

# 5310 and 5307-JARC Program Management Plan

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2022 Update

January 24

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City of Winston-Salem



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# Overview

## Introduction

This Program Management Plan (PMP) describes the Winston-Salem Urban Area Metropolitan Planning Organization (WSUAMPO) policies and procedures for administering and managing Federal Transit Administration (FTA) funds to provide Human Services Transportation (HST) within the WSUAMPO boundaries. FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of elderly individuals, individuals with disabilities (FTA Section 5310), and individuals with jobs with little access to transit, while providing access to jobs and educational opportunities for people living in low-income communities (FTA Section 5307-JARC).

The WSUAMPO developed this PMP in accordance with current Federal Transit Laws and regulations as well as FTA Circular 9070.1G,. The procedures laid out in this PMP are applied to FTA Section 5310 funds, Section 5307 Job Access and Reverse Commute (JARC) funds that are used to support commuter trips and any other funds that FTA may disburse on a discretionary basis to fund Human Services Transportation.

## Objectives

As part of this process, the following objectives will be completed:

- Ensure the plan meets requirements for HST and meets the intent of the Section 5310 funding program under IIJA and MAP-21 guidance from FTA.
- Establish a framework by which proposed projects requesting Section 5310 and 5307 funding can be solicited and selected through a fair and equitable process.
- Identify, contact, and inform public agencies, community organizations and non-profits and eligible private for-profit organizations providing eligible services;
- Establish, promote, and outline a process for soliciting and evaluating 5310 and 5307-JARC program funding proposals;
- Assure that proposals selected for funding are responsive to one or more of the needs identified in the locally adopted Human Services Transportation (HST) Plan;
- Establish the requirements for the selected projects to enter into grant agreements; and,

- Summarize the requirements for managing and reporting the progress for implementing the funded projects. Details for how to manage FTA grants can be found in the FTA Award Management Requirements Circular (5010.1E).

This PMP is a living document. It will be updated, as needed, to incorporate any expansions and enhancements of the Section 5310 and Section 5307-JARC programs, as well as any revisions to the program's management, requirements, or guidelines. The locally adopted HST Plan in the WSUAMPO area is available at [www.movewinstonsalem.com](http://www.movewinstonsalem.com).

## **Funding Programs**

In 2021, President Biden signed the Infrastructure Investment and Jobs Act (IIJA) into law. This bill presents an opportunity for increased funding for many types of transportation and will increase authorization for the Section 5310 program nationally from the current figure of \$285.6 million to \$371.2 million in FY 2022 and grow to reach an annual authorization of \$407 million in FY 2026. Additionally, multiple acts of legislation during the COVID-19 Pandemic including the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and the American Rescue Plan (ARP) have allowed for greater funding opportunities for Section 5310 and 5307-JARC programs.

Once any rules are updated the policies instituted through IIJA will take precedent over policies governed via the Moving Ahead for Progress in the 21st Century Act (MAP-21) federal transportation authorization legislation.

Section 5310 program funds are allocated directly to designated recipients in Urbanized Areas with populations greater than 200,000. In the Winston-Salem Urban Area, the City of Winston-Salem is the designated recipient and will apply to FTA for funds awarded under this program. A map of the urbanized area is shown in Appendix A.

The Section 5310 program funds apportioned to large urban areas are now allocated using American Community Survey (ACS) 5-year data based on each area's share of seniors (i.e., persons 65 and older) and people with disabilities. JARC program funds are sub-allocated through the Section 5307 program.

The Winston-Salem Urban Area funds have typically been passed through by the City of Winston-Salem to other agencies or organizations through a competitive selection process with the awardees being subrecipients, although WSUAMPO also has discretion to deploy these funds through other means. The City of Winston-Salem and WSUAMPO are responsible for developing a Program Management Plan and subsequently advertising, awarding, and overseeing grant funding awarded to subrecipients.

### **Program Management Plan Requirements**

Each designated recipient is required to have an approved PMP on file with the appropriate FTA regional office and to update it regularly to incorporate any changes in program management or new requirements. [FTA Circular 9070.1G](#) provides detailed guidance for all activities described in this PMP.

The FTA will review and approve the PMP. It will be kept on file with the FTA regional office and updated regularly to incorporate any changes in program guidelines or new requirements. The PMP will also be reviewed by the FTA as part of its triennial review of the Winston-Salem Transit Authority.

## **Coordinating and Related Plans**

The Program Management Plan 2022 Update is functionally a new and improved version of the Program Management Plans for Sections 5310 and 5307-JARC, which were last updated in March 2015. Therefore, this document and the Human Service Transportation Plan will serve as the running documents for the two grants.

### **Human Services Transportation Plan**

Proposals for 5310 program funding must meet a need or fill a service gap identified in the local Human Services Transportation (HST) Plan. The WSUAMPO HST Plan was updated in 2022 and is available at [www.movewinstonsalem.com](http://www.movewinstonsalem.com). The plan identifies transportation needs for low-income populations, individuals with disabilities and seniors. The plan development included in-depth stakeholder interviews, survey outreach and stakeholder and public workshops that were marketed to transportation providers, nonprofit groups, and transit customers.

The HST Plan summarizes current as well as previously unmet needs identified at the public workshop and identifies service priorities from the public engagement and stakeholder outreach.

### **Metropolitan Transportation Improvement Program (MTIP)**

Projects awarded 5310 and 5307-JARC program funding must be reflected in the Winston-Salem Urban Area Metropolitan Planning Organization's (WSUAMPO) Metropolitan Transportation Improvement Program (MTIP). The MTIP is a program of projects receiving federal transportation funding in the metropolitan area. The projects may be included in the MTIP under a generalized or more detailed project description.

### **2045 Making Connections: Metropolitan Transportation Plan (MTP)**

The MTP outlines the Winston-Salem Urban Area MPO's transportation-related goals and objectives and addresses transportation-related issues and impacts over a 25-year horizon. Many of the goals highlighted in the MTP align with those of both Section 5310 and 5307-JARC, including but not limited to: improving mobility and accessibility for people and goods within the region, improving safety and security of the transportation

network and creating vibrant, healthy, and resilient communities. The populations served by these awards were primary contributors to the outreach process of the most recent MTP.

## **The Government Performance Results Act (GPRA)**

The Government Performance Results Act (GPRA) requires the FTA to establish performance goals and indicators to be used in measuring relevant outputs, service levels, and outcomes for each of its programs. The performance measures described here are designed to fulfill FTA's obligations under this Act. These measures will be used to assess the overall performance of a grant program, and will not be used to assess individual subrecipients' performance. The reporting and data collection measures for the Section 5310 Program will be prescribed in the grant agreements with subrecipients.

## **Eligible Projects – 5310**

Section 5310 funds are available for capital and operating expenses to support the provision of transportation services to meet the specific needs of seniors and individuals with disabilities. All projects must either be situated in the Winston-Salem Urban Area or may also originate in a rural area but have a destination located in the urbanized area to qualify for Section 5310 Urbanized Area funds.

At least 55 percent of Winston-Salem's annual apportionment must be utilized for public transportation capital projects that are planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities. It is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project. These types of projects are considered to be **Traditional Projects**.

Traditional Section 5310 project examples that the MPO supports are:

- transit-related information technology systems, including scheduling/routing/one-call systems



- mobility management programs
- acquisition of transportation services under a contract, lease, or other arrangement

Over the past decade, the City of Winston-Salem has typically allocated at least 75% of its 5310 funding towards Traditional Projects. Traditional capital projects may 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.

In addition to the above required capital projects, up to 45 percent of an area's apportionment may be utilized for additional **Non-Traditional** public transportation projects which include:

#### **Mobility Management Programs**

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

Mobility management activities may include:

- The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low- income individuals;
- Support for short-term management activities to plan and implement coordinated services;
- The support of state and local coordination policy bodies and councils;
- The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;
- The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations'

customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;

- The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
- Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of geographic information systems (GIS) mapping, global positioning system technology, coordinated vehicle scheduling, dispatching and monitoring technologies, as well as technologies to track costs and billing in a coordinated system, and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense).

**Projects that Exceed the Requirements of the ADA (previously Section 5317 Program)**

The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA or former Section 5317 projects.

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. 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.

In recent years, Winston-Salem Urban Area MPO has received an increasing number of applications from for-profit transportation providers that coordinate with non-profit subrecipients to provide alternative public transportation opportunities. As a result, the 5310 program has become more competitive in recent years.

Recipients must clearly identify the projects that are part of the required 55 percent capital projects as part of the grant activity line-item narrative descriptions.

For additional details on eligible projects, see FTA Circular 9070.1 G, Chapter III, Section 13.

#### Public Transportation Projects that Improve Accessibility

The following activities are examples of eligible projects that improve accessibility to the fixed-route system.

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

- Building an accessible path to a bus stop that is currently inaccessible, including curb cuts, sidewalks, accessible pedestrian signals, or other accessible features;
- Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
- Improving signage or wayfinding technology; or

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

#### Public Transportation Projects that Assist Seniors and Individuals with Disabilities with Transportation

The following activities are examples of projects that are eligible public transportation alternatives.

- 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.
- 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.

### **Performance Measures for Traditional Section 5310 Projects**

#### *Gaps in Service Filled*

Provision of transportation options that would not otherwise be available for seniors and individuals with disabilities measured in numbers of seniors and people with disabilities afforded mobility they would not have without program support because of traditional Section 5310 projects implemented in the current reporting year.

#### *Ridership*

Actual or estimated number of rides (as measured by one-way trips) provided annually for individuals with disabilities and seniors on Section 5310–supported services because of traditional Section 5310 projects implemented in the current reporting year.

### **Performance Measures for Non-Traditional / Other Section 5310 Projects**

#### *Increases or Enhancements Related to Geographic Coverage, Service Quality, and/or Service Times*

- These enhancements impact availability of transportation services for seniors and individuals with disabilities because of other Section 5310 projects implemented in the current reporting year. Examples of these measurements could include:
  - The number of new eligible users of the HST system served by a project that adds 20 square miles to the service area.
  - An increase in service availability from 104 to 261 days per year through a project that provides trips on all weekdays instead of only Tuesday and Thursday
  - An increased service span of two hours per day by a project that extends service that currently ends at 5:00 PM – to operate until 7:00 PM

#### *Additions or Changes to Physical Infrastructure*

Amenities (sidewalks, benches, shelters, general transit facility provisions) and technologies that impact availability of transportation services for seniors and individuals with disabilities because of other Section 5310 projects implemented in the current reporting year. Examples of these measurements could include:

- Increased amount of Linear feet of sidewalk added along bus routes or along streets that connect passengers to bus routes
- Increased hours of availability at call centers for reserving trips

#### *Actual or Estimated Number of Rides*

As measured by one-way trips, the number of trips provided for seniors and individuals with disabilities as a result of Section 5310 projects implemented in the current reporting year.

The designated recipient will ensure that the above information is reported for all recipients and subrecipients that receive Section 5310 funds through the designated recipient's application and selection process.

Subrecipients will be required to report these performance measures on a quarterly basis and on an annual basis as required by the City of Winston-Salem and FTA.

## **Eligible Projects – 5307-JARC**

Section 5307 Job Access Reverse Commute (JARC) funds are available for capital and operating expenses to support the provision of transportation services to meet the specific needs of Winston-Salem Urban Area MPO residents that need assistance with accessing employment and/or educational opportunities. All trips must either be situated in the Winston-Salem Urban Area or may also originate in a rural area but have a destination located in the urbanized area to qualify for Section 5307-JARC funds.

Funds from the JARC program are available for capital, planning, and operating expenses that support the development and maintenance of transportation services designed to transport low-income individuals to and from jobs and activities related to their employment and to support reverse commute projects.

The following are eligible projects that have taken place or can be carried out with JARC funds:

- Late-night and weekend service;
- Guaranteed ride home service;
- Shuttle service;
- Expanding fixed-route public transit routes;

- Demand-responsive van service;
- Ridesharing and carpooling activities;
- Transit-related aspects of bicycling (such as adding bicycle racks to vehicles to support individuals that bicycle a portion of their commute or providing bicycle storage at transit stations);
- Promotion, through marketing efforts, of the:
  - use of transit by workers with non-traditional work schedules;
  - use of transit voucher programs by appropriate agencies for welfare recipients and other low-income individuals;
  - development of employer-provided transportation such as shuttles, ridesharing, carpooling;
  - use of transit pass programs and benefits under Section 132 of the Internal Revenue Code of 1986
- Supporting the administration and expenses related to voucher programs
- Implementing intelligent transportation systems (ITS), including customer trip information technology, vehicle position monitoring systems, or geographic information systems (GIS) software;
- Integrating automated regional public transit and human service transportation information, scheduling, and dispatch functions;
- Subsidizing the costs associated with adding reverse commute bus, train, carpool van routes or service from urbanized and nonurbanized areas to suburban workplaces;
- Supporting mobility management and coordination programs among public transportation providers and other human service agencies providing transportation.

### **Performance Measures for Section 5307-JARC Projects**

#### *Jobs*

Number of jobs that can be (or have been) accessed as a result of the coverage of the JARC project. Riders benefiting from the JARC program can access various jobs including those in food service, industry, hospitals, and non-profits.

#### *Ridership*

Actual or estimated number of rides (as measured by one-way trips) provided annually for welfare or low-income residents on Section 5307-JARC-supported services through projects implemented in the current reporting year.

*Ridership (Percent Change)*

Annual percent change in public transportation users as a result of Section 5307-JARC projects.



# Annual Program of Projects Development and Approval Process

The City of Winston-Salem and the WSUAMPO will adhere to the schedule below in developing a Program of Projects for the Section 5310 and 5307-JARC programs.

| <b>Action</b>                                      | <b>Tasks</b>  |
|--|---|
| <b>Advertise 5310 Program Funding Availability</b> | Notify public and private transportation providers, nonprofit groups, and other relevant stakeholders of funding availability and hold a workshop to assist providers in understanding the Section 5310 and Section 5307-JARC goals, funding requirements and application process. The advertisement of funding availability will be posted for a minimum of 2 weeks.                             |
| <b>Call for Projects</b>                           | The City of Winston-Salem will accept applications within a thirty (30) day application window  |
| <b>Federal Funding Workshop</b>                    | The Transportation Project Planner (and Project Manager) will facilitate a workshop that discusses the funding, allocation, and application processes for prospective applicants 7-10 days after the application window opens.  |
| <b>Review Applications</b>                         | The City of Winston-Salem will forward eligible applications to the selection review team. The review team will score applications according to the selection criteria noted in the Program Management Plan   |
| <b>Develop Program of Projects</b>                 | The City of Winston-Salem will submit the Program of Projects to the following bodies for review and approval, in this order: <ul style="list-style-type: none"> <li>• WSUAMPO Technical Coordinating Committee</li> <li>• WSUAMPO Transportation Advisory Committee</li> <li>• Winston-Salem City Council</li> <li>• FTA</li> <li>• Amend TIPs to reflect updated Program of Projects</li> </ul> |

## Eligible Subrecipients

Under the federal guidelines, eligible subrecipients under Section 5310 include:

- State and local governmental agencies
- Public and private transportation providers
- Social service agencies
- Tribal governments
- Nonprofit organizations.

To be eligible for funding from the 5310 programs, proposed projects must be located within or serve a destination within the WSUAMPO boundaries. A map of the WSUAMPO, the counties and municipalities it serves, and its boundaries can be found in the appendices.

Additional detailed information for typical subrecipients is outlined below.

### **Private Nonprofit Organization**

A private nonprofit organization includes a corporation or association determined by the United States Secretary of the Treasury to be an organization described by 26 U.S.C 501(c), or one which has been determined under State law to be nonprofit and for which the designated State agency has received documentation certifying the status of the nonprofit organization.

Applicants qualifying as private nonprofit organizations must provide current verification of the applicant's incorporation number and current legal standing as a private nonprofit from the state of North Carolina or show proof that they are a corporation or association determined by the U.S. Treasury to be tax-exempt under 26 U.S.C. 501(c).

### **Governmental Authority**

A Governmental Authority subrecipient may be of two types:

1. Is approved by the state to coordinate services for elderly individuals and individuals with disabilities; or

2. Certifies that no nonprofit corporations or associations are readily available in an area to provide the service. (49 U.S.C. 5310(b)(1) and (b)(2))

### **Private Providers and Taxi Operators as Subrecipients**

Private operators of public transportation are eligible subrecipients. 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 therefore eligible subrecipients.

“Shared-ride” means two or more passengers in the same vehicle who are otherwise not traveling together. Like 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 generally determine whether a taxi company provides shared-ride or exclusive-ride service. Taxi companies that provide only exclusive-ride service are not eligible subrecipients; however, they may participate in the Section 5310 program as contractors.

# Subrecipient Monitoring and Oversight

The purpose of this section is to assist the City of Winston-Salem and its subrecipients in maintaining compliance for federally funded projects and understand the requirements and responsibilities of being a Direct Recipient, Subrecipient, Third Party Contractor or Lessee receiving funds through federally funded projects. All grant management will be conducted in accordance with [FTA Circular 5010.1E](#).

## Definitions

The Section 5310 and Section 5307-JARC programs' documentation has several terms with which potential applicants for funds should be familiar. Please see Appendix B for definitions of these terms.

## Roles and Responsibilities

As funding becomes available on an annual basis, the City of Winston-Salem and WSUAMPO will solicit, receive, and select proposals for funding in Winston-Salem Urban Area from eligible subrecipients.

### **The designated recipient's responsibilities:**

- Notify eligible local entities of funding availability.
- Develop selection criteria and evaluation process.
- Determine applicant eligibility.
- Determine eligible activities selected for funding.
- Select projects for funding.
- Ensure that all subrecipients comply with Federal requirements.
- Amend the Metropolitan Transportation Improvement Program (MTIP) and the State Transportation Improvement Program (STIP) to include selected projects.

### **The eligible subrecipient's responsibilities:**

- Ensure that the proposed project meets the needs of the locally developed, Human Service Transportation Plan.
- Comply with federal, state, and local requirements as they relate to funding.

- Apply directly to the designated recipient for assistance under these programs through the competitive selection process.
- Provide required documentation related to federal rules and details of local match funds.
- Provide performance measures, financial data, and a safety plan as required.
- Where possible, provide demographics of those served including age, race, disability status, veteran status, and car ownership status.

## **Application and Award Process**

Both the direct recipient and all subrecipients are required to follow all federal requirements when using funds from federal grants. When subrecipients are involved, the FTA requires the direct recipient monitor the project to ensure the use of federal funding by the subrecipient adheres to all federal rules and regulations.

### **Budget Authorization**

Prior to any applications for a request to receive and use federal funds, the agency needs to demonstrate that its project meets all local, state and FTA requirements and that it is eligible to receive federal funds. At this time, all matching funds must be identified and approved. Local match funding requirements and percentages can vary. Any match funding source outside the standards established by FTA must receive written approval from FTA to be used. Match funding should adhere to the following:

1. Must be from an eligible funding source under FTA guidelines; funds from other federal grants cannot be used as a match source.
2. Must be available at the time of the grant award;
3. Match funding must be spent to qualify as a match;
4. Subrecipients must certify the use of local match with the submission of each invoice;
5. Subrecipients are required to provide quarterly and annual reports that account for the use of local funds as match.

### Grant Application Process

During the Application process, subrecipients shall submit the following:

- Complete forms for project description/detail and budget and timeline/milestones.
- Completed application responding to all applicable questions.
- Supplementary supporting documentation that clarifies responses including:
  - Correspondence to the HST Plan
  - Area served by subrecipient Audit or budgetary documents
  - Example documents that fulfill quarterly reporting

### Grant Management and Subrecipient Agreement

Once a federal grant is awarded, the City of Winston-Salem's designated project manager, the Transportation Project Planner, will be responsible for grant administration and oversight. Subrecipients will also assign a project manager, typically the point of contact for the original application. The Transportation Project Planner for the City of Winston-Salem shall work closely with the Subrecipient Project Manager to monitor all grant activity. The City's Transportation Project Planner will serve as the main point of contact with the FTA. All grant management will be conducted in accordance with FTA C 5010.1E.

Upon execution of the federal grant, a Subrecipient Agreement shall be created and signed by all applicable parties. The subrecipient shall read and/or complete (where applicable) the following documentation:

- FTA Certifications and Assurances
- Program Management Plan
- Contract Clauses
- E-Verify Affidavit
- Federal Local Matching Requirements
- Lobbying Restrictions
- Disclosure of Lobbying Activities Form
- A copy of an acceptable audit in accordance with the latest Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), if it has received over \$500,000 of federal funding from all sources, or audited financial statements if the \$500,000 threshold has not been met
- Copies of other documents as the City of Winston-Salem and/or FTA requires.

The Subrecipient Agreement shall specify all applicable federal requirements including, but not limited to:

- Procurement;
- Disadvantaged Business Enterprise (DBE);
- Title VI (Civil Rights)
- Program-specific concerns;
- Prior approvals;
- Reporting requirements;
- Invoicing;
- Allowable activities per the work scope;
- Allowable costs for the work scope per the approved budget.

The Subrecipient is responsible for adhering to the work scope and budget as approved by FTA and as outlined in the Subrecipient Agreement. Prior approvals are required for some activities even if they are included in the work scope and budget. To receive full reimbursement of eligible expenses, Subrecipient Project Managers should read the SGA and any appendices thoroughly to confirm that all federal regulations are being adhered to.

All changes to the work scope require prior written approval from the City of Winston-Salem Project Manager. Requests for reimbursement may begin as soon as the Subrecipient Agreement is executed with the City. Invoices must be for the net expense (i.e., total expense less match) actually incurred in direct support of the project. The **Period of Performance** is the time period that eligible activities would have needed to take place in order to be reimbursed, as established by FTA. No advances or expenditures prior to the Period of Performance are allowed.

**Note:** Subrecipients may request reimbursement for any activities that took place during the Period of Performance at any time after the Subrecipient Agreement has been executed. Additionally, subrecipients may request reimbursements for activities from previous fiscal years until the Period of Performance ends (pending extension) and/or their funds have drawn down to \$0. It is required at a minimum, however, that subrecipients submit quarterly and end-of-year reporting for all activities for the applicable fiscal year award.

The Subrecipient must certify the use of local match with each invoice submitted. A financial report that includes a completely documented accounting of the use of local funds as match is required each quarter based on the federal fiscal year.

## **Subrecipient Reporting**

Quarterly monitoring of subrecipients shall be conducted to ensure that all federal guidelines are being adhered to when using federal funds. A project progress report is required along with a detailed accounting of the expenditure of the local match. Additional information on monitoring procedures for designated recipients can be found throughout [FTA Circular 9070.1G](#) The Transportation Project Planner may reach out to subrecipient project managers to check-in regarding delinquent reimbursement requests.

At least annually, the City of Winston-Salem will collect updated information and documentation on subrecipients' financial processes and controls, through either the Uniform Guidance or an annual financial statement when the subrecipient is excluded from Uniform Guidance audit requirements. In addition, the City of Winston-Salem may perform desk audits of a sample of sub-invoices, site visits to review processes, systems and controls, or other procedures as deemed appropriate.

If it has been determined that there has been an unfavorable audit report from a subrecipient, the City's Finance Department will complete an audit review with the assistance of the Transportation Project Planner and Director of Transportation to confirm that the subrecipient has provided sufficient documentation and has taken appropriate and timely corrective action. If there is not sufficient documentation, a request will be made to the subrecipient to provide additional documentation.

- Examples of Corrective Action that can be taken because of unfavorable audit reports include but may not be limited to the following:
  - Corrective Action Plan;
  - Discuss need for special monitoring with Program personnel;
  - Ask for extra contact between Program leads;
  - Ask for more frequent technical reporting;
  - Add more detailed or frequent invoicing requirements;



- Add requirement for expenditure backup materials;
- Tie receipt of technical progress reports or other deliverables to payments;
- Require on-site monitoring (technical and financial);
- Add more stringent termination or stop-work language for failure to comply with requirements.

### **Reallocation Process**

The Transportation Project Planner is responsible for monitoring the purchase order (PO) balances of all Section 5310 and 5307-JARC awards, in conjunction with the Transportation Finance Manager. While it is up to the subrecipients to report and request invoices for reimbursements consistently, the Transportation Project Planner ultimately oversees if, when, and how reimbursements are requested.

In the case that a subrecipient is unable to enter into a written agreement to provide the transportation services approved during the competitive selection process, the MPO will confer with subrecipients that have entered into written agreements previously (for any award year) to determine their capacity to provide additional services. Subrecipients have no authority to transfer funding to third parties. If one or more subrecipients cannot perform or will not perform the service they specified on the application, the MPO has the right to reallocate the funding amount to other performing subrecipients after the TAC's approval based on the initial scoring review received from the Allocation Committee. The MPO shall notify FTA and modify the award reallocation.

## **Administration, Planning and Technical Assistance**

Up to 10 percent of the recipient's total fiscal year apportionment may be used to fund program administration costs including administration, planning, and technical assistance for projects funded under this program. Recipients may pass any portion of funds available for administrative expenses, up to the allowable 10 percent, on to subrecipients for the same purpose. Program administration costs may be funded at 100 percent federal share. This applies to both Section 5310 and Section 5307-JARC.

# Funding

## Federal and Local Funding Requirements

The table shown below identifies the federal share and local match for reimbursements of various services carried out in the Winston-Salem Urban Area MPO, as governed by FTA. Because the MPO does not receive enough funding annually to support vehicle purchases, reimbursement formulas follow the operating, planning, and administration shares. **Note: Contracted services (Operating) carried out by all subrecipients of Section 5310 Funds are reimbursed the same as Capital at 80 percent federal share and 20 percent local share.**

| FTA Funds Matching Requirements | Federal Grant/Local Match  |                   |
|---------------------------------|--|-------------------|
| Types of Funding                | Section 5310   | Section 5307-JARC |
| Capital                         | 80%/20%  | 80%/20%           |
| Operating                       | General Operations:<br>50%/50%<br><br>Capital Cost of<br>Contracted Services:<br>80%/20% | 50%/50%           |
| Planning                        | 80%/20%  | 80%/20%           |
| Administration                  | 100%/0%  | 100%/0%           |

## Local Match

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; and net income generated from advertising and concessions. Non-cash share such as donations, volunteered services, or in-kind contributions is eligible to be counted toward the local match if the value of each is documented and supported, represents a cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget.

Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for Section 5310 operating assistance. In either case, the cost of providing the contract service is included in the total project cost. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service. All sources of local match must be identified and described in the grant application at the time of grant award.

In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than DOT programs, or from DOT's Federal Lands Highway program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. Specific program information for other types of Federal funding is available at [www.unitedweride.gov](http://www.unitedweride.gov).

### **Funding Availability and Transfer of Funds**

Section 5310 funds are available for obligation during the fiscal year of apportionment plus two additional years. For example, funds apportioned in FY 2013 are available until the end of FY 2015 (September 30, 2015). Transfers of Section 5310 funds to other programs are not permitted. Funds apportioned to large UZAs may not be transferred to other areas.

## Selection Criteria

FTA allows but does not require the use of selection criteria for awarding 5310 and 5307-JARC funding. Selection criteria were developed to guide application review and project selection. The following criteria were developed to be used for WSUAMPO 5310 and 5307-JARC funds:

- Project Needs / Goals and Objectives
- Implementation Plan
- Program Effectiveness and Performance Indicators
- Project Budget
- Coordination and Outreach
- Innovation

The scoring weights for the criteria have been updated to place a new emphasis on projects that will push efficiency within the HST ecosystem towards a higher number of trips served per total dollars spent. Accordingly, the highest-weighted categories in the evaluation process are now:

- **Program Effectiveness and Performance Indicators (35 points)**
- **Project Budget (25 points)**

### **Program Effectiveness and Performance Indicators (35 points)**

The application must demonstrate that the proposed project is the most appropriate match of service delivery to the need and is a cost-effective approach. The application must also identify clear, measurable outcome-based performance measures to track the effectiveness of the service in meeting the identified goals. A plan should be provided for ongoing monitoring and evaluation of the service, and steps to be taken if original goals are not achieved. The project should describe the methodology to measure the effectiveness and magnitude of the impact that the project will have on target markets (i.e., persons with low-income, disabilities or the elderly).

### **Project Budget (25 points)**

Applicants must submit a clearly defined project budget, indicating anticipated project expenditures and revenues, including documentation of matching funds. Proposals

should address long-term efforts to identify potential funding sources for sustaining the service beyond the grant period.

### **Project Needs/Goals and Objectives (15 points)**

The project should directly address priority transportation needs identified through the Winston-Salem Urban Area MPO's locally developed Human Services Transportation Plan. The project application should clearly state the overall program goals and objectives and demonstrate how the project is consistent with the objectives of the Section 5310 program. The project application should indicate the number of persons expected to be served, and the number of trips (or other units of service) expected to be provided.

### **Implementation Plan (10 points)**

For all projects, applicants must provide a well-defined service operations plan and/or capital procurement plan and describe implementation steps and timelines for carrying out the plan. The implementation plan should identify key personnel assigned to this project and their qualifications. Project sponsors should demonstrate their institutional capability to carry out the service delivery aspect of the project as described.

### **Coordination and Program Outreach (10 points)**

Proposed projects will be evaluated based on their ability to coordinate with other public transportation, community transportation and/or social service resources. An application should clearly identify project stakeholders, and how stakeholders will be kept involved and informed throughout the project. An application should also describe how public awareness of the project will be promoted. Letters of support from key stakeholders and/or customers should be attached to the grant application.

## **Innovation (5 points)**

The project will be examined to see if it contains new or innovative service concepts or facilities that have the potential for improving access and mobility for the target populations and for future application elsewhere in the region.

## **Qualitative and Binary Evaluation Metrics**

There are some criteria for which a proposed project can have a varying degree of responsiveness along a continuum, and these criteria have qualitative scales where an applicant can receive any score along the continuum. (i.e., a potential score of 0, 1, 2, 3, 4 or 5 on a 5-point scale) There are other criteria where either the requirement is met or it is not, and these criteria are scored in a binary way (i.e. a score of 0 or 5 on a 5-point scale)

| <b>Project Evaluation Criteria</b>  | <b>Possible Points<br/>(100 Max)</b> |
|---|--------------------------------------|
| <b>1. Project Needs/Goals and Objectives</b>  | <b>15</b>                            |
| Is the project consistent with the Section 5310 grant program's objectives?   | 0 or 3                               |
| To what degree will the project increase or enhance the availability of transportation for the Winston-Salem Urban Area's elderly and disabled populations?   | 0 - 3                                |
| How closely does the proposed project align with the organization's mission and objectives?   | 0 - 3                                |
| Does the project address a need identified in the Human Service Transportation Plan?  | 0 or 3                               |
| Does the project provide a service that otherwise would not be available?   | 0 or 3                               |
| <b>2. Project Implementation</b>  | <b>10</b>                            |
| Is the project timeline realistic?  | 0 or 2                               |
| Is there evidence the applicant has done all the necessary planning and is ready to begin the project upon being funded?  | 0 or 2                               |
| How experienced is the applicant staff in managing transportation projects and/or operating passenger transportation?   | 0 - 2                                |
| How experienced is the agency with financial responsibilities such as, quarterly reporting, annual audits, and/or other forms of financial reporting?   | 0 - 2                                |
| Does the applicant propose training, vehicle maintenance, inspection or monitoring to managerisk and to provide safe services?  | 0 - 2                                |
| <b>3. Program Effectiveness and Performance Indicators</b>  | <b>35</b>                            |
| Did the applicant mention collecting data and/or documenting the delivery and utilization of services including number of trips, length of trip in miles, and demographic data of individuals served? | 0, 5, 10, or 15                      |
| Does the applicant propose monitoring measurable indicators of success?   | 0, 5, 10, 15, or 20                  |
| <b>4. Project Budget</b>  | <b>25</b>                            |
| Were all the necessary budgets completed and submitted?   | 0 or 10                              |
| Are the certified local match sources for the project also listed in the budget as matching funds?  | 0 or 10                              |
| How does the agency propose to continue commitment to the life of the project beyond the availability of the requested grant resources?   | 0 - 5                                |
| <b>5. Coordination and Outreach</b>   | <b>10</b>                            |
| Does the project include coordination and/or partnerships with transportation providers or other relevant stakeholders?   | 0 - 5                                |
| To what extent does the applicant include plans to market to the target group and promote public awareness of their project?  | 0 - 5                                |
| <b>6. Innovation</b>  | <b>5</b>                             |
| To what extent does the applicant promote new ideas or ways of improving service, access and mobility for the elderly and disabled population   | 0-5                                  |
| <b>Total Score</b>  | <b>0-100</b>                         |



## Other Provisions

### Private Sector Participation

Federal law requires the public to be involved in the transportation planning process, and specifically requires that private providers be provided an opportunity to be consulted in developing transportation plans and programs in both urbanized and rural areas. Public involvement processes must be proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement throughout the transportation planning and programming process. Therefore, each applicant for funds from the City of Winston-Salem's Section 5310 program must describe their plans to comply with this policy and provide documentation of these planned efforts in their application.

### Civil Rights

Each 5310 recipient agrees to comply with all applicable FTA civil rights statutes and implementing regulations, which can be found in FTA Circular 9070.1G.

The recipient agrees to comply with all applicable civil rights statutes and implementing regulations including, but not limited to, the following:

A. Nondiscrimination—Title VI. The recipient agrees to comply, and assures the compliance of each third-party contractor and each subrecipient at any tier of the project, with all of the following requirements under Title VI of the Civil Rights Act of 1964.

1. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

2. U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act," 49

CFR part 21.

3. FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” This document provides FTA recipients and subrecipients with guidance and instructions necessary to carry out DOT Title VI regulations (49 CFR part 21), and DOT Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons.

4. U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005). This guidance clarifies the responsibilities of recipients of federal financial assistance from DOT and assists them in fulfilling their responsibilities to LEP persons, pursuant to Title VI of the Civil Rights Act of 1964 and Executive Order 13166.

5. FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients.” This document provides FTA recipients and subrecipients with guidance and instructions necessary to carry out U.S. DOT Order 5610.2 to Address Environmental Justice in Minority Populations and Low-income Populations, and Executive Order 12898 on Environmental Justice that describes the process that the Office of the Secretary of Transportation and each operating administration will use to incorporate environmental justice principles into existing programs, policies, and activities.

6. U.S. DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations. DOT Order 5610.2 describes the process that the Office of the Secretary of Transportation and each operating administration will use to incorporate environmental justice principles (as embodied in Executive Order 12898 on Environmental Justice) into existing programs, policies, and activities. Contractors and subcontractors are not required to submit a Title VI report. However, they are responsible for complying with the Title VI Program of the recipient with whom they are contracting. Recipients and subrecipients are responsible for ensuring that their contractors are complying with their Title VI Program and Title VI regulations.

In addition to Federal Civil Rights policies, recipients will follow additional Civil Rights programs and policies of the City of Winston-Salem that may include:

- Initiatives of the Human Relations/Diversity, Equity, & Inclusion Department

- The Disadvantaged Business Enterprise (DBE) program operated by the City of Winston-Salem, Winston-Salem Transit Authority, and WSUAMPO, which sets a goal for DBE participation in procurement of contracts.

### **Disadvantaged Business Enterprise (DBE)**

Disadvantaged Business Enterprise (DBE). To the extent required by federal law, regulation, or directive, the recipient agrees to take the following measures to facilitate participation by DBEs:

1. The recipient agrees and assures that it will comply with MAP-21 Section 1101(b) (23 U.S.C. 101 note), which directs the Secretary of Transportation to expend not less than 10 percent of authorized federal funds with DBEs. This 10 percent national goal is aspirational and is used by DOT to help monitor and evaluate DBE participation in DOT-assisted contracting opportunities.
2. The recipient agrees and assures that it will comply with DOT regulation, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs," 49 CFR part 26. Among other provisions, this regulation requires certain recipients of DOT federal financial assistance, namely state and local transportation agencies, to establish goals for the participation of disadvantaged entrepreneurs and certify the eligibility of DBE firms to participate in their DOT-assisted contracts.
3. The recipient agrees and assures that it shall not discriminate on the basis of race, color, sex, or national origin, in the award and performance of any third-party contract, or subagreement supported with federal assistance derived from DOT, or in the administration of its DBE program, and will comply with the requirements of 49 part 26. The recipient agrees to take all necessary and reasonable steps set forth in 49 CFR part 26 to ensure nondiscrimination in the award and administration of all third-party contracts and subagreements supported with federal assistance derived from DOT. As required by 49 CFR part 26 and approved by DOT, the recipient's DBE program is incorporated by reference and made part of the grant agreement or cooperative agreement. The recipient agrees that implementation of this DBE program is a legal obligation, and that failure to carry out its terms shall be treated as a violation of the

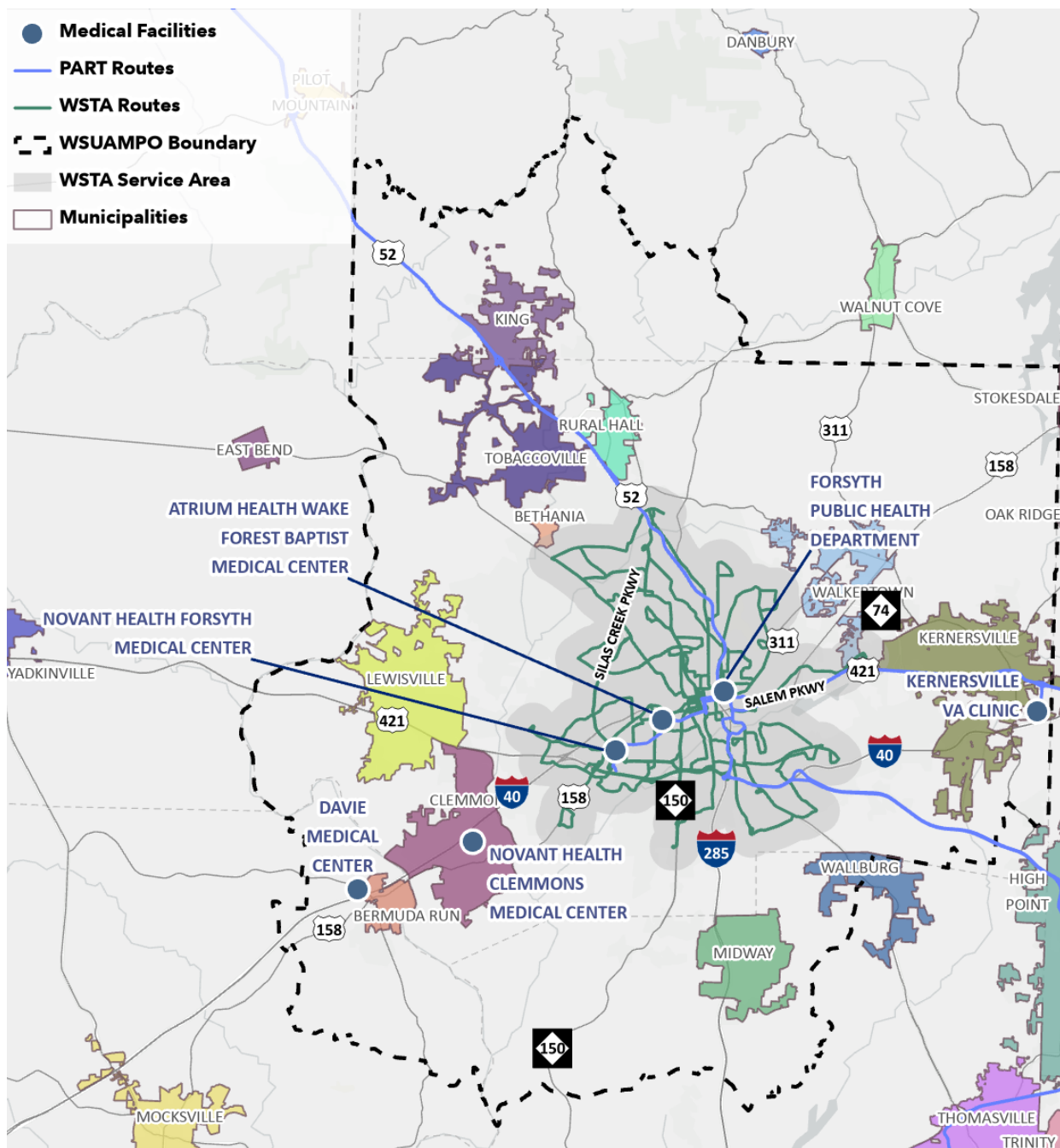
grant agreement or cooperative agreement. Upon notification by DOT to the recipient of a failure to implement its approved DBE program, DOT may impose sanctions as provided for under 49 CFR part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001, and/or the Program Fraud Civil Remedies Act, (31 U.S.C. 3801 et seq).

For further guidance, refer to the federal laws, regulations, and executive orders cited in this chapter. FTA's regional civil rights officers or headquarters civil rights staff will also provide current guidance upon request.

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

Winston-Salem Urban Area MPO and Section 5310 Program subrecipients must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to, discrimination in employment under any project, program, or activity receiving federal financial assistance under the federal transit laws. Each Section 5310 Program contract between WSUAMPO and a subrecipient for the provision of FTA funding shall contain language that requires the subrecipient to comply with FTA regulations related to EEO. In addition, private providers under contract with subrecipients are required to comply with these regulations.

# Appendix A: WSUAMPO Service Area Map



While not mapped, Davidson County Transportation Services (DCTS) provides demand response service in parts of Davidson County that are within the WSUAMPO boundary.

## Appendix B: Definitions

**Aging Population:** See “Senior.”

**Americans with Disabilities Act (ADA):** Public Law 336 of the 101st Congress, enacted July 26, 1990 (42 U.S.C. 12101 et seq.), and later amended January 1, 2009. The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state, and local government services, public accommodations, commercial facilities, and transportation.

**Capital Expense:** an expense directly related to the acquisition, construction, and improvement of facilities or equipment used for public transportation purposes, including, but not limited to, vehicles and related equipment.

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

**Designated Recipient:** An entity designated, in accordance with the planning process under sections 5303 and 5304 of title 49, United States Code, by the governor of a state, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under 49 U.S.C. 5336 to urbanized areas of 200,000 or more in population; or a state or regional authority, if the authority is responsible under the laws of a state for a capital project and for financing and directly providing public transportation.

**Direct Recipient:** A public entity legally eligible under federal transit law to apply for and receive grants directly from the Federal Transit Administration (FTA).

**Disability:** The term disability has the same meaning as in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102). The term “disability” means, with respect to an individual -

- a physical or mental impairment that substantially limits one or more major life activities of such individual;
- a record of such an impairment; or
- being regarded as having such an impairment.

**Equipment:** An article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost that equals or exceeds the lesser of the capitalization level established by the governmental unit for financial statement purposes, or \$5,000. Equipment includes rolling stock and all other such property used in the provision of public transit service.

**Grant:** An award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by the federal government to an eligible recipient or recipients. Used interchangeably with grant agreement.

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

**Individual With a Disability:** an individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use effectively, without special facilities, planning, or design, public transportation service or a public transportation facility. 49 U.S.C. 5302(a)(5).

**Job Access and Reverse Commute Program (JARC):** the FTA formula grant program under SAFETEA-LU for projects relating to the development and maintenance of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment, and for public transportation projects designed to transport residents of urbanized areas and

nonurbanized areas to suburban employment opportunities. 49 U.S.C. 5316. This program was eliminated under MAP-21.

**Large Urbanized Area:** An urbanized area (UZA) with a population of 200,000 or more individuals, as determined by the Bureau of the Census.

**Local Government Agency:** includes a political subdivision of a state; an authority of at least one state or political subdivision of a state; an Indian tribal government; and a public corporation, board, or commission established under the laws of a state.

**Master Agreement:** The FTA official document containing FTA and other cross-cutting federal requirements applicable to the FTA recipient and its project(s). The master agreement is generally revised annually in October. The master agreement is incorporated by reference and made part of each FTA grant, cooperative agreement, and amendment thereto.

**Metropolitan Transportation Improvement Plan (MTIP):** a six-year program of highway and transit projects for the urbanized areas. It is a compilation of projects from the various federal, state, and local funding programs for all the cities and counties in the Region, as well as for the state DOT and the local transit agencies.

**Mobility Management:** short-range planning and management activities and projects for improving coordination among public transportation and other transportation-service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a government entity, under 49 U.S.C. Chapter 53 (other than Section 5309). Mobility management does not include operating public transportation services.

**Net Project Cost:** The part of a project that reasonably cannot be financed from operating revenues (i.e., farebox recovery).

**New Freedom Program:** the FTA formula grant program under SAFETEA-LU for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C.12101 et seq.) that assist individuals with disabilities with transportation, including transportation to



and from jobs and employment support services. 49 U.S.C. 5317. This program was eliminated under MAP-21.

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

**Older Adults:** See “Senior.”

**Operating Expenses:** costs necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one year.

**Paratransit:** comparable transportation service required by the ADA for individuals with disabilities who are unable to use fixed-route public transportation systems.

**Pre-award Authority:** authority given under specific and limited circumstances to incur costs for eligible projects before a grant is made without prejudice to possible Federal participation in the cost of the project(s). Applicants must comply with all Federal requirements. Failure to do so will render a project ineligible for FTA financial assistance.

**Program of Projects:** a list of projects to be funded in a grant application submitted to FTA by a recipient. The program of projects (POP) lists the subrecipients and indicates whether they are private nonprofit agencies or local governmental authorities, designates the areas served (including rural areas), and identifies any tribal entities. In addition, the POP includes a brief description of the projects, total project costs, Federal share for each project, and the amount of funds used for program administration from the 10 percent allowed.

**Public Transportation:** Regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income, and does not include: intercity passenger rail transportation provided by Amtrak, intercity bus service, charter bus service, school bus

service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intraterminal or intrafacility shuttle services.

**Recipient:** a designated recipient or a state that receives a grant under Section 5310 directly.

**Rural Area:** An area encompassing a population of fewer than 50,000 people that has not been designated in the most recent decennial census as an urbanized area by the Secretary of Commerce.

**Senior:** An individual who is 65 years of age or older.

**Small Urbanized Areas:** A UZA with a population of at least 50,000 but less than 200,000, as determined by the Bureau of the Census.

**Subrecipient:** A state or local governmental authority, a private nonprofit organization, or an operator of public transportation that receives a grant under Section 5310 indirectly through a recipient.

**Traditional Section 5310 Projects:** Those 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, inappropriate, or unavailable.

**Urbanized Area (UZA):** An area encompassing a population of no less than 50,000 people that has been defined and designated in the most recent decennial census as an urbanized area by the Secretary of Commerce.

