benefit analysis supports the project

## Operations

- Documentation of Need and Project Benefits
- Project Effectiveness and Performance Indicators
- Project Budget documents proposed utilization
- New/Expansion Service should provide a Service Implementation Plan

## Award and Appeal Process

ADOT will post the preliminary awards on the ADOT website and notify agencies via email of the preliminary award decisions.

Applicants may appeal the ADOT MPD Transit funding recommendations at the time of preliminary award announcement. Appeals can be made for one of three reasons: 1) The award does not accurately reflect the application submitted and/or regional coordination priorities; 2) ADOT overlooked vital information during the review process; and 3) Agency eligibility requirements.

In order to submit an appeal based on one of the first two reasons, the applicant must submit a formal appeal letter within ten (10) business days of the preliminary award notification stating the issue and submit appropriate documentation or verification as to what information in the application or regional coordination plan was either overlooked or misrepresented to their assigned ADOT Program Manager

With respect to the third reason, agency eligibility requirements, a governmental authority may have been awarded funds to provide a service that either can be or is already being provided by a non-profit organization in the same service area and there is perceived competition for the same service. The non-profit organization can appeal this decision within ten (10) business days of the award and provide information as to what services are being duplicated.

The applicant must use the following process in order for its appeal to be recognized as valid.

- Prepare and submit a formal appeal letter that clearly identifies the project description, grounds for appeal, and what rectification is being sought.
- Attach any supporting documentation to substantiate the appeal.
- Submit the appeal letter and supporting documentation to ADOT within ten (10) business days of the award.

The Section 5310 Program Manager will review the appeal and notify the applicant in the system of the decision within ten (10) business days of the appeal submission.

If the applicant is not satisfied with the Program Manager's response, the appeal may be forwarded to the ADOT Multimodal Planning Transit Group Manager. This appeal must be submitted within ten (10) business days of the declined appeal. The Multimodal Planning Transit Programs Group Manager will then provide a written response to the applicant within 30 calendar days of receipt of the appeal.

As part of the grant funding process, ADOT assigns each project to a grant program of projects and applies to FTA for the funding by area type and project type. Awards are finalized when FTA provides funding to ADOT by an executed grant agreement and all compliance items are completed by the subrecipient and ADOT executes the applicants' contract with a signed Exhibit A.

## **Chapter Two – Program Administration**

### ***State Oversight***

It is the responsibility of every sub-recipient who receives 5310 Federal Transit Administration (FTA) funds, distributed by and through the State of Arizona, to understand and adhere to all ADOT and FTA requirements. This section of the guidebook details the policies and procedures ADOT has implemented in order to ensure awarded grant funds are being used in accordance with federal and state requirements and how to comply with program regulations, reporting obligations and vehicle preventative maintenance.

### ***Grant Agreement with ADOT***

Each successful applicant is provided funds through a Grant Agreement. The Agreement identifies the responsibilities of ADOT and the sub-recipient that lists the performance expectations, grant agreement deliverables, and includes all Federal requirements. By signing the Agreement at the time of application, the applicant is committing to a legal binding Agreement with ADOT if awarded funding.

After the application and Agreement documents are submitted and ADOT grants the award, successful applicants will receive an Exhibit A form that defines the project(s) award description, Agreement eligibility dates, funding participation and match requirements. Exhibit A documents do not require an applicant's signature unless the award amount in the Exhibit A exceeds the amount of funding requested in the application or when additional funds are added to the award.

Once the Agreement is executed by ADOT, sub-recipients can start billing for expenses under their Agreement. Agencies with an umbrella organization and various satellite service locations across the state should be aware that ADOT only issues **one** Agreement to the umbrella organization. The Exhibit A will then list all projects awarded by satellite location and region.

Applicants awarded regional mobility management funds will receive; separate from the Exhibit A, a Budget and Mobility Management Scope of Work that finalizes the applicant's proposed project budget in accordance with awarded 5310 funding. The scope of the project, based on the application scope of work, will also be finalized at this time. The Budget and Scope form is to be the basis for reimbursable costs to ADOT, as well as documenting the project's progress.

Grant Agreements are effective from October 1 to September 30, consistent with the Federal fiscal year. Costs incurred prior to October 1 are not eligible for reimbursement. The final invoice for reimbursement can be submitted up to 45 days after the September 30 end date. Any extension must be approved by the ADOT Program Manager or the agency may not be eligible for reimbursement. Agreements may be in effect for two years depending upon how funds were awarded.

### ***Agency Fiscal and Managerial Responsibilities***

Each recipient must demonstrate on an ongoing basis their fiscal and managerial capabilities to implement and carry out the project (s) functions which include but is not limited to:

- Demonstrating the financial and technical capacity to carry out the program including the safety and security aspects of the project (s).
- Providing administrative and management support of the project implementation including sufficient administrative oversight to ensure that vehicles are being properly maintained and operated in a safe manner.
- Ensuring that personnel are adequately trained in the safe operation of the equipment.
- Demonstrating and retaining satisfactory continuing control over the use of project's property.
- Preparing and submitting required reports in an accurate and timely manner.
- Ensuring compliance with FTA and ADOT requirements that are applicable to the project (s).
- Ensuring local match funds and operating funds are available for the life of the project (s).
- Updating and retaining required reports and records for availability during audits or oversight reviews.
- Documenting that equipment is in good working order and is being maintained in accordance with the manufacturer's recommendations.
- Ensuring periodic reviews by agency management that maintenance procedures documented in the maintenance plan are being followed.
- Ensuring that ADA equipment is in good working order and documentation is maintained verifying that the lifts/ramps and tie downs are in good working order at all times.
- Develop and implement sound financial procedures ensuring that the agency has an adequate financial system.
- Keeping expenditures within the latest approved budget in accordance with project guidelines and eligible expenses if applicable.

## **Financial Management**

ADOT requires financial accountability. Sub-recipients must maintain appropriate and accurate financial recordkeeping for reimbursement of grant funds. Financial management means to have strong systems in place to use, and account for, grant funds properly. For existing sub-recipients, this includes being in good standing with ADOT, with a history of successfully receiving and managing grant funds; and completing the scope of work for each project with submission of timely progress reports.

There are six fundamentals to a good financial system:

- Financial Reports that completely disclose all allowable expenses.
- Accounting Records that can easily track day-to-day expenses and revenue.
- Internal Control that ensures assets are used for authorized purposes only.
- Budget Control that ensures expenses are in line with the original budget and budgets are tied to agency performance measures.
- Agencies only submit reimbursements for Allowable Costs as defined by the federal government.
- Agencies support accounting records with source documentation, such as canceled checks, paid bills, and timesheets.

In order to maintain a strong financial management system, the sub-recipient must develop strong internal controls for accounting and compliance with grant terms and conditions in order to demonstrate that funds are expended for eligible and allocable activities. The sub-recipient should also be able to track receipts, disbursements, assets, liabilities, and balances and track and report program income. Internal control procedures should address the following: cash management, fixed assets, procurement, accounts payable, payroll, overhead, budget controls, grants management, project management and information technology.

## **Expense Reimbursement**

To improve time and process efficiency with the Section 5310 payment and billing system, all requests for expense reimbursements will be processed in E-Grants. Sub-recipients are required to submit monthly or quarterly for categorized reimbursable project costs/ expenses awarded as detailed in Exhibit A within 45 days of the end of the billing period. ADOT encourages the submission of invoices on a monthly basis to facilitate timely reimbursement of costs. At minimum, detailed back-up documentation in the form of a draw-down of expenses/ system-generated ledger report must be included for each reimbursement request submitted. In the event a system-generated ledger cannot be provided, it is acceptable to use a manually created spreadsheet ledger. However, in this case, all support documentation must be submitted as well.

In-kind expenses submitted to meet local match eligibility requirements must be documented in a format so ADOT can easily determine cost eligibility. This documentation must be in line with the In-Kind Match Valuation Proposal submitted at the time of application. Sample forms are provided in the Appendix for tracking in-kind match costs on a monthly basis and submitting to ADOT for reimbursement.

End of contract expenses will be eligible for reimbursement as long as they are ordered and goods and services received prior to the end of the contract period, and paid prior to the reimbursement due date 45 days after the contract period ends. Agencies may request an extension, but it is up to the Program

Manager as to whether an extension will be granted. Otherwise, all reimbursements are due and must be submitted by the end of the 45 days post contract end date.

## **Record Keeping**

Records must be maintained in an auditable manner during the period of grant agreement obligation to ADOT as well as for five years after the date of Agreement completion and/or disposal of the vehicle. A sub-recipient may be audited without notice at any time during this period.

Records to be maintained for the period specified above include all records related to the Agreement, especially those required during a financial audit. The types of records to keep for this period are: application materials submitted, executed Agreement documents, any forms received from ADOT related to the application/Agreement, reimbursement request documents and related backup information, audits, any Agreement associated procurement files, DBE LPA records/submissions, Title VI complaint logs, and EEO complaint logs. COG / MPOs must keep a current copy of the Coordination Plan available on their website.

If vehicle equipment is awarded required records must include:

- Vehicle delivery/acceptance documents
- Vehicle registration
- ADOT annual vehicle inspection documents (Third party [Vehicle Inspection Form](#) or EQS report)
- Insurance certificates
- Exhibit A which awarded the funding to your agency
- Ridership data/trip logs
- Vehicle pre/post trip inspections
- Driver training records/incidents
- Vehicle regular/major maintenance and repair files including dates of service and Purchase Orders / Invoices and any warranty work.
- Site Reviews will include an assessment of the record retention capacity by reviewing source documents and records kept by the sub-recipient.

## **Performance and Progress Reports**

Sub-recipients will have various reporting requirements if awarded project funds. For example, the federal government requires information to be supplied by the state DOT on each of its sub-recipients annually in regards to service performance. Current federal performance measure requirements include reporting the number of trips provided in a given year, the service area trips were provided in and operational costs. If awarded funds, Sub-recipients must also submit quarterly performance measure information to ADOT in the form of quarterly performance or progress reports. These will be submitted along with grant reimbursement requests. Performance reports are specific to capital and operating project awards. Progress reports are specific to mobility management projects.

### **Operating and Mobility Management Projects**

Sub-recipients receiving operating funds must submit, along with the reimbursement invoice, a Performance and Progress Report. This excel form provides information about performance to include budget and ride data. Reporting will be completed on a template provided by ADOT and submitted in the same excel format.

Sub-recipients receiving mobility management funds must submit, along with the reimbursement invoice a Progress Report form. This form provides information about the quarterly progress of the project in comparison to the stated goals and objectives defined in the award scope of work. Reporting will be completed on a template provided by ADOT.

## Capital Equipment Projects

For sub-recipients receiving capital equipment such as vehicles, a quarterly Performance Report is required. The report will ask for information such as: the number of one-way passenger trips provided; service miles provided; types of clients served; and the geographic areas covered using a vehicle purchased with Coordinated Mobility Program funding.

Sub-recipients are required to submit a quarterly Performance Report every quarter for *all* vehicles used by the sub-recipient even if not purchased with ADOT funding. Sub-recipients not currently under grant agreement with ADOT must still submit quarterly capital performance reports.

## National Transit Database (NTD)

The National Transit Database (NTD) program's Asset Inventory Module (AIM) is designed to collect basic information on assets and infrastructure applied by U.S. agencies delivering service. The purpose of assembling a nationwide inventory is to improve the Federal Transit Administration's (FTA's) ability to protect capital costs for replacement (and necessary capital renewal activities) of existing transit assets in the future. This information supports the FTA biennial report to the U.S. Congress regarding cost estimates of transit capital. These estimates directly influence the FTA annual budget request submitted for the federal fiscal year.

Sub-recipients will be required to submit yearly asset information to their Mobility Manager regarding their assets regardless of whether or not they were procured using FTA grant funds:

- Agency Identification
- Administrative and Maintenance Facilities
- Passenger and Parking Facilities
- Service vehicle inventory
- Revenue vehicle inventory

The report will be completed in the form prescribed by ADOT.

ADOT manages an inventory of vehicle information for all vehicles funded under the Coordinated Mobility Program. This asset management system promotes proper vehicle maintenance and use and identifies problems or issues related to fleet defects or improper vehicle management.

## Site Visits

To ensure compliance with the various program requirements, ADOT and/or FTA will periodically conduct in-depth onsite management reviews, usually once every three years. These reviews focus on program compliance, vehicle use, maintenance, insurance, and safety. Representative topics include:

- Recent Program Changes (administrative and service)



- Compliance with Work Scope (i.e., is the vehicle still being used in accordance with the description in the sub-recipient’s original or revised application?)

In addition, ADOT reviews compliance with FTA requirements, including:

- Program Management - written internal organization policies and procedures;
- Financial Management - procedures, recent audits, etc.;
- Vehicle Use, including insurance coverage reviews (if applicable);
- Vehicle Maintenance & Safety (if applicable); and
- Civil Rights including Americans with Disabilities Act (ADA) Service Provisions; Title VI: Limited English Proficiency (LEP); Equal Employment Opportunity (EEO); Disadvantaged Business Enterprise (DBE) participation, and other related activities.

If site visits reveal consistent deficiencies, ADOT will provide technical assistance and training as needed.

## Audits

A financial audit (“Single Audit”) is required of sub-recipients each year an agency expends over \$750,000 in federal financial assistance (including FTA funds from ADOT) in accordance with CFR 200, subpart F. Sub-recipients are required to submit those audits, along with any material findings and plans to correct those findings, to ADOT in accordance with the terms, conditions, and timelines outlined in the Grant Agreement (Section 13). Audits are to be submitted via email to [singleaudit@azdot.gov](mailto:singleaudit@azdot.gov). If the amount of FTA funds from ADOT granted to a sub-recipient in a particular year alone does not trigger the requirement for the CFR 200, subpart F audit, but the cumulative amount of federal funds an agency expends does, ADOT still requires the sub-recipient to submit the audit per the Grant Agreement instructions.

If the sub-recipient expends less than the CFR 200, subpart F audit threshold annually, then a Single Audit is not required. However, if the sub-recipient still decides to have a CFR 200, subpart F compliant audit conducted, the cost of the audit must be paid for with non-Federal sources.

As recipients of federal funds and/or state assistance, in any given year ADOT, or federal auditors, may choose to review financial records of sub-recipients. These actions are designed to ensure tighter budget-process control, asset inventory management, and enhanced ADOT/FTA reporting capability.

## Procurement Guidelines

### *Federal Thresholds*

<b>Micro-purchases</b>	<b>Small Purchases</b>	<b>Above \$250,000</b>
By federal regulation, purchases under \$10,000 must document the decision process. ADOT always recommends getting multiple quotes. Construction projects over \$2,000 must include the federal language and follow Davis Bacon requirements.	Between \$10,000-\$250,000, a minimum of 3 quotes are required; federal language must be attached to all purchase documents.	A formal bid process must be followed with all federal clauses included and followed.



Subrecipients shall follow the standard work located here for all procurements under this Agreement: [https://docs.google.com/document/d/e/2PACX-1vT\\_dAIJMuntk7kDr4yxJtEo73AhaZYclas14iNgw63cler5IvvWuSo2ewIIMxOvOumXbKFdVpyvH3-C/pub](https://docs.google.com/document/d/e/2PACX-1vT_dAIJMuntk7kDr4yxJtEo73AhaZYclas14iNgw63cler5IvvWuSo2ewIIMxOvOumXbKFdVpyvH3-C/pub).

The Standard Work provides a link to the Subrecipient Procurement Compliance Checklist that includes 6 tabs of information to assure compliance with 2 CFR 200 et seq. and FTA Circular 4220.1.

Large purchases and / or long term contracts funded with 5310 funds must be coordinated with the Program Manager. Capital Procurements must be coordinated with your assigned program manager. Procurement Pro is a valuable tool that can assist localities in preparing the federal terms and conditions. The required clauses are also outlined in the ADOT contract. Procurement Pro link: <http://www.nationalrtap.org/>

All procurements must include the ADOT Transit DBE language and be reported in the LPA-DBE system <https://arizonalpa.dbesystem.com>. Vehicle procurements from vehicle manufacturers on the Transit Vehicle Manufacturers (TVM) list <http://www.fta.dot.gov/civilrights/12891.html> are exempt from ADOT DBE requirements, but the inclusion on the TVM list must be documented.

Most standard state and federal procurement regulations are incorporated in local government purchasing policies and procurement procedures. These policies and procedures, under the direction of local finance departments and/or legal counsels, should be coordinated with the subrecipients ADOT Grant Agreement and applicable FTA Circulars. Nonprofits and Tribal agencies should follow federal procurement code 42.20. The local governments must follow the state and federal procurement codes.

Sub-recipients must contact their ADOT Program Manager prior to engaging in any procurement activity, as all procurements require final ADOT approval. Reimbursement of capital expenses may not be provided if the procurement method and process was not approved in advance by ADOT.

## **Vehicle Procurement**

ADOT conducts the procurement for most vehicle purchases. Sub-recipients should be aware that for any specialized vehicles awarded or other types of equipment not normally procured by ADOT, the sub-recipient must follow the requirements specified in the National Rural Transit Assistance Program Procurement Pro application located at: <http://nationalrtap.org/Web-Apps/ProcurementPRO>. Procurement Pro is a free program that contains all required federal clauses for procurement. ADOT Grant Agreement Exhibit D has further language and guidance for procurement.

Applicants who procure equipment on their own must comply with all steps associated with major capital procurements, including, but not limited to, selecting an appropriate method of solicitation, advertisement, conducting a federally approved bidding process, contracting, and obtaining appropriate federal Buy America, Bus Testing, Lobbying and Debarment certifications.

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

## **Asset Management – State of Good Repair**

FTA has put a greater emphasis on grant recipients keeping vehicle fleets, facilities and related transit equipment in a “State of Good Repair.”

In general, “State of Good Repair” is the ability to maintain assets in a well-performed condition. Vehicles in a state of good repair follow their agency’s maintenance plan schedule as required. They have regular oil changes and needed repairs are made. It is especially important that ADA features are maintained for example lifts should be cycled regularly. Per FTA guidelines, ADOT is required to implement an asset management system with policies and procedures that move towards determining how to best restore and replace aging transportation infrastructure. ADOT has created a transit asset management plan (TAM) which defines goals and objectives for assets utilized by ADOT subrecipients. While the TAM plan focuses on the Section 5311 program, Section 5310 subrecipients that serve the public will be added to the plan in future years. ADOT has identified performance targets for the ADOT Group TAM Plan and useful life benchmarks which will be used for both programs.

## **Vehicle Title and Lien**

ADOT, in conjunction with vehicle vendors (dealers), conducts all vehicle title and registration activities for the sub-recipient as a part of the ADOT led procurement process. To allow ADOT to act on behalf of the sub-recipient for these transactions, a signed Power of Attorney form may be requested at the time of vehicle delivery to complete the process. The Power of Attorney form is used exclusively for titling and registering vehicles awarded through the Section 5310 program. A signed Power of Attorney form is no longer required at the time of application.

In order to ensure proper use of grant funded equipment throughout its useful life, ADOT 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. Secondary Manufacturer and Aftermarket Vehicle Components, in addition to the original equipment manufacturer (OEM) components (as supplied by the manufacturer or vendor to the State or ADOT) or their equivalent—must remain with the vehicle as delivered by ADOT to the Subrecipient and are considered to be included in the lien.

Vehicles will no longer be released off lien at a specified number of years or mileage. The lien release will occur at the time ADOT has deemed the vehicle has reached the end of its useful life and the vehicle is being sold or transferred. When requesting lien release prior to disposal, please submit the [vehicle disposal form](#) to your ADOT program manager.

## **Vehicle Useful Life**

Transit Vehicles purchased using federal funds through ADOT will have a lien placed on the vehicle from the time of purchase until the disposal of the vehicle. The time that the vehicle is used in transit service is defined as the useful life. ADOT considers the range of useful life from the minimum mileage and age that it can be considered for disposal. A vehicle has not met its useful life simply because it has reached a certain age or mileage. Vehicles that have been replaced should continue to be utilized as a back-up or spare as long as the vehicle can continue being used with normal maintenance costs. Once a vehicle has been replaced it should be listed in the inventory as a back-up or spare. Vehicles listed on an agency fleet list as spare because it has already been replaced **and** cannot be replaced again, however they can be used in the fleet until the agency is ready to dispose of the vehicles.

A vehicle that becomes a cost burden due to maintenance issues can be removed from the fleet with permission from ADOT. Receipts documenting maintenance or repair costs along with an estimate of the new repair costs need to be provided as back-up documentation. A vehicle will not be retired from the fleet because of routine maintenance issues (tires, oil changes, batteries etc....).

For sub-recipient replacement vehicle planning purposes, ADOT has compiled an estimated useful life for the following vehicles:

### Vehicle Minimum Useful Life Guidelines

Vehicle Type	Minimum Years	and / or	Minimum Miles
Minivan With Ramp	6 years	and / or	100,000 mi.
Minivan No Ramp	6 years	and / or	100,000 mi.
Maxivan With Lift	6 years	and / or	100,000 mi.
Maxivan No Lift	6 years	and / or	100,000 mi.
Cutaway with Lift	7 years	and / or	200,000 mi.
Sport Utility Vehicle (SUV)	7 years	and / or	150,000 mi.
Crew Cab Trucks	7 years	and / or	150,000 mi.
Buses over 30 ft	7 years	and / or	300,000 mi.
Heavy duty buses 35+ ft	10 years	and / or	350,000 mi.
Trolleys	14 years	and / or	500,000 mi.
Automobile	4 years	and / or	100,000 mi.

### Asset Inventory Detail

#### Revenue Vehicles

Asset Category/Class	Total Number	Average Age	Average Mileage	ADOT Useful Life Benchmark	ADOT Useful Life Benchmark
<b>Revenue Vehicles</b>	<b>171</b>	<b>5.9</b>	<b>148,274</b>	<b>Years</b>	<b>Mileage</b>
<i>AO - Automobile</i>	1	2.0	17,047	8	100,000
<i>BU - Bus</i>	0	0	0	14	500,000
<i>CU - Cutaway Bus</i>	134	5.9	157,308	10	400,000
<i>FB - Ferryboat</i>	0	-	-		
<i>MB - Mini-bus</i>	0	0	0	10	200,000
<i>MV - Mini-Van</i>	0	0	0	8	100,000
<i>SV - Sport Utility Vehicle</i>	3	2.3	31,193	8	100,000
<i>VN - Van</i>	33	6.4	126,213	8	100,000

ADOT is utilizing Useful Life Benchmarks for vehicles based upon years or mileage whichever occurs first.

Sub-recipients should use the above guidelines to estimate how long it will take each vehicle type to reach the appropriate mileage for replacement purposes. The minimum useful life is the point at which ADOT will consider disposal without justification for serious on-going mechanical failure.

The TAM Useful life Benchmarks are the point at which serious consideration should be made as to whether the vehicle should be replaced for safety reasons. These useful life points are guidelines and agencies should take into consideration their own asset management lifecycles and the condition of the

vehicle. Vehicles in good working order are encouraged to be used as long as they can be safely operated and do not need to be replaced because they have met a certain age or mileage.

ADOT Equipment Services conducts inspections annually for 5310 funded vehicles and will notify the Section 5310 Program Manager of vehicle failures. Subrecipients must provide documentation to the Program Manager that the vehicle repairs have been completed within 30 days of failure. Subrecipients in the 5311 Program are required to conduct an annual inspection of their vehicles and are not eligible to use EQS at this time.

Sub-recipients may be scheduled for a desk review or site visit in which vehicle service records will be examined to determine whether there has been appropriate use of the vehicle. If a review reveals the sub-recipient is underutilizing the vehicle (either in service type or time in service), ADOT has the right to remove the vehicle from the sub-recipient and transfer it to another agency that can use the vehicle more effectively. This may include moving the vehicle into a regional pool or shared vehicle situation based on regional coordination and mobility management needs.

If a transfer occurs due to underutilization, the sub-recipient's future vehicle funding requests will be highly scrutinized and may not be funded based on past performance.

## Insurance Requirements

### *Minimum Required Insurance Coverage*

Sub-recipients are responsible for acquiring and maintaining current, appropriate insurance on their vehicles and other large capital equipment assets while under ADOT lien. Sub-recipients must also comply with all additional insurance requirements as referenced in Exhibit G of the ADOT Grant Agreement. In addition, ADOT must be listed as the *loss payee* and *additional insured* when ADOT is either listed as the vehicle owner or lienholder. Sub-recipients should use the Attachment G: Insurance Requirements from their grant agreement to provide to their insurance agent to ensure appropriate insurance coverage is provided.

Sub-recipients must maintain adequate property and liability insurance coverage. The current minimum requirement for automobile liability insurance is based on vehicle capacity, as shown below:

<b>VEHICLE SEATING CAPACITY</b>	<b>LEVEL OF INSURANCE COVERAGE</b>
Carrying four (4) or fewer passengers	Combined Single Limit (CSL) of \$1,000,000
Carrying five (5) up to fifteen (15) passengers	Combined Single Limit (CSL) of \$2,000,000
Carrying sixteen (16) or more passengers	Combined Single Limit (CSL) of \$5,000,000

\$5000 is the maximum deductible for Physical Damage Coverage (Collision/Comprehensive Coverage).

An insurance checklist has been added to the forms section of the guidebook to facilitate submission and must be included with the insurance endorsements and certificates.

Sub-recipients must maintain collision and comprehensive insurance coverage for the full Fair Market Replacement Value of each vehicle under lien. The deductible for this coverage should not exceed \$5,000.

Sub-recipients must ensure and be able to document that up-to-date insurance is obtained and on file. This information must be readily available for review by ADOT and its auditors. A current insurance card must also be located in vehicles at all times due to legal requirements. Insurance cards are not acceptable proof of insurance as required by ADOT.

All agencies must maintain Workers' Compensation and Employers' Liability where Applicable.

### *ADOT Verification of Coverage*

As part of the title and registration process, a Certificate of Insurance will be requested from the sub-recipient prior to taking delivery of a vehicle(s). When submitting the insurance certificate, the sub-recipient must include the appropriate Agreement number and project description. A breakout of coverage, effective insurance dates, and ADOT being listed as Additional Insured/Loss Payee and lien holder is verified by ADOT at the time of submission. In addition, a current copy of the Certificate must be submitted at the time of Annual Vehicle Inspection.

Sub-recipients and/or insurance carriers (on behalf of the sub-recipient) will be required to submit ongoing Certificate of Insurance renewals with endorsements and the required insurance checklist to [mlb\\_mpd@azdot.gov](mailto:mlb_mpd@azdot.gov). The subject line of the e-mail shall contain the contract number and name of Recipient. The body will state "please review." Renewal insurance should be provided to ADOT 30 days prior to the renewal date. Written notice of any changes or cancellations of a sub-recipients insurance coverage must be provided to [minsurance@azdot.gov](mailto:minsurance@azdot.gov) within thirty days of the occurrence.

## **Vehicle Maintenance**

Sub-recipients must maintain all project equipment at a high level of cleanliness, safety, and mechanical soundness per the manufacturer's suggested guidelines. As evidence that required maintenance has been performed, sub-recipients are required to document all vehicle maintenance activities in a format that is readily available for review if requested by ADOT and includes copies of purchase orders, invoices, etc. Written Vehicle Maintenance Plans are required to document the maintenance cycle for each ADOT awarded vehicle.

Each sub-recipient must establish a maintenance plan/program that, at a minimum, meets those recommendations. ADOT has the right, and obligation, to review the sub-recipient's maintenance and safety programs and to conduct periodic inspections of equipment and facilities purchased with FTA funds. The subrecipient must have a written vehicle maintenance plan documenting the maintenance schedule for each vehicle type in the fleet.

Prior to vehicles being placed in revenue service, ADOT also requires that sub-recipients have a pre-trip/post-trip inspection program set up to ensure that safety and operational standards are consistently met for each vehicle, including all vehicle accessibility features. ADOT requires that daily pre-trip/post-trip inspections be documented and included as part of the permanent file for each vehicle funded by the Coordinated Mobility Program.

Specific additional ADA maintenance guidelines sub-recipients are required to follow are outlined in detail in Part II, Federal Requirements, Subsection B, Civil Rights.

## Annual Vehicle Inspection

Central to the management responsibilities a sub-recipient assumes when awarded a vehicle is the commitment to comply with required annual vehicle inspections. Annual vehicle inspections are a requirement until the vehicle has been disposed of. ADOT's statewide Equipment Services Division (EQS) staff conducts annual vehicle inspections or sub-recipients can utilize a vendor to conduct the inspection, however the sub-recipient is required to pay the cost of this inspection. EQS will send an email for each vehicle notifying the sub-recipient the vehicle needs to be scheduled for an inspection. If an outside vendor is selected to conduct the inspection, the sub-recipient will have to scan and send the inspection results to ADOT MPD Transit. If a sub-recipient is not contacted annually by EQS regarding a required vehicle inspection the sub-recipient is still required to have an inspection conducted and provide proof to ADOT MPD Transit

When a vehicle is taken in for an annual inspection, an inspection form is completed (see [Vehicle Inspection Form](#) or appendix). Inspections use a pass/fail system. Once the inspection is complete, the sub-recipient's driver or representative must sign the form to formally agree to the inspection results. Agency must maintain a copy of their inspection form. If the vehicle fails inspection, EQS contacts the Section 5310 Program Manager by email with information on the vehicle that failed and a corresponding work order detailing the failure(s) and needed repair(s). According to Federal inspection criteria, if there is a failure with the brakes, HVAC system, safety equipment, wheelchair lift, or the tires; the vehicle cannot transport passengers until the shortcomings are addressed.

The Section 5310 Program Manager then notifies the sub-recipient of the failure by both letter and email including the comments regarding failure from EQS. The letter provided to the sub-recipient is a standard cure letter stating the vehicle is not to be operated until the vehicle repair(s) is completed. The sub-recipient has thirty (30) business days to both complete the repairs and send back up documentation to verify a certified mechanic has completed the repair. Documentation is to be sent to Edmund Shepard via email.

Upon receipt of the sub-recipient's repair documentation, ADOT staff will review the documentation for compliance. If the vehicle continues not to pass inspection, ADOT staff will call the sub-recipient and discuss what is needed in order to complete the repair.

Conversely, if in 30 business days, ADOT has not received the repair documentation from the sub-recipient, the Section 5310 Program Manager will contact the sub-recipient by letter stating the consequences of non-compliance and providing ten (10) additional business days to complete the repair and send verification via email. Consequences for non-compliance with the inspection program include:

- Permanently removing the vehicle from service; and
- Removing the vehicle from the sub-recipient's fleet, making the necessary repairs, and relocating the vehicle to another sub-recipient agency.
- Non-compliant agencies are unlikely to be considered eligible for future ADOT transit grants

## Accident Reporting

Sub-recipients must report a vehicle incident, accident or casualty to the Section 5310 Program Manager within 48 hours of the occurrence.

Vehicles that are damaged and can be repaired must be repaired to an equal or better condition comparable to the condition prior to the incident. (See below Changes in Equipment Status...)



If the vehicle is deemed a total loss, the following documentation must be submitted to the Section 5310 Program Manager within ten (10) working days of the incident:

- Vehicle Identification Number (VIN);
- The model year;
- The vehicle make and model;
- The mileage at the time of the incident;
- The Exhibit A grant agreement number the vehicle was originally purchased
- The vehicle purchase match ratio (federal and local share)
- Accident Report or Incident Report forms; and
- Correspondence from the insurance company indicating the amount of the settlement of proceeds.

Based on the information received, the 5310 Program Manager will work with the sub-recipient and insurance company to determine the proper course of action. If the vehicle is still on lien, because ADOT is listed as the loss payee and additionally insured, the insurance proceeds will be released to ADOT, not the sub-recipient. The insurance proceeds should include the entire payment without the deduction of the deductible. The insurance deductible is the responsibility of the sub-recipient and cannot be taken at the time of payment. If this occurs, the sub-recipient must remit a check to ADOT for the deductible.

It is unlikely that the sub-recipient will be able to secure a replacement vehicle with the insurance proceeds after a total loss accident occurs. However, the following procedures will be following for the replacement vehicle or if the sub-recipient chooses not to purchase a new vehicle:

Should the sub-recipient wish to purchase a new vehicle, ADOT will hold the federal and local share of the insurance proceeds and determine the new cost for the vehicle. A revised Exhibit A will be provided and a request for the additional match funds will be sent to the sub-recipient.

Should the sub-recipient not wish to purchase a new vehicle, ADOT will take the original federal share portion (e.g.: 90% federal share) of the proceeds and return those funds back to the program for reuse. The remaining local share portion (e.g.: 10% local share) of the proceeds would be returned to the sub-recipient.

Vehicles that have been involved in an accident and are considered a total loss cannot be kept for the purpose of cannibalizing the parts after the insurance has paid for the loss.

## **Change in Equipment Status or Condition**

Any extraordinary change in the status or condition of a vehicle or other capital equipment (including damage, operational failure, non-use or legal involvement), must be reported to ADOT within five (5) working days, even if satisfactory repair can be made within this period. Items such as flat tires, minor glass and paint scratches, minor “parking-lot dings,” other incidental body dents, and regular, non-accident related repair or normal replacement items are not subject to this requirement unless a vehicle is out of service for more than 24 hours.

## Vehicle Transfers and Disposals

Sub-recipients that need to transfer a vehicle in the Coordinated Mobility Grant Program must seek permission from ADOT before a vehicle can be transferred either between agency site locations or to another agency. All vehicles for transfer or disposal must submit a [Vehicle Disposal Request Form](#) to their ADOT program manager and copy their Regional Mobility Manager.

Reasons for allowable vehicle transfers / disposals include:

- Current underutilization of a vehicle (not meeting annual usage requirements);
- Regional needs determine a better use for the vehicle elsewhere;
- The agency location is going out of business or is no longer providing transportation service;
- Agency site consolidation

Vehicles that have not yet met the minimum useful life are considered for transfer rather than sale. Vehicles that have passed the minimum miles and years are rarely considered for transfer and should be looked at for sale as the method of disposal. See Vehicle/Equipment Disposal below.

### Vehicle Transfer Sub-recipient Procedure

Completely fill out the [Vehicle Disposal Request Form](#) including the reasons for transfer. Submit the form to the 5310 Program Manager and the appropriate Mobility Manager for the region the vehicle is being used by email with the request to transfer the vehicle. Clearly state the reason for the transfer and when the vehicle was last in service. A copy of the Exhibit A from the application year the vehicle was awarded should be attached to the request.

The 5310 Program Manager and the Mobility Manager will review the reason and determine if it is appropriate to consider the transfer.

After submitting the documentation for transfer, the sub-recipient must coordinate with ADOT EQS to have an “**E**” **inspection** conducted to determine if any repairs are required prior to transferring the vehicle. The E inspection is different from the annual inspection performed by ADOT as it must be performed by ADOT EQS and identifies the repairs needed and the cost of the identified repairs. If repairs are required, the transferring agency will complete the repairs and submit the invoice and payment documentation to ADOT for verification the vehicle is ready for transfer.

Once the vehicle has been transferred the transferring agency must provide an updated asset inventory to reflect the vehicle has been transferred. The formal email request, along with the documentation of board approval, and a revised asset inventory must be submitted to ADOT and the appropriate Mobility Manager for the region the vehicle is being used within one week of receiving approval for the transfer.

### Vehicle Transfer ADOT Procedure

Once the formal request with the completed vehicle disposal form is submitted by the sub-recipient requesting transfer of the vehicle, ADOT will request the Mobility Manager or regional contact to reach out to other eligible sub-recipients under the Section 5310 program and determine the best location to transfer the vehicle. In determining the best location for the vehicle, the Mobility Manager or regional contact will take into consideration:

- regional vehicle needs;
- the age and condition of the vehicle; and



- The current coordination plan.

The receiving agency must have an Agreement in place. Agencies that have never submitted a grant application to ADOT will not be considered for the transferred vehicle. The regional contact will provide a vehicle transfer location to ADOT within two weeks of initial contact.

ADOT will then complete internal paperwork to determine the remaining federal interest and local match value for the vehicle. ADOT will modify and send out revised Exhibit A's to both agencies involved and require both agencies to sign the revised Exhibit A and submit them to ADOT. The appropriate title work will also be updated to reflect the changes to title. The receiving agency will remit the local match check directly to the transferring agency. The transferring agency will notify ADOT they received the appropriate match amount and can then schedule the transfer of the vehicle.

## **Vehicle / Equipment Disposition**

Vehicles should be used in the manner they were prescribed until they reach the end of their useful life and have been disposed of. A lien-released vehicle does not provide an agency with the opportunity to trade in or sell the vehicle without prior approval from ADOT. Agencies must complete a [Vehicle Disposal Request Form](#) and submit it to ADOT for authorization of sale. Agencies must fill out the form to the best of their ability with the latest mileage and must identify the method of sale. If three quotes are chosen by the agency for the disposal process, the quotes must be provided with the vehicle disposal request form.

Local public agencies may adopt their own rules and procedures for disposing of federally-funded surplus property as long as the disposal or sale is conducted in an open, public process.

The IIJA changed federal proceeds dispersion. As of November 2021, when vehicles or equipment are sold, the grantee will keep \$5,000 plus the percentage of its local share in the original award. In other words, the first \$5000 will be kept by the subrecipient, if the sale exceeds \$5,000, the remaining portion from the purchase of the vehicle or equipment will be calculated by the original federal interest applied at time of initial purchase to the sales proceeds. The federal interest balance must be reimbursed to ADOT, which will return the federal portion to the Federal Government. The remaining local match will be kept by the agency. The lien release and disposal of the equipment must be approved in advance of the sale.

The following requirements must be met when disposing of federally funded property:

- If the vehicle is going to be sold, the vehicle can go to auction (preferred method, see below for additional requirements) or three written quotes must be obtained and provided to ADOT prior to the sale for approval.
- If an on-line search is used to research a vehicle, use the make, model, year and VIN number to narrow the search. Screen captures of like vehicles offered for sale can be used as an estimate. Include the URL or link to the search that was performed for back-up documentation. Online quotes may be used for the 3 quotes required as long as a print-out or screen shot is provided.

The Vehicle Disposal Form is required and includes at a minimum the following documentation:

- A copy of the Exhibit A from the application year the vehicle was awarded or the grant information, especially the federal match ratio.
- ADOT Identified Vehicle Type (i.e. cutaway with lift)
- Vehicle Make and Model (i.e. Startrans Supreme Senator)

- Vehicle Model Year
- Current Mileage
- Delivery Date/Date Put Into Service
- Date Removed From Service

Vehicles sold at auctions or private dealers (third parties) must have the following conditions met per FTA guidelines:

- The auction contract includes a requirement to place an advertisement in the local paper in advance of the sale and/or put a notice on the agency's internet page saying that on "X" date the vehicles are being auctioned on behalf of the grantee and telling interested people how to contact the auctioneer.
- If a fleet management company sells the FTA property, it is required to sell the vehicle at the highest possible return. Fair process would require a sufficient number of wholesale dealers interested in acquiring the vehicles. Simply selling them to the vendor they originally purchased from is not sufficient.

ADOT discourages the use of the vehicles as a trade in as the new vehicle must also have a lien from ADOT. Any trade-in must be authorized in advance by ADOT prior to sale. Documentation from the sale must be provided to ADOT for record-keeping.

## **Leasing Section 5310 Vehicle to another Agency**

Occasionally, a 5310 subrecipient may want to lease a vehicle to another 5310 agency. Under all lease arrangements, ownership and effective policy control of vehicle usage must remain with the grant recipient and the lessee must agree to follow all ADOT grant agreement requirements for the Section 5310 Program. All leases must be reviewed and approved by ADOT before execution.

## **Safety & Training**

A commitment to operating safe services is a core requirement of the Coordinated Mobility Program. Drivers must be trained to proficiency not only in the safe operation of vehicles and equipment but also in how to assist and relate to passengers with special needs.

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

- Defensive driving techniques;
- ADA accommodations/wheelchair securement and passenger sensitivity;
- Emergency evacuation; and
- Safety procedures

ADOT's 5310 Program Managers are available to assist sub-recipients with training needs, whether it is setting up Rural Transit Assistance Program (RTAP) based training locally or providing other resources. Please refer to the [ADOT RTAP website](#) for more information.

## **Chapter 3 – Federal Requirements**

### ***Federal Requirements***

As a Federal program, Federal legislation and a variety of Federal regulations form the foundation of how the Coordinated Mobility Program is managed. ADOT has developed procedures on how some of the Federal provisions are enacted in Arizona. In other cases, the requirement and language is straight from the Federal legislation and regulations.

In this section, the basic Federal and State requirements are summarized. In addition to reading the abbreviated summaries in this guidebook, applicants and sub-recipients are urged to read the applicable FTA Program and Office of Management and Budget Circulars for a more in-depth description of the Federal requirements.

### **FTA Certifications and Assurances**

All applicants and sub-recipients must comply with various Federal requirements. FTA certifications and assurances are required to be signed by both an authorized public official and authorized attorney. FTA Certifications and Assurance are executed after preliminary award notices and prior to ADOT executing the Grant Agreement. ADOT utilizes DocuSign, an electronic signature software program, to obtain subrecipients signatures for the FTA Certifications and Assurances. Please make sure that you are able to receive emails from DocuSign to collect and sign for the certifications and assurances.

On an annual basis, any sub-recipient with an active FTA capital or operating project must continue to provide a signature confirming ongoing compliance with applicable FTA certifications and assurances. An attorney must attest to sub-recipient signature, please see your grant agreement for more information. Agencies may elect to submit their certs and assurances prior to receiving the DocuSign document from ADOT.

### **Civil Rights**

All recipients of FTA assistance are responsible for compliance with all Civil Rights requirements applicable to transit related projects, including 49 U.S. 5332 (Nondiscrimination), Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity (EEO), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, Environmental Justice (EJ), Limited English Proficiency (LEP) and Disadvantaged Business Enterprise (DBE) program requirements. Sub-recipients must also include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA. Sub-recipients are also required to have internal agency written policies in place to address compliance with these requirements.

Applicants and sub-recipients must comply with current Title VI, DBE, EEO, EJ, LEP and ADA regulation requirements, as identified in the respective assurances enclosed in the application/Agreement package. Failure by the sub-recipient to carry out the terms of the DBE, EEO, EJ, LEP and ADA programs will be treated as a violation of the Grant Agreement.

#### ***Title VI – Non-Discrimination***

In accordance with Title VI of the Civil Rights Act of 1964 (49 C.F.R. Part 21) and related statutes and regulations, the agency must comply and further ensure that:

“No person in the United States shall, on the grounds of race, color, or national origin, age, sex, disability, or income status, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any programs or activity receiving federal financial assistance.”

In accordance with FTA Circular 4702.1B grantees must submit a Title VI program plan to the ADOT Civil Rights Office (CRO) for review and approval prior to receipt of federal financial assistance from ADOT. The Title VI Implementation program plan must include:

1. Title VI Notice to the Public, including a list of locations where the notice is posted
2. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
3. Title VI Complaint Form
4. List of transit-related Title VI investigations, complaints, and lawsuits
5. Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
6. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
7. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
8. A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
9. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved by the Title VI Program.

All Fixed Route Transit Providers must submit:

10. Service standards
  - Vehicle load for each mode
  - Vehicle headway for each mode
  - On time performance for each mode
  - Service availability for each mode
11. Service policies
  - Transit Amenities for each mode
  - Vehicle Assignment for each mode
12. Specific citations for FTA provisions for sub-recipients include:
  - Title VI of the 1964 Civil Rights Act, Section 601.
  - Title VI Regulation, 49 CFR, Part 21.

- FTA Circular 4702.1B, "Title VI Requirements and Guidelines for FTA Recipients," outlines specific State and sub-recipient requirements.

### *Equal Employment Opportunity (EEO)*

The Federal Transit Laws, 49 U.S.C. 5332(b), provide that "no person in the United States shall on the grounds of race, color, religion, national origin, sex, or age be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any project, program or activity funded in whole or in part through financial assistance under this Act." This applies to employment and business opportunities and is considered to be in addition to the provisions of Title VI of the Civil Rights Act of 1964.

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

To comply with EEO requirements, the application process requires applicants to provide proof of an EEO policy, an EEO public notice, and contact information of the agency's EEO coordinator.

### *Americans with Disabilities Act (ADA)*

All ADOT sub-recipients must comply with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. The ADA was enacted by Congress as a national mandate for the elimination of discrimination against individuals with disabilities. In addition, any new construction of public access facilities must have accessible features incorporated to provide accessibility to individuals with mobility disabilities. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

In accordance with FTA Circular 4710.1 ADOT Civil Rights Office will review grantees conformance with ADA requirements to ensure their services, vehicles, and facilities are accessible to and usable by individuals with disabilities. The following written policies and procedures will be reviewed:

- ADA transportation service provisions
- Auxiliary Aids and Services
- ADA Complaint Procedures (i.e., instructions to the public regarding how to file an ADA discrimination complaint)
- ADA Complaint Form
- List of transit-related ADA investigations, complaints, and lawsuits

## **Service Provisions**

The ADA has a standard practice of specific service and operational provisions for transportation providers. During management reviews / site reviews, ADOT will interview sub-recipients regarding the status of the following ADA transportation service provisions:

- Procedures to ensure wheelchair lift equipped vehicle availability;
- Wheelchair lift/ramp and securement use;
- Vehicle identification mechanisms in accordance with ADA;
- Maintenance of accessible features on vehicles;
- Lift deployment at stops, where requested;
- Adequate time for vehicle boarding and disembarking (What actions are taken to ensure that reasonable time is provided?);
- Announcement of stops (where applicable);
- Service animals (What policies and procedures are in place which are in accordance with ADA?);
- Service to persons using respirators or portable oxygen;
- Public information/communications (what actions are taken to apprise the disability community of transportation services available, and to otherwise ensure that persons with disabilities are given maximum opportunity to participate in the provision of services?); and
- According to ADA requirements, driver and related staff training in wheelchair securement and sensitivity to passengers.

Sub-recipients should undertake all reasonable means to provide for the needs of sight and hearing-impaired individuals in their communication regarding transportation services provided. Braille-etched signs and other forms of written communication as well as telephone devices for the hearing impaired are some examples of facility improvements, covered under the ADA.

## **ADA Vehicle Maintenance Guidelines**

During the course of a sub-recipient's participation in the ADOT Section 5310 program, maintenance of a grant funded vehicle(s) is a critical component of stewardship. The Section 5310 Grant Agreement, which must be agreed to and signed at the time of application, indicates that the signing party will abide by, or exceed, all manufacturers' recommendations related to vehicle servicing and other maintenance, including accessibility-related components and equipment. The ADA requires that:

- Public and private entities providing transportation services shall maintain in operative condition those features of facilities and vehicles that are required to make them readily accessible to and usable by, individuals with disabilities. These features include but are not limited to, lifts and other means of access to vehicles, securement devices, signage and systems to facilitate communications with persons with impaired vision or hearing.
- Accessibility features shall be repaired promptly if they are damaged or out of order. When an accessibility feature is out of order, the sub-recipient must take reasonable steps to accommodate individuals with disabilities who would otherwise use the feature.

- A system of regular and frequent maintenance checks of lifts is required. If a lift fails to operate when in service, the ADA requires the vehicle to be taken out of service before the beginning of the vehicle's next service day. The lift must then be repaired before the vehicle returns to service. If a contract operator is used for ADA-related service, the sub-recipient must ensure the contractor notifies the sub-recipient immediately of any failure of the lift to operate in service.
- If there is no spare vehicle to take the place of a vehicle with an inoperable lift, the sub-recipient may keep the vehicle in service for no more than five (5) days if it serves an area of 50,000 or less population or three (3) days if it serves an area of 50,000 or more population.

For more information on ADA requirements, please visit the following website and subscribe to the ADA updates published by the FTA at <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/civil-rightsada>

### *Drug-Free Workplace Program*

ADOT requires each sub-recipient to maintain a drug-free workplace for all employees and have an anti-drug policy and awareness program.

The sub-recipient is required to certify it provides a drug-free workplace by:

- Publishing a *statement* notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- Establishing an ongoing drug-free awareness program to inform employees about: the dangers of drug abuse in the workplace; the agency's policy of maintaining a drug-free workplace; any available drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed upon employees for drug abuse violations in the workplace.
- Making it a requirement that each employee to be engaged in the performance of the Grant Agreement be given a copy of the statement referenced above.

Additional requirements of the sub-recipient regarding employee notification and corrective action when an employee violates drug-free workplace requirements is identified in the Grant Agreement, Section IX - Drug Free Workplace.

## **Substance Abuse Testing Requirements**

Sub-recipients only receiving Section 5310 funding are not required to have in place a drug and alcohol testing program and other extensive monitoring.

Holders of commercial driver's licenses (CDLs) who operate Commercial-class vehicles *are subject* to Federal Motor Carrier Safety Administration (FMCSA) rules for drug and alcohol testing. The vast majority of Coordinated Mobility Program funded projects use vehicles that do not require commercial licenses of drivers to operate. However, if vehicles require drivers with CDLs, FMCSA drug testing requirements apply. If your agency employs a CDL driver, please contact ADOT for additional information.



## **School Bus Requirements**

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

Providing Section 5310 vehicles for special needs schools, often referred to as schools for exceptional children, typically serving youth with mental and/or severe learning disabilities, is a popular and permitted use. In these circumstances, the applicant and sub-recipient must be aware of any other state or federal school transportation requirements that may prohibit use of a Section 5310 funded vehicle.

## **Lobbying**

Lobbying is defined as influencing or attempting to influence an officer or employee of any Federal department or agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with obtaining a federal grant, cooperative agreement, or any other federal award.

Applicants, as well as current sub-recipients, must certify that no Federal funds have been used to influence Federal employees or Federal elected officials. Sub-recipients must also certify that if non-Federal funds have been used for this purpose, then the sub-recipient has filed appropriate Federal disclosure forms of this activity.

## **Debarment and Suspension (Executive Orders 12549 and 12689)**

A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180. The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Each applicant is required to: (i) Be registered in SAM before submitting its application; (ii) provide a UEI (Unique Entity Identifier) number in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active grant award or an application or plan under consideration. ADOT may not make an award to an applicant until the applicant has complied with all applicable SAM requirements and, if an applicant has not fully complied with the requirements by the time that ADOT is ready to make an award, ADOT may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

## **Labor Protection**

Title 49 U.S.C. 5333 (b) requires that, as a condition of FTA financial assistance, fair and equitable arrangements must be made to protect the interests of employees affected by such assistance. The Department of Labor (DOL) is responsible under federal law for the administration of Section 5333(b).

Section 5333(b) conditions, as determined by the Secretary of Transportation, are not necessary and appropriate to sub-recipients of the Section 5310 program. Therefore, ADOT is not required to collect or submit information to the Department of Labor in relation to the Section 5310 program application.

## Civil Rights Contact Information

For detailed information pertaining to civil rights, including Title VI and Americans with Disabilities Act (ADA) requirements, please contact: add Civil Rights Title VI plan. Here is the link: <https://azdot.gov/sites/default/files/media/2021/01/2021-fta-title-vi-plan.docx>

### ARIZONA DEPARTMENT OF TRANSPORTATION

#### Civil Rights Office

206 South 17<sup>th</sup> Avenue, MD, Maildrop 155A, Phoenix, AZ 85007

Phone: (602) 712-8946

[CivilRightsOffice@azdot.gov](mailto:CivilRightsOffice@azdot.gov)

Contacts: Lucy Schrader or Krystal Smith

## Disadvantaged Business Enterprise (DBE)

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

### *DBE Policy*

The Arizona Department of Transportation's policy is to ensure that DBEs as defined in 49 CFR Part 26 have an equal opportunity to receive and participate in DOT-assisted contracts. To achieve this, ADOT will strive:

- To ensure nondiscrimination in the award and administration of USDOT-assisted contracts in the Department's construction, procurement and professional service contracts in the areas of highway, transit and airport financial assistance;
- To create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts;
- To ensure that the DBE participation is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are counted as DBEs;
- To help remove barriers to the participation of DBEs in USDOT-assisted contracts; and
- To assist in the development of firms that can compete successfully in the market place outside the DBE program.

### *DBE Program Compliance Statement*

Each LPA (Local Public Agency, Local for-Profit Agency, or Local non-Profit Agency) and sub-recipient must complete and have its executive officer sign a sub-recipient DBE Program Compliance Statement. By signing the statement, the LPA/sub-recipient agrees to: use solicitation language provided by ADOT defining DBE requirements for all construction, professional services, and procurement contracts; conduct post-award monitoring and reporting using the online DBE data collection and reporting system

(<https://arizonalpa.dbesystem.com>); ensure commercially useful function compliance post-award; and designate a single point of contact for DBE compliance purposes.

#### *Nondiscrimination Assurance*

Sub-recipients (including vehicle recipients) or subcontractors should not discriminate against anyone in connection with the award and performance of any USDOT-assisted contract or in the administration of its DBE program on the basis of race, color, sex or national origin.

#### *DBE Data Collection*

LPAs and sub-recipients agree to collect information regarding solicitations in which a DBE contract goal has been established. Information to collect includes: names and contact information of DBE firms that will participate in the contract; a description of the work that each DBE will perform; the dollar amount of the participation of each DBE firm participating; written and signed documentation of commitment to use a DBE subcontractor whose participation is being used to meet a contract goal; written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment; and if the contract goal is not met, evidence of good faith efforts.

#### *DBE Reporting*

LPAs and sub-recipients are to report on Coordinated Mobility funded projects (other than vehicle purchases) with competitive contracting opportunities outside the organization (such as operating, preventive maintenance and mobility management) through the Arizona Local Public Agencies DBE Reporting System at <https://arizonalpa.dbesystem.com>. Agencies must report on a monthly or quarterly basis depending on their reimbursement submissions.

#### *BECO Office Contact Information*

The Business Engagement and Compliance Office (BECO) is responsible for ensuring that ADOT, its sub-recipients, contractors and consultants achieve full compliance with all applicable federal regulations related to disadvantaged and small business inclusion, and equal and fair employment opportunities in contracting. For detailed information pertaining to Disadvantaged Business Enterprise (DBE) and Local Public Agency (LPA) Contract Management System requirements, please contact:

**ARIZONA DEPARTMENT OF TRANSPORTATION**

**Business Engagement and Compliance Office**

*LPA Sub-recipient Program Manager*

*Melanie Peterson*

1135 North 22nd Avenue, Mail Drop 154A, Phoenix, AZ 85009

Phone:(602)712-7761 Email: [LPAcontractorcompliance@azdot.gov](mailto:LPAcontractorcompliance@azdot.gov)

## ***Other Federal Requirements***

### **Accessibility**

Agency agrees that products and services provided shall be in accordance with the 42 U.S.C. Sections 12101 et seq. and DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," 49 CFR Part 37; and Joint ATBCB/DOT regulations, "Americans with Disabilities (ADA) Accessibility Specifications for Transportation Vehicles," 36 CFR Part 1192 and 49 CFR Part 38.

### **Federal Regulation Changes**

Agency shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the current FTA Master Agreement between the Arizona Department of Transportation and FTA, as they may be amended or promulgated from time to time during the term of this Project. The agency's failure to comply shall constitute a material breach of the Project. Current FTA Master Agreement can be viewed at:

<https://www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/fta-grant-agreements>

### **No Federal Government Obligations to Third Parties**

Agency agrees that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying Project, absent the express written consent by the Federal Government, the Federal Government is not a party to this Project and shall not be subject to any obligations or liabilities to the Arizona Department of Transportation, agency, or any other party (whether or not a party to the Project) pertaining to any matter resulting from the underlying Project.

### **Program Fraud and False or Fraudulent Statements or Related Acts**

Agency acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. SS 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of the Project, the agency certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, and pertaining to the underlying Project or the Federal Transit Administration (FTA) assisted Project for which the Project work is being performed. In addition to other penalties that may be applicable, the agency further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the agency to the extent the Federal Government deems appropriate.

## Appendix

### Contact Information ADOT Multimodal Planning Division Transit Contacts

<b>ARIZONA DEPARTMENT OF TRANSPORTATION</b> <b>Multimodal Planning Division</b> 206 South 17 <sup>th</sup> Avenue, MD 310B Phoenix, Arizona 85007 MPD Main Number: 602-712-7333			
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Name	Role	Telephone Number	Email Address
Jill Dusenberry	Transit Group Manager	602.712.8243	<a href="mailto:JDusenberry@azdot.gov">JDusenberry@azdot.gov</a>
Sara Allred	Assistant Transit Manager (MAG / NACOG areas)	602.712.4498	<a href="mailto:SAllred@azdot.gov">SAllred@azdot.gov</a>
Brian McCoy	5310 Program Manager (Southeast, and Western AZ))	602.712.7884	<a href="mailto:BMcCoy@azdot.gov">BMcCoy@azdot.gov</a>
Ann Cochran	Management Analyst 3 (Insurance)	602.712.7463	<a href="mailto:ACochran@azdot.gov">ACochran@azdot.gov</a>
Edmund Shepard	Management Analyst 3 (Vehicles)	602.712.8631	<a href="mailto:EShepard2@azdot.gov">EShepard2@azdot.gov</a>
Sarah Wuertz	Contract Specialist 3 (Grant Agreements/RTAP liaison)	602.712.7385	<a href="mailto:SWuertz@azdot.gov">SWuertz@azdot.gov</a>

## Website and Key Links

The website provides valuable information about ADOT's public transit programs. Dedicated web pages for the 5310 Coordinated Mobility Program can be accessed at [www.azdot.gov/5310](http://www.azdot.gov/5310) under Planning, Transit Programs and Grants, Enhanced Mobility of Seniors and Individuals with Disabilities.

District Maps for COG / MPO Contacts <https://azdot.gov/planning/contact-planning/cog-and-mpo-contacts>

MAP to enter address to determine Regional designation of Urban, Small Urban or Rural  
<https://adot.maps.arcgis.com/apps/instant/lookup/index.html?appid=b51690b2646e4ba29a20ec8fce4abbce>

Mobility Manager Contacts <https://azdot.gov/planning/transit-programs-and-grants/5310-enhanced-mobility-seniors-and-individuals-disabilities-1>

Coordinating Council on Access and Mobility (CCAM) <https://www.transit.dot.gov/coordinating-council-access-and-mobility>

Coordinating Council on Access and Mobility (CCAM) Federal Fund Braiding Guide  
<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/regulations-and-programs/ccam/about/148536/ccam-federal-fund-braiding-guide-june-2020.pdf>

E-Grants <https://egrants.azdot.gov>

"E-Grants User Guide" at [www.azdot.gov/transitguidebooks](http://www.azdot.gov/transitguidebooks)

National RTAP <http://nationalrtap.org/>

3rd Party Vehicle Inspection Form <https://azdot.gov/sites/default/files/2019/07/42-0102-vehicle-inspection-form.pdf>

Vehicle Disposal Form <https://azdot.gov/sites/default/files/media/2022/03/vehicle-disposal-request-form.pdf>

ADOT DBE Reporting System [www.arizonalpa.dbesystem.com](http://www.arizonalpa.dbesystem.com)

FTA Master Agreement <https://www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/fta-grant-agreements>

FTA ADA Newsletter Contact [fta.dot.gov/civilrights/12325.html](http://fta.dot.gov/civilrights/12325.html)

Email Addresses: Single Audit- [singleaudit@azdot.gov](mailto:singleaudit@azdot.gov)

DBE Contract Assistance - [LPAcontractorcompliance@azdot.gov](mailto:LPAcontractorcompliance@azdot.gov)

Insurance Certificate - [mlb\\_mpd@azdot.gov](mailto:mlb_mpd@azdot.gov)

## COG/MPO Regional Contacts

### CENTRAL ARIZONA GOVERNMENTS (CAG)

1075 South Idaho Road Suite 300, Apache Junction, Arizona 85119

Travis Ashbaugh, Mobility  
Manager

[tashbaugh@cagaz.org](mailto:tashbaugh@cagaz.org)

PHONE: (480) 474-9300

### CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION (CYMPO) 1971 Commerce Center Circle, Suite E, Prescott, Arizona 86301

Bryn Stoddard, Mobility  
Manager

PHONE: (928)442-5733

### FLAGSTAFF METROPOLITAN PLANNING ORGANIZATION (FMPO)

211 West Aspen Avenue, Flagstaff, Arizona 86001

Mandia Gonzales

[mandia.gonzales@metroplanflg.org](mailto:mandia.gonzales@metroplanflg.org)

PHONE: (928) 266-1293

Lyra Littner , Mobility Manager

[llittner@mountainline.az.gov](mailto:llittner@mountainline.az.gov)

PHONE: (928) 679-8960

### LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION (LHMPO) 900 London Bridge Road, Transit Building, Lake Havasu City, Arizona 86404

Justin Hembree

[justinh@lhcaz.com](mailto:justinh@lhcaz.com)

PHONE: (928) 453-2823

Felicia Mondragon, Mobility  
Manager

[fmndragon@wacog.com](mailto:fmndragon@wacog.com)

PHONE: (928) 753-1374

### MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) 302 North 1st Avenue, Suite 300, Phoenix, Arizona 85003

DeDe Gaisthea

[dgaisthea@azmag.gov](mailto:dgaisthea@azmag.gov)

PHONE: (602) 254-6300

Hezequias Rocha, Mobility  
Manager

[hrocha@azmag.gov](mailto:hrocha@azmag.gov)

PHONE: (602) 254-6300

### NORTHERN ARIZONA COUNCIL OF GOVERNMENTS (NACOG)

3130 Robert Road, Suite 1, Prescott Valley, AZ 86314

Tod Morris

[tmorris@nacog.org](mailto:tmorris@nacog.org)

PHONE: (928) 830-0127

### PIMA ASSOCIATION OF GOVERNMENTS (PAG)

1E. Broadway Blvd., Suite 401, Tucson, Arizona 85701

Genine Sullivan,  
Mobility Manager

[gsullivan@pagregion.com](mailto:gsullivan@pagregion.com)

PHONE: (520)-495-1428  
DIRECT: (520)-495-1415

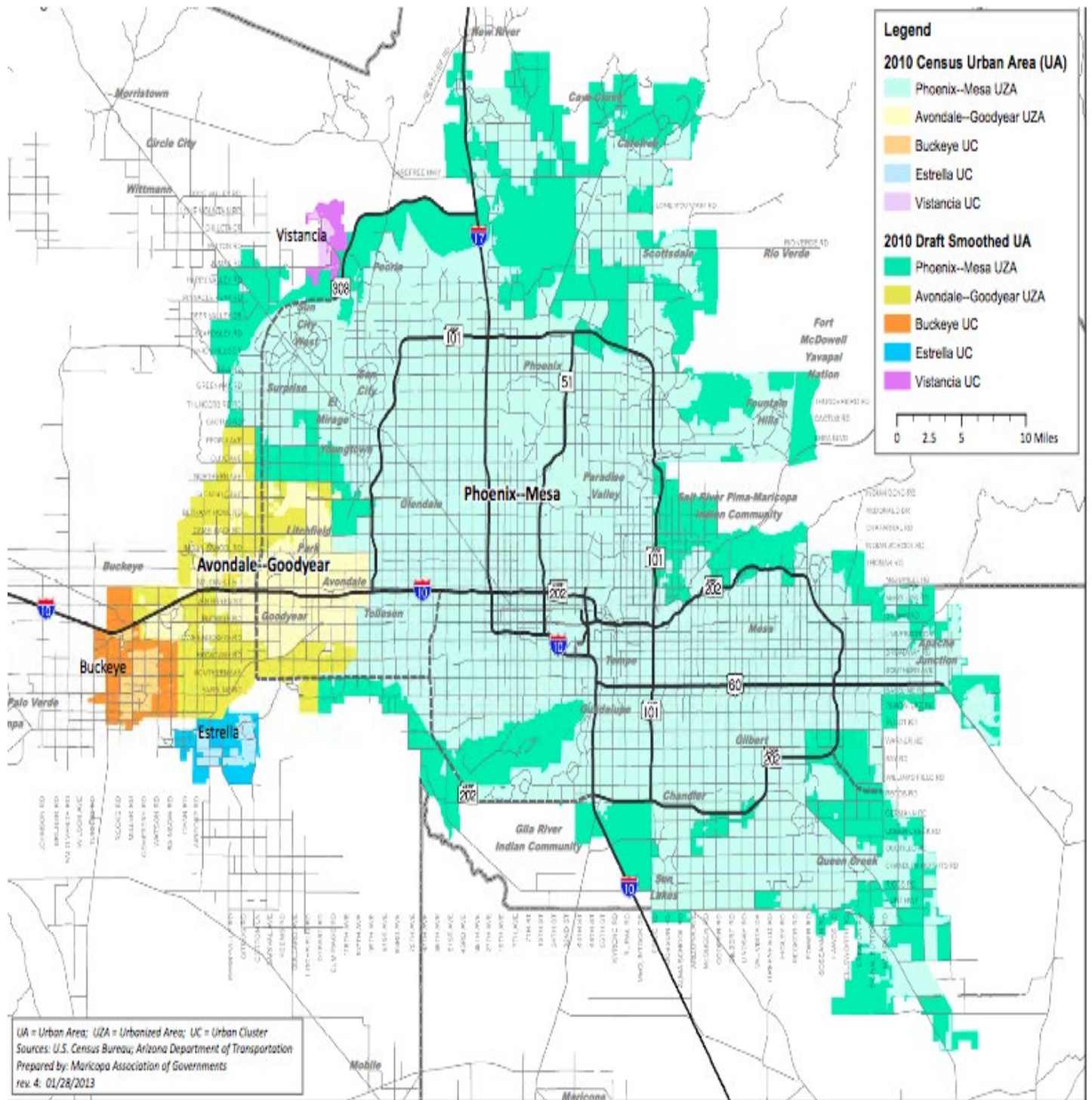
### SOUTHEASTERN ARIZONA GOVERNMENTS ORGANIZATION (SEAGO)

1403 W. Highway 92, Bisbee, Arizona 85603



Chris Vertrees	<a href="mailto:cdvertrees@seago.org">cdvertrees@seago.org</a>	PHONE: (520) 432-5301, ext. 209
Jessica Aguayo Mobility Manager	<a href="mailto:jaguayo@seago.org">jaguayo@seago.org</a>	PHONE: (520) 432-5301, ext. 215
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# MAG Urbanized Area Map



# Passenger Trip Calculation

## PASSENGER TRIP CALCULATION

**(To be used in conjunction with related application questions)**

This appendix document explains the way passenger trips are calculated for the Section 5310 program. Use the following formulas as a guideline in calculating passenger trip numbers for the application. Sub-recipients are required to track the number of passenger trips carried. Applicants for new projects may estimate the anticipated ridership using the following guidelines.

In ADOT programs a passenger “trip” is a **one-way trip**, where a passenger boards the vehicle, is taken to a destination and gets off the vehicle at the destination, discounting incidental stops such as a one minute letter drop off or a restroom break as part of a primary trip purpose.

Human service programs may require different or additional tracking and reporting standards. Please consider this when developing or updating tracking forms. In the following examples the number of individuals served is identified as this may assist in understanding how human service agency reporting requirements compare to the ADOT definition of a passenger trip.

Two options are provided for some of the calculations.

Trip Examples:

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

# Certification of Equivalent Service

The Certification of Equivalent Service can be found on the ADOT MPD Transit website at <https://www.azdot.gov/transitguidebooks> (See More Information)

## Sections 5339/5310/5311

### Certification of Equivalent Service

\_\_\_\_\_ (name of agency) certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

- (1) Response time;
- (2) Fares;
- (3) Geographic service area;
- (4) Hours and days of service;
- (5) Restrictions on trip purpose;
- (6) Availability of information and reservation capability; and
- (7) Constraints on capacity or service availability.

**Public Demand Responsive Agencies:** In accordance with 49 CFR 37.77, public funded entities operating demand responsive systems for the general public which receive financial assistance under section 18 of the Federal Transit Act must file this certification with the appropriate state program office before procuring any inaccessible vehicle. Public entities receiving FTA funds under any other section of the FTA Act must file the certification with the appropriate FTA regional office. **This certification is valid for no longer than one year from its date of filing.**

ADOT requires all participants to certify equivalent service when requesting to purchase non-ADA accessible vehicles. By signing this certification, the above-named agency is certifying that it has a mechanism in place to provide rides to individuals with disabilities. The ride must be provided in a manner equivalent to the service provided by the above-named agency to individuals without disabilities.

**All Agencies:** Attach a description of how you provide rides to individuals with disabilities.

\_\_\_\_\_

(name of authorized transit official)

\_\_\_\_\_

(title of authorized transit official)

\_\_\_\_\_

(signature)

# In-Kind Match Valuation Proposal Form

## In-Kind Match Valuation Proposal

When preparing documentation for verification of matching funds, Sub-recipients must follow the instructions provided in Section II, Part II, subsection D of the ADOT Coordinated Mobility Grant Program Guidebook. The use of this form is required for submission with an application if the applicant intends to use in-kind resources as a source of local match. One form should be completed for **each** source of in-kind match provided that it will be used as local match for the project requested.

**Legal Name and Address of the Third-Party providing an In-Kind Contribution:**

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**Total Value of Third-Party In-Kind Donation for Eligible Project Purposes:** \$ \_\_\_\_\_

In the chart below for **Third-Party In-Kind Contributions**, identify or describe the (a) item being donated, whether it is a *Good* or a *Service*, mark “G” for Good and “S” for service, (b) *nature* of the goods and/or services to be donated to the project during the grant period, (c) *when* the goods and/or services will be donated during the proposed grant period, and (d) the *value* of the goods and/or services. Organizations including the services of affiliated volunteers must follow the third-party verification requirements herein, for *each individual volunteer*.

### Third-Party In-Kind Contributions

Is this a Good or Service? (G or S)	Description of the Goods and/or Services	When the Goods and Services will be Donated (month/year)	Fair Market Value (FMV) of Goods and/or Services
			\$
			\$
			\$
			\$
	<b>Total Value</b>		\$

**Will the third-party in-kind contribution be provided to the applicant during the proposed grant period?**

\_\_\_\_\_ Yes \_\_\_\_\_ No

**Describe how the Fair Market Value for each item in the table listed above was determined.** Provide any necessary back-up documentation with this form that shows how the FMV was determined.

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## 5310 / 5311 Transit Grant Agreement Insurance Checklist

### INSTRUCTIONS/TIPS/INFORMATION TO EASE THE INSURANCE PROCESS

Share this Checklist and the insurance requirements in your Agreement with your risk manager, insurance broker, or insurance agent.

Gather the documents described at each checkbox below (you must provide ADOT with a copy of each)

Sign the Checklist, attach required documents, and submit by email to ADOT Risk Management at [mlb\\_mpd@azdot.gov](mailto:mlb_mpd@azdot.gov). Please include the Agency Name and Agreement Number in the subject line. The body should say, "Please Review."

### CERTIFICATE OF INSURANCE (OR EVIDENCE OF SELF-INSURANCE)

Certificate of Insurance

**OR**

Evidence of self-insurance (include required additional insured, waiver, primary/non-contributory language)

Subrecipient Initials\_\_\_\_\_

\*Certificate Holder should read: The State of Arizona or ADOT, 1324 N. 22<sup>nd</sup> Ave., Phoenix, AZ 85009

### COMMERCIAL GENERAL LIABILITY

**Additional Insured** endorsement form / policy section / self-insurance language

**Waiver of Subrogation** endorsement form / policy section / self-insurance language

**Primary and Noncontributory** endorsement form / policy section / self-insurance language

Subrecipient Initials\_\_\_\_\_

### AUTOMOBILE COVERAGE

**Additional Insured** endorsement form / policy section / self-insurance language

**Waiver of Subrogation** endorsement form / policy section / self-insurance language

**Physical Damage coverage** - Certificate of Insurance indicates maximum \$5000 collision and comprehensive deductible (does not apply to evidence of self-insurance)

Subrecipient Initials\_\_\_\_\_

### WORKER'S COMPENSATION

**Waiver of Subrogation** endorsement form or self-insurance language

Subrecipient Initials\_\_\_\_\_

**Subrecipient Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

ADOT SAFETY AND RISK MANAGEMENT 9/2021