

Corpus Christi Regional Transportation Authority

Program Management Plan

**Federal Transit Administration
Section 5310**

ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM

In conformance with the requirements of FTA Circular 9070.1G

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PROGRAM MANAGEMENT PLAN

Introduction

This Program Management Plan (PMP) describes Corpus Christi Regional Transportation Authority (CCRTA) policies and procedures for administering the Federal Transit Administration's (FTA's) Section 5310 Transportation for Enhanced Mobility of Seniors and Individuals with Disabilities program in accordance with the requirements in FTA Circular 9070.1G.

This program (49 U.S.C. 5310) provides formula funding to states for the purpose of assisting private nonprofit groups in meeting the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. Funds are apportioned based on each state's share of the population for these two groups. Formula funds are apportioned to direct recipients; for rural and small urban areas, this is the state Department of Transportation, while in large urban areas, a designated recipient is chosen by the governor. Direct recipients have flexibility in how they select sub-recipient projects for funding, but their decision process must be clearly noted in a state/program management plan. The selection process may be formula-based, competitive or discretionary, and sub-recipients can include states or local government authorities, private non-profit organizations, and/or operators of public transportation.

The goal of the program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. This is done by providing funds for programs to serve the special needs of transit-dependent riders beyond the traditional public transportation services and Americans with Disabilities (ADA) complementary Paratransit services.

FTA apportions funds for urbanized and rural areas based on the number of seniors and individuals with disabilities. Of the total FTA apportionments, 60 percent is allocated to designated recipients in large urbanized areas; 20 percent to the states for small urbanized areas; and 20 percent to the states for rural and small urban areas fewer than 50,000 in population. CCRTA will retain 10 percent of each year's apportionment for expenses related to administration, planning, and technical assistance associated with the program.

1. Program Goals and Objectives

The goal of this Program Management Plan (PMP) is to describe CCRTA's process for managing the FTA 5310 program within the Corpus Christi urbanized area. As part of this process, CCRTA intends to fulfill the following objectives:

- Identify, contact and inform public agencies, community organizations, non-profit organizations providing service for seniors and persons with disabilities, as to the availability of 5310 program grant funds;
- Establish, promote and outline processes for soliciting and evaluating 5310 program funding proposals;
- Assure that proposals selected for funding are responsive to one or more of the needs identified in a coordinated plan;

- Establish the requirements for the selected projects to enter into grant agreements with CCRTA; and,
- Summarize the requirements for managing and reporting the progress for implementing the funded projects.

This PMP is a living document. It will be updated as necessary to incorporate any expansions and enhancements of the 5310 program, as well as any revisions to the program's management, requirements or guidelines.

2. Roles and Responsibilities of CCRTA

CCRTA is the public transportation provider in the Corpus Christi Urbanized Area and is the Designated Recipient for 5310 funds allocated within the Corpus Christi Urbanized area. CCRTA's role includes administering, managing and programming these funds, and selecting and monitoring the implementation of funded projects. CCRTA has a responsibility to announce a Call-for-Projects and provide technical assistance in the completion of grant applications. In addition, it is CCRTA's responsibility to ensure that all interested parties have a fair and equitable opportunity to apply; and if selected, receive a fair and equitable distribution of funds. Once funds are distributed, CCRTA is to ensure that all selected grant recipients comply with guidelines as defined by the FTA and any state or local authority. CCRTA's responsibilities as the Designated Recipient of funds from the 5310 program are relevant to the Coordination Plan and are briefly described below.

3. Coordination Plan

Coordination with stakeholders is heavily emphasized in the Coordinated Plan. This plan lays out various recommended approaches for maximizing the potential benefits that can be derived through the coordination of services.

The CCRTA also emphasizes the coordination of services among the region's stakeholders and eligible sub-recipients of funding from the 5310 program. Accordingly, applicants must describe their project level coordination arrangements prior to being considered for grant funding.

CCRTA will support coordination by:

- Announcing a Call-for-Projects through local media, local newspapers, CCRTA website and other media, to increase awareness and understanding of the 5310 program;
- Designing and implementing an inclusive selection process;
- Involving a small group of stakeholders or service recipients to review and provide feedback on the applications (if required);
- Providing technical assistance to applicants and sub-recipients; and
- Remaining in regular contact with the FTA and providing timely reports as determined by FTA guidance.

Although CCRTA is not directly responsible for developing the coordinated plan, CCRTA is responsible for ensuring that the plan from which a selected project was included was developed in compliance with the statutory requirements.

4. Eligible Sub-recipients

Under the federal guidelines, the following entities are eligible to apply for 5310 funding:

- Local governmental agencies
- Public and private transportation providers
- Social service agencies
- Tribal governments
- Non-profit organizations

To be eligible for funding from the 5310 programs, proposed projects must be located or either have an origin or a destination within the Corpus Christi urbanized area.

All eligible Sub-recipients must have a valid data universal number system (DUNS number) <http://www.dnb.com/duns-number.html>

5. Eligible Activities and Projects

Section 5310 funds are available for capital and operating expenses to support the provision of transportation services that meet the specific needs of seniors and individuals with disabilities.

In addition to the types of projects eligible under the traditional Section 5310 program and the former New Freedom program, a new eligible activity is public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary Paratransit. MAP-21 requires that not less than 55 percent of a recipient's Section 5310 funds be available for capital projects that are "traditional" Section 5310 projects. A recipient may use more of its Section 5310 funds for these capital projects, but may not use less.

Not less than 55 percent, of the amounts apportioned to CCRTA, shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate.

Eligible projects for the required 55 percent of capital projects include the capital cost of contracting for the provision of transit services for seniors and individuals with disabilities and other specialized shared-ride transportation services. The purchase of rolling stock for or the acquisition of ADA-complementary Paratransit service are eligible capital expenses that may also qualify as public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate, provided the projects are carried out by eligible sub-recipients and these projects are included in the area's coordinated plan.¹

In addition to the above required capital projects, up to 45 percent of an area's apportionment may be utilized for additional public transportation projects that:

- a. Exceed the ADA minimum requirements,

¹ CCRTA does not fund the purchase of vehicles/rolling stock

- b. Improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary Paratransit service, or
- c. Provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Such projects must be targeted toward meeting the transportation needs of seniors and individuals with disabilities, although they may be used by the general public. It is not sufficient that seniors and individuals with disabilities are included (or assumed to be included) among the people who will benefit from the project. FTA encourages projects that are open to the public as a means of avoiding unnecessary segregation of services.

CCRTA will clearly identify the projects that are part of the required 55 percent capital projects as part of the grant activity line item narrative descriptions. Many projects may be eligible under both the required and optional criteria, but a discrete set of projects that meet the required criteria constituting at least 55 percent of the grant amount, exclusive of administrative expenses, will be identified.

Alternatively, the grant application may assign less than the required 55 percent to such projects if other grants in the same fiscal year utilize more than the required 55 percent, so long as at least 55 percent of the total annual apportionment will be used for required projects. In such cases, a list of the other grants and the funding will be included within the new grant application.

Eligible Expenses - Capital Expenses, Traditional 5310 (55% minimum)

Funds for the Section 5310 program are available for capital expenses to support public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Examples of capital expenses that meet the 55 percent requirement, which must be carried out by an eligible recipient or sub-recipient, include, but are not limited to: ²

- a. Rolling stock and related activities for Section 5310-funded vehicles.
 - (1) Vehicle rehabilitation or overhaul;
 - (2) Preventive maintenance;
 - (3) Radios and communication equipment; and
 - (4) Vehicle wheelchair lifts, ramps, and securement devices.
- b. Passenger facilities related to Section 5310-funded vehicles
 - (1) Purchase and installation of benches, shelters, and other passenger amenities.
- c. Support facilities and equipment for Section 5310-funded vehicles
 - (1) Extended warranties that do not exceed the industry standard;
 - (2) Computer hardware and software;
 - (3) Transit-related intelligent transportation systems (ITS);

² CCRTA does not fund the purchase of vehicles/rolling stock

- (4) Dispatch systems; and
- (5) Fare collection systems.

d. Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish criteria for determining cost effectiveness in accordance with FTA regulations, "Capital Leases," 49 CFR part 639 and OMB Circular A-94, which provides the necessary discount factors and formulas for applying the same;

e. Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary Paratransit services when provided by an eligible recipient or sub-recipient as defined above. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;

f. Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinate usage of vehicles with other nonprofits, but not the operating costs of service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:

- (1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
- (2) Support for short-term management activities to plan and implement coordinated services;
- (3) The support of state and local coordination policy bodies and councils;
- (4) The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;
- (5) The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;
- (6) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and

- (7) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of geographic information systems (GIS) mapping, global positioning system technology, coordinated vehicle scheduling, dispatching and monitoring technologies, as well as technologies to track costs and billing in a coordinated system, and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense).

g. Capital activities (e.g., acquisition of services) to support ADA-complementary Paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient/sub-recipient as defined above and is included in the coordinated plan.³

Eligible Expenses – Capital and/or Operating (45% maximum)

a. Up to 45 percent of CCRTA's annual apportionment may be utilized for:

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

Since the 55 percent requirement is a floor, and not a ceiling, the activities listed above are eligible expenses for all funds available to a recipient under Section 5310. For example, mobility management and ITS projects may be eligible under both categories; the difference to note, in order for the project to qualify toward the 55 percent requirement, is that the project must meet the definition of a capital project, be specifically geared toward the target population, and carried out by an eligible sub-recipient, which is limited for this category of projects. The list of eligible activities is intended to be illustrative, not exhaustive. FTA encourages recipients to develop innovative solutions to meet the needs of seniors and individuals with disabilities in their communities and discuss proposed projects with FTA regional staff to confirm eligibility.

b. Public Transportation Projects that Exceed the Requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA.

³ CCRTA does not fund the purchase of vehicles/rolling stock

(1) Enhancing Paratransit beyond minimum requirements of the ADA. ADA-complementary Paratransit services can be eligible under the Section 5310 program in several ways:

- a) Expansion of Paratransit service parameters beyond the three-fourths mile required by the ADA;
- b) Expansion of current hours of operation for ADA Paratransit services that are beyond those provided on the fixed-route services;
- c) The incremental cost of providing same day service;
- d) The incremental cost (if any) of making door-to-door service available to all eligible ADA Paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
- e) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
- f) Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations.,
- g) Installation of additional securement locations in public buses beyond what is required by the ADA.

(2) Feeder services. Accessible "feeder" service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary Paratransit service is not required under the ADA.

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

(1) Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Section 5310 funds are eligible to be used for accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail, and rapid rail. This may include:

- a) Building an accessible path to a bus stop that is currently inaccessible, including curbcuts, sidewalks, accessible pedestrian signals, or other accessible features;

b) Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;

c) Improving signage or wayfinding technology; or

d) Implementation of other technology improvements that enhance accessibility for people with disabilities including ITS.

(2) Travel training. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.

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

(1) 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 used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary Paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (federal/local) match.

(2) Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.

e. Limits on operating assistance. Given the 55 percent requirement for traditional Section 5310 capital projects, a recipient may allocate up to 45 percent of its apportionment for operating assistance. However, this funding is limited to eligible projects as described in 49 U.S.C. 5310(b)(1)(B-D) and described in this section (b, c, and d), above. Operating assistance for required ADA complementary Paratransit service is not an eligible expense.

6. Local Funding (Match) Requirements

5310 funds are eligible to support up to 80 percent of the cost of capital projects and up to 50 percent of the net operating costs. FTA grants used for acquiring vehicles to comply or maintain compliance with the ADA or the Clean Air Act can cover 85 percent of net project costs.⁴ FTA grants for vehicle related equipment or facilities needed to comply with or maintenance compliances with the ADA or Clean Air Act is at 90 percent of net project costs of the facilities attributable to the compliance with the Act (the incremental cost).

The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund, reserve, and a service agreement with a state or local service agency, private social service organization or new capital. Some examples of these sources of local match include:

- State or local appropriations
- Dedicated tax revenues
- Private donations
- Revenue from service contracts
- Transportation Development Credits (TDCs)
- Net income generated from advertising and concessions

Non-cash share:

- Donations
- Volunteered services
- In-kind contributions are accepted with respect to the following:
 - Eligible to be counted toward local match as long as the value of each is documented and supported;
 - represents a capital cost which would otherwise be eligible under the program;
 - and included in the net project cost in the project budget.

The source(s) of local funding must be identified in the initial 5310 grant application. The use and certification of Transportation Development Credits (TDCs) is the sole responsibility of the sub-recipient in most cases. TDC Certification documentation must be provided to CCRTA and CCRTA must include the documentation in the FTA TrAMS grant application. CCRTA will assist sub-recipients in obtaining the TDC Certification documentation from the Texas Department of Transportation (TxDOT) and act in behalf of the sub-recipient when TDCs are requested.

7. Funding Distribution and Project Selection Criteria

7.1 Application Cycle

MAP-21 requires that projects and programs, implemented with 5310 program funding, to be the outcome of a selection process that is fair and equitable. The FTA provides some flexibility with the process itself. The selection process may be held annually or at intervals up to three years, as determined by CCRTA and based on local needs. CCRTA will select projects as needed to avoid the lapsing of any funds that are not obligated in a timely manner.

⁴ CCRTA does not fund the purchase of vehicles/rolling stock

5310 funds need to be obligated within the next two federal fiscal years following the fiscal year in which the funds were appropriated by Congress. In this regard, the federal fiscal year starts on October 1 and ends on September 30 of the following year. Any 5310 funds remaining from prior fiscal year in which the selection will take place and those funds expected to be made available within the following fiscal year. Accordingly, 5310 funds from up to three consecutive fiscal years could be made available and CCRTA will select projects and programs at intervals not to exceed this time frame. This approach will allow for the development of more viable and longer-term projects, reduce the administrative cost of the programs, and allow for other efficiencies.

CCRTA intends to authorize project expenses annually, contingent upon the levels of federal appropriations expected to be made available by Congress each fiscal year. The awarding and programming of prior 5310 program grant funds will be prioritized for obligation in the most current process to avoid lapsing funds. Future selections will be contingent on the availability of funds and approval of new legislation by Congress.

7.2 Application, Evaluation and Scoring

CCRTA is responsible for the selection of projects, and may, but is not required to, include a competitive selection process. If CCRTA decides to conduct a competitive solicitation for projects, the CCRTA will conduct the solicitation, and will select projects on an impartial, objective, fair, and equitable basis.

7.3 Equity of Distribution

The process for selecting projects will be widely publicized and disseminated directly to the agencies providing or needing specialized transportation services in the Corpus Christi urbanized area.

Information relevant to the selection process and application guidelines and forms, will be made available both at CCRTA's website (www.ccrta.org). As part of the application process, CCRTA will provide technical assistance to agencies that may not be experienced in the preparation of transportation project proposals, including social agencies providing or funding transportation services.

7.4 Project Approval and Award

Proposals may be selected based on but not limited to project mobility, effectiveness, and benefit to urbanized area, program reach and population served. Once selection of projects and awarding of funds is finalized, CCRTA staff will submit the list of recommended projects to the CCRTA Board of Directors for approval. The next step will be to submit the grant to the FTA for approval.

7.5 Timeline

Award notification for the 5310 programs selected will be transmitted to those agencies. Agencies that were not recommended for funding will be sent letters to inform them of the results of the evaluation process. Sub-recipients recommended for funding will be sent an award notification letter and a Contract Agreement between CCRTA and the sub-recipient will be prepared for execution. The Contract Agreement will indicate the date of the grant approval by the FTA and the effective date for project implementation.

Overall, it may take up to 12 months from the announcement date of the call-for-projects to the execution of the Contract Agreement. This would depend on funding availability, the number of applications received and the type of selection process. The following is a tentative schedule using a competitive Call for Projects:

- **Call for Projects:** posting information at the websites, delivering letters to list of agencies on file and conducting additional outreach through local media. It is the responsibility of eligible applicants to keep track of the information posted on CCRTA's website and to provide and/or their contact information with CCRTA.
- **Complete Applications Due:** Typically, 30-45 days after release of Call for Projects.
- **Evaluation of Applications** (1-2 weeks after applications are due): CCRTA may contact the applicant to inquire about the contents of the proposal and may request additional information or clarification. The applicant may also be required to provide an oral presentation of its proposal to the evaluation team.
- **Award Notification** (1 month after Evaluation of Applications): a letter will be sent to successful applicants with information on the Contract Agreement and source of the federal award. It will also include a request to confirm the acceptance of the award and the availability and source of the local match in writing.
- **FTA Grant Application and Approval** (1-3 months after Award Notification): CCRTA staff will prepare and submit the grant application to the FTA for approval. Due to the certifications needed, including those from the United States Department of Labor, it may take up to three months for FTA's final approval.
- **Contract Agreement** (1 month after FTA grant approval): the time required for execution of the Contract Agreement between the sub-recipient of funds from the 5310 program and CCRTA will depend on the availability of supporting documentation from the sub-recipient (such as clear scope of work, timeline for project implementation, project item line budget and cash flow) and its readiness to accept its terms and conditions.
- **Effective Date of Reimbursable Activities:** The Contract Agreement specifies the effective date if its terms and conditions, including the period of reimbursable activities. In this regard, CCRTA will reimburse the sub-recipient for any eligible expenditure incurred (after deducting the required local match) since the effective date of the Contract Agreement. Any expenditure incurred by the sub-recipient prior to the execution of the Contract Agreement with CCRTA is the sub-recipients' responsibility.

The CCRTA is not committed to reimburse any expenditure if the Contract Agreement between the agencies is ultimately not executed, the project is cancelled, the federal funding is not available, or the FTA does not approve the grant application, among other possible scenarios.

7.6 Sub-recipients Monitoring

CCRTA will coordinate a sub-recipient orientation workshop after the funding award to provide technical assistance on the process that would need to be followed and the federal requirements that would have to be met to receive the federal funds. CCRTA will also schedule regular meetings with the sub-recipients to discuss issues or concerns regarding their projects and to provide assistance during implementation to ensure projects are consistent with the funding agreement. Sub-recipients will also be required to provide quarterly progress reports and an annual report

during the period in which they invoice for eligible activities until grant close-out. In this regard, sub-recipients need to keep track of the performance measures identified for their projects in the Contract Agreement.

Sub-recipients would also need to provide supporting documentation when invoicing CCRTA for expenses incurred. Sub-recipients will not be paid in advance of costs incurred. Instead, funds from the 5310 programs will be paid to the sub-recipient on a reimbursement basis only. CCRTA will monitor closely all activities by the sub-recipient and take corrective actions to resolve any non-compliance issues, including informing the sub-recipients if they are at risk of losing any of the funding that was awarded. The sub-recipients need also to comply with the auditing requirements specified in the Contract Agreement.

7.7 Administration of 5310 Programs

The following summarizes the responsibilities of CCRTA as the designated recipient:

- Assists sub-recipients or potential sub-recipients with technical support to:
 - I. Establish project eligibility;
 - II. Manage and administer projects;
 - III. Understand grantee (CCRTA) and federal compliance policies
 - a. Procurement guidelines
 - b. Required matching funds
 - IV. Understand the conditions on how federal grant funds can be spent.

One of the primary means of assistance can be sponsoring and hosting pre-proposal seminars prior to call-for-projects. CCRTA may host a grantee introduction seminar for all new sub-recipients after each selection process. The meeting will allow CCRTA the opportunity to discuss with all of the new sub-recipients the general and specific performance goals to be achieved, their reporting, the administrative responsibilities and CCRTA's standardized invoicing practices.

In order to clarify the goals of each project and assist the sub-recipients in the development of good progress reporting and accounting practices, CCRTA will meet individually with each of the sub-recipients before the beginning of grant expenditures. The meetings will include, but are not limited to the following actions:

- Ensures that sub-recipients adhere to the FTA Master Agreement, CCRTA Contract Agreement, and other federal and state requirements, as applicable, to ensure federal funds are used according to the established contractual requirements. This activity will be accomplished with site visits and review of sub-recipients' records.
- Seeks from the sub-recipients an annual signed certification that affirms sub-recipient's compliance with the standard terms and conditions governing the administration of projects funded with federal dollars awarded by the FTA through CCRTA, as described on the Contract Agreement or the FTA Master Agreement. This information is provided to the auditors as part of CCRTA's compliance monitoring effort.
- Provides the Program of Projects funded with the 5310 program to the MPO for inclusion in the Transportation Improvement Program.
- Prepares a summary of the funds available for distribution upon approval of the federal budget for the federal year that starts October 1st and corresponding federal

transportation appropriations sometime thereafter and their publication in the Federal Register.

- Initiates the development of the grant applications for the FTA and upon FTA's award, initiates the funding agreements with the sub-recipients.
- Coordinates regular workshops or meetings with sub-recipients to ensure agencies have the technical capabilities to assist their customers with transportation needs and to manage their projects.
- Organizes and annual workshop for the region's stakeholders to review project results, evaluate overall program accomplishments, and discuss opportunities for improvements. Unsuccessful applicants from previous call-for-projects cycles will also be contacted and invited to the workshop to familiarize themselves with the grant programs, the development of a successful application, and the implementation of projects and programs funded by the 5310 programs. Unsuccessful applicants will also have the opportunity to meet with CCRTA staff.
- Assures sub-recipients development performance measures for each 5310 funded project to monitor and report the benefits of the federal investment.
- CCRTA will maintain good working relationship and coordination with the federal, state, regional, and local agencies regarding human services transportation projects and programs funded with the 5310 funds.
- Analyzes federal, state and local legislation and policies relevant to the 5310 program.
- Makes recommendations to the CCRTA Board of Directors for improvements in managing and administering the 5310 programs.
- Serves as the point of contact for any activities related to the 5310 programs, such as coordinating the reviews and audits performed by the FTA.

8. Transfer of Funds

CCRTA has no provision to transfer 5310 funds to other programs at this time.

9. Private Sector Participation

The FTA requires that local recipients provide private for-profit transit and paratransit operators a fair and timely opportunity to participate to the maximum extent feasible in the planning and provision of proposed transportation services. Therefore, each applicant for funds from the Corpus Christi Urbanized Area's Section 5310 program must make efforts to comply with this policy and provide documentation of these efforts in its application.

Applicants who utilize in-house resources or other methods to deliver projects must demonstrate that they made reasonable efforts to include participation by private for-profit operators if applicable.

10. Civil Rights, Section 504, and ADA Compliance

CCRTA requires sub-recipients to document that they distribute FTA funds without regard to race, color, national origin, disability or discrimination against disadvantaged business enterprises among applicable civil rights requirements. Not all applicable civil rights requirements are discussed in the PMP.

CCRTA complies with FTA's Title VI requirements in the following manner:

- i. Provision of an annual Title VI certification and assurance;
- ii. Development of Title VI complaint procedures;
- iii. Record keeping of all Title VI investigations, complaints and lawsuits;
- iv. Provision of meaning access to persons with Limited English Proficiency;
- v. Notification to beneficiaries of protection under Title VI;
- vi. A requirement that each sub-recipient develops a Title VI program or becomes part of CCRTA's submittal of its Title VI program to the FTA's regional civil rights officer once every three years.

In addition, CCRTA also complies with:

- i. The Equal Employment Opportunity (EEO) requirements of Executive Order 11375
- ii. FTA's Disadvantage Business Enterprise (DBE) program requirements

Within each of these broad categories are specific requirements for survey and other data collection, analysis and information distribution that cover transportation programs, construction programs, transit service planning, operations and service/fare changes.

CCRTA's promotion, administration and distribution of information and funding relevant to the 5310 programs is consistent with CCRTA's Title VI Policy, which is made part of this document by reference.

In order to fulfill Section 504 obligations, CCRTA plans on working closely with its sub-recipients to ensure the goals of their federal 5310 grants are being met. In order to track this progress, CCRTA will review each submitted invoice and insure that all required backup material is attached and correct in order to validate funds spent, work to resolve any potential ineligibility issues with any sub-recipient and obtain the return of any funds paid out that have been found to have been ineligible. In addition, CCRTA will review all quarterly and annual reports to ensure consistency with the terms of the federal grant and the Contract Agreements. Finally, CCRTA will make annual site visits to each sub-recipient to ensure purchased items, service and/or training funded by the federal grant are in full service, being maintained as per manufacturer's recommendations and are being used to meet the performance measures set in the Contract Agreement and in federal guidelines.

CCRTA will evaluate all projects receiving grant funds for compliance with all relevant ADA laws, regulations and policies. Moreover, CCRTA will work with sub-recipients to provide technical assistance.

CCRTA requires sub-recipients recommended for federal funding submit all project appropriate FTA certifications and assurances prior to contract execution and annually thereafter. CCRTA will not execute any grant contract without having first received these items. These include, but are not limited to:

- Standard Assurances
- Nondiscrimination Assurances

Reporting will be prepared and submitted to the FTA. All appropriate FTA clauses, including all applicable civil rights clauses, will be included in contract agreements. During any recipient and contractor reviews, inspectors will verify compliance with Civil Rights issues such as discrimination, employment, complaints, and accessibility of services.

11. Management of 5310 Programs

The following describes the activities to be performed by CCRTA to ensure federal funds are not lost (lapsed) to the region. The activities described below are part of the oversight and project management activities necessary to ensure that projects funded with 5310 funds are implemented in accordance to the FTA program guidelines and funding agreements.

- Monitor expenses and reimbursements to sub-recipients to ensure compliance with the federal grant award and the Contract Agreement.
- Work with CCRTA's Finance Department to include project-related information in CCRTA's financial system, such as project identification number, grant number, amount and funding sources. This information is needed for accounting and monitoring of project funding and expenses.
- Review sub-recipient invoices for accuracy and eligibility, ensure that the required documentation is on file and payments are made as approved.
- Compile and distribute FTA procurement guidelines to all sub-recipients. Work with all grantees to analyze, evaluate and answer any particular procurement questions they may have relevant to their project(s).
- Prepare quarterly status progress reports, financial reports and report to FTA's Transportation Electronic Award and Management System (TrAMS) prior to the deadlines.
- Monitor, through yearly (or more often) site visits, project implementation activities and ensure compliance with federal and contractual requirements.
- Analyze project activities and determine if any changes to the budget, scope or schedule are required. Accordingly, initiate and prepare any needed grant and Contract Agreement amendments prior to requesting FTA's approval to grant revisions.
- Analyze monthly or quarterly project expenses and reimbursements from the FTA and reconcile with FTA's TrAMS system for accuracy.
- Prepare and file grant budget revisions.
- Evaluate, prepare and file grant and Contract Agreement closeout documents.
- Work with sub-recipients to set performance measures through the life of the project to track its effectiveness and progress as described in Section 7.6 and in the Contract Agreement.

12. Other Provisions

Procurement

When procuring property, supplies, equipment, or services with funds from an FTA grant, sub-recipients must comply with FTA procurement requirements at 49 CFR part 18 and 19 (as applicable) and guidance contained in the current FTA Circular 4220.1F.

Financial Management

CCRTA is responsible for managing all grants, contracts and interagency contracts to ensure expenditures comply with state and federal rules and regulations. Financial management responsibilities include the following:

- Ensuring transactions are processed in a timely manner;
- Accounts are balanced and well documented;
- Investigating and resolving accounting issues to ensure compliance with state and federal rules and regulations;
- Managing documentation entered into CCRTA's database relative to individual grants, contracts, or interagency agreements;
- Submitting quarterly federal financial report; and
- Rectifying and closing out FTA grants upon project completion.

All systems and procedures for financial management are in compliance with 49 CFR 18.20, the "Common Rule".

Property Management

CCRTA maintains a permanent vehicle record for each vehicle purchased with Section 5310 funds in its Fixed Asset System. CCRTA ensures that all equipment used by sub-recipients purchased with federal funds is used for the program or project for which it was acquired. In the event sub-recipients, no longer need equipment purchased with federal funds and useful life remains, sub-recipient must work with CCRTA Finance Department staff to transfer the equipment.

Vehicle Use

FTA encourages maximum use of vehicles funded under the Section 5310 program. Consistent with the requirements of 49 CFR parts 18 and 19, vehicles are to be used first for program-related needs for which a Section 5310 grant is made and then to meet other federal programs or project needs, providing these uses do not interfere with the project activities originally funded.

If the vehicle is no longer needed for the original program or project, the vehicle may be used in other activities currently or previously supported by a federal agency. Vehicles may be used for the following:

Section 5310 Project and Program Purposes

Sub-recipients should consider how best to meet the needs of all seniors and people with disabilities in a particular community in the recipient's project selection process. The program must provide for maximum feasible coordination with transportation services assisted by other

federal sources. Sub-recipients should be encouraged to the extent feasible to also provide service to seniors and people with disabilities not affiliated with their agency, as well as to the general public, on an incidental basis if such service does not interfere with transportation services for seniors and people with disabilities. In some situations it may be appropriate to provide Section 5310 assistance to an agency to provide transportation exclusively to its own clients, but even in situations in which it is not feasible for the agency to provide services to those in the community beyond its own clients, that agency must, when practicable, make the vehicle itself available to provide transportation service to other seniors and people with disabilities at times the agency is not using the vehicle for grant-related purposes. The recipient shall use the vehicle in the project or program for which it was acquired as long as needed, even if the project does not continue to receive federal funding.

Other Federal Programs or Project Purposes

During the period the vehicle is used to serve the project or program needs for which it was acquired, the recipient or sub-recipient shall make it available for use on other projects or programs, as long as such other use does not interfere with the service for which the vehicle was originally acquired. First preference for such other use will be given to other projects or programs sponsored by FTA, and second preference will be given to projects or programs sponsored by other federal agencies. Finally, vehicles may be used by non-federally funded providers, first to meet the needs of seniors and people with disabilities, and then to serve the transportation needs of the general public on an incidental basis.

When No Longer Needed for Original Project or Program Purposes

If the original recipient or sub-recipient no longer needs the vehicle for the purposes for which it was acquired, the state or designated recipient may choose to keep the vehicle in use for Section 5310 program purposes by transferring the vehicle to another designated recipient or sub-recipient. The transfer may be shown in the POP for any active grant. It does not have to be in the grant under which the vehicle was originally funded. Once the vehicle is no longer needed for Section 5310 program purposes, the vehicle may be used first in connection with other FTA-sponsored activities, and then for activities sponsored by other federal agencies.

For Meal Delivery

Transit service providers receiving assistance under this section may coordinate and assist in providing meal delivery services for homebound people on a regular basis if the meal delivery services do not conflict with the provision of transit services or result in a reduction of service to transit passengers. The number and size of vehicles applied for under Section 5310 must be determined only by the number of passengers to be transported, not meal delivery capacity. Section 5310 funds may not be used to purchase special vehicles to be used solely for meal delivery or to purchase specialized equipment such as racks or heating or refrigeration units related to meal delivery.

Maintenance

Sub-recipients must keep equipment and facilities acquired with federal assistance in good operating order. This includes maintenance of vehicles, equipment, and facilities. Every recipient must have a maintenance plan. The maintenance plan should establish the means by which the grantee will meet such goals and objectives.

Sub-recipients will be required to service the vehicle(s) equipment, and facilities at a minimum, in accordance with the maintenance schedules, and to keep records to show that service was completed. Maintenance requirements and insurance coverage must be adequate to protect the federal interest.

During an annual inspection, and/or audit, maintenance records will randomly be picked to be reviewed to ensure compliance with these provisions and all applicable FTA requirements.

Disposition

Sub-recipients should follow state laws and procedures for disposing of equipment. States are not required to return to FTA proceeds from the disposition of equipment, regardless of the fair market value at the time the equipment is sold, but should follow their own procedures regarding the use of proceeds, so long as the proceeds remain in use for public transportation purposes. This applies to all equipment currently in use that was purchased by states with Section 5310 funds. This blanket disposition instruction satisfies the provision of 49 CFR part 19 requiring private nonprofit organizations to seek disposition instructions from the federal awarding agency.

All other designated recipients and their sub-recipients must follow the disposition procedures established in part 18 of the common rule at 49 CFR 18.32(e). Designated recipients are not required to return to FTA proceeds from the disposition of equipment where the fair market value of the per unit item being disposed of is less than \$5,000. If the per unit fair market value exceeds \$5,000, FTA will calculate the amount of proceeds it is owed based on the approved disposition method applied.

Recipients will follow the useful life requirements referenced in the current FTA Circular 5010 (<https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/third-party-contracting-guidance>).

Accounting

Sub-recipients must establish a set of accounts in which all transit related costs, revenues and operating sources are recorded and clearly identified, easily traced and substantially documented. All accounting practices applied and all records maintained must be in accordance with generally accepted accounting principles.

AUDIT

Sub-recipients are responsible for ensuring that audits are performed pursuant to the requirements of OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," resolving audit findings, and bringing problems to CCRTA's attention. FTA has not required designated recipients to ensure an annual financial audit of a sub-recipient is performed when assistance is provided solely in the form of capital equipment procured directly by the state or designated recipient. Even if the amount of FTA funds the recipient passes to a particular sub-recipient does not trigger the requirement for an A-133 audit, CCRTA may wish to review A-133 audit reports prepared for sub-recipients that are required to be audited because the total federal funds from all sources exceed the threshold (currently \$750,000). CCRTA will require all sub-recipients to bring to our attention any audit findings relevant to their use of FTA funds.

Environmental Protection:

Should CCRTA approve a project that is subject to environmental regulations, CCRTA will ensure that the sub-recipient meets all environmental requirements, and submits all necessary documentation.

CLOSEOUT

CCRTA will initiate project closeout with sub-recipients within ninety days after all funds are expended and all work activities for the project are completed. CCRTA should similarly initiate POP closeout with FTA within ninety days after all work activities for the POP are completed. A final Federal Financial Report, final budget, and final POP must be submitted electronically via the electronic grant management system at the time of closeout (TrAMS).

Buy America

FTA may not obligate federal assistance for an Award unless the steel, iron, and manufactured goods used in the Award are produced in the United States, 49 U.S.C. § 5323(j). When procuring rolling stock, the cost of components and subcomponents produced in the United States (i) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock; (ii) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and (iii) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock. Additionally, final assembly of the rolling stock must occur in the United States. FTA strongly advises recipients to review the FTA Buy America regulations, before undertaking any procurement. FTA has created a Buy America website to provide an overview of these requirements as well as policies, procedures, and letters of interpretation: <https://www.transit.dot.gov/buyamerica>. CCRTA and all sub-recipients will follow the FTA Buy America requirements and all subsequent amendments.

Restrictions on Lobbying

Federal financial assistance may not be used to influence any member of Congress or an officer or employee of any agency in connection with the making of any federal contract, grant, or cooperative agreement. The state, sub-recipients, and third party contractors at any tier awarded FTA assistance exceeding \$100,000 must sign a certification so stating and must disclose the expenditure of nonfederal funds for such purposes (49 CFR part 20).

Other federal laws also govern lobbying activities. For example, federal funds may not be used for lobbying congressional representatives or senators indirectly, such as by contributing to a lobbying organization or funding a grass-roots campaign to influence legislation (31 U.S.C. 1352). These laws do not prohibit general advocacy for transit. Providing information to legislators about the services a recipient provides in the community is not prohibited, nor is using nonfederal funds for lobbying, so long as the required disclosures are made.

School Bus Transportation

Title 49 U.S.C. 5323(f) prohibits the use of FTA funds for exclusive school bus transportation for school students and school personnel. The implementing regulation (49 CFR part 605) does permit regular service to be modified to accommodate school students along with the general

public (“tripper service”). For the purpose of FTA’s school bus regulation, Head Start is considered a social service, not a school program. Rules for the Head Start program limit the types of vehicles that may be used to transport children participating in a Head Start program.

Pre-Award and Post-Delivery Reviews

Procurements for vehicles, other than sedans or unmodified vans, must be audited in accordance with 49 CFR part 663, “Pre-Award and Post-Delivery Audits of Rolling Stock Purchases.” Additional guidance is available in the manual, “Conducting Pre-Award and Post-Delivery Reviews for Bus Procurement” on FTA’s website:

<https://www.transit.dot.gov/regulations-and-guidance/policy-letters/buy-america-pre-award-and-post-delivery-audits> The regulation requires any recipient or sub-recipient that purchases rolling stock for use in revenue service with funds obligated after October 24, 1991, to conduct a pre-award and post-delivery review to ensure compliance with its bid specifications, Buy America requirements, and federal motor vehicle safety requirements, and to complete specific certifications. Purchase of more than twenty vehicles for use in areas under 200,000 in population (more than ten, for large urbanized areas), other than unmodified vans or sedans, requires in-plant inspection. In the case of consolidated state procurements on behalf of multiple sub-recipients, the in-plant inspection requirement is triggered only if a single sub-recipient will receive more than ten or more than twenty vehicles, depending on area size.

Drug and Alcohol Testing

Recipients or sub-recipients that receive only Section 5310 program assistance are not subject to FTA’s drug and alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver’s licenses (49 CFR part 382). Section 5310 recipients and sub-recipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program.

An FTA compliant testing program, as required by the receipt of FTA operating or capital funding (5307, 5309, 5311), may be used for Section 5310 employees; there is no need to have separate testing programs. Employees of a sub-recipient of Section 5310 funds from a state or designated recipient of another FTA program (e.g., 5307 or 5311) should also be included in the designated recipient’s testing program.

Designated recipients that receive funds for Sections 5307, 5309, or 5311, in addition to Section 5310, should consult FTA’s regulation at 49 CFR part 655, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.” The regulation applies to recipients of funds identified above. The regulation requires that FTA recipients follow the drug and alcohol testing procedures found in applicable FTA (49 CFR part 655) and DOT (49 CFR part 40) regulations. Technical assistance materials and training information to help recipients implement the rules are available at FTA’s website <http://www.fta.dot.gov> or through contacting the FTA Office of Safety and Oversight, FTA Headquarters.

13. Performance Measures

Consistent with federal guidelines sub-recipients will be asked to show (as applicable) all increased activity due to the grant funded project, such as:

- Actual or estimated annual number of rides (as measured by one-way trips) as a result of the implementation of 5310 program.
- Annual increases or enhancements related to geographic coverage, service quality and/or service times that impact the availability of transportation services for individuals with disabilities.

The sub-recipients will also work jointly with CCRTA to establish other performance indicators that are more specific to their projects to measure relevant outputs, service levels and outcomes. Sub-recipients will be required to report these performance measures on a quarterly basis and on an annual basis and as required by CCRTA and the FTA.

14. Program Management Plan Updates

As stated earlier, the PMP is a living document. It will be updated regularly to incorporate any expansions and enhancements of the 5310 programs, as well as any revisions to the programs' management, requirements or guidelines. It will also be updated per the request of the FTA or based on significant input submitted from sub-recipients, eligible applicants and the general public. All significant changes to the PMP will require FTA approval. At minimum, the PMP will be updated every three to four years or as needed.

15. Sub-recipient Grievance Procedures

A sub-recipient may file a grievance with CCRTA within five (5) business days of receiving a non-award letter. The sub-recipient must make this request in writing to CCRTA's Grievance Officer at:

Corpus Christi Regional Transportation Authority
602 N. Staples
Corpus Christi, TX 78401

The Grievance Officer will not have played any role in the original determination of the sub-recipient's application.

As part of the grievance procedure, the sub-recipient shall have the opportunity to provide written documentation or argument concerning the issue of whether the application met all technical requirements. The sub-recipient can also request, in writing, to meet in person with CCRTA's Grievance Officer to discuss these issues. This request for a meeting must be submitted within five (5) business days after receipt of notification of non-award. CCRTA will send the sub-recipient a written decision within 10 business days after its grievance and reconsideration request has been received by CCRTA. The result of this process is not administratively appealable and CCRTA's decision shall be final.