

Program Management Plan

FTA Section 5310 Program
Enhanced Mobility of Seniors and Individuals with Disabilities

September 2020



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Introduction

The Regional Planning Commission of Greater Birmingham (RPCGB) became the designated recipient of the Federal Transit Administration (FTA) Enhanced Mobility of Seniors and Individuals with Disabilities (5310) program funds for the Birmingham Urbanized Area (UZA) in July 2020. As such, RPCGB is required to develop a Program Management Plan (PMP) to detail how it plans to administer program funds. This PMP was developed under the guidance provided in FTA Circular 9070.1G.

The purpose of the 5310 program is to improve access to mobility, remove barriers to transportation services and expand the transportation mobility options available for elderly individuals and individuals with disabilities throughout the Birmingham Urbanized Area (UZA). Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of elderly individuals and individuals with disabilities. The program requires coordination with other federally-assisted programs and services to make the most efficient use of federal resources.

The objective of the 5310 program is to ensure that federal resources provided are used to fund the most effective projects throughout the UZA to increase transportation options for the elderly and individuals with disabilities.

Roles and Responsibilities

The roles and responsibilities for the RPCGB and subrecipients are set forth below.

RPCGB will be responsible for:

- Documenting procedures in a PMP
- Planning for future transportation needs, and ensuring integration and coordination among transportation modes and providers
- Developing project selection criteria
- Notifying eligible recipients of program funding availability
- Soliciting applications from potential subrecipients
- Determining applicant eligibility
- Certifying that allocation of funds to subrecipients are fair and equitable
- Submitting an annual Program of Projects (POP) and grant application to FTA
- Establishing a committee to review applications and select projects through a competitive process
- Certifying that each project is derived from the local Human Services Coordinated Transportation Plan (HSCTP)

- Ensuring that at least 55 percent of the area's apportionment is used for traditional 5310 projects carried out by the eligible subrecipients as described in FTA Circular 9070.1G
- Incorporating the selected projects into the Transportation Improvement Program (TIP) and State Transportation Improvement Program (STIP)
- Publishing the POP and TIP
- Applying for and receiving FTA funding for these programs on behalf of subrecipients and performing ongoing project management
- Project monitoring and site visits
- Managing all aspects of grant distribution and oversight of subrecipients
- Obtaining financial and progress reports from subrecipients
- Submitting reports to FTA as required
- Other grant administrative actions as necessary to ensure project completion in accordance with the appropriate rules, regulations, and laws.

Reports are used to evaluate the performance of agency deliverables and are compared with original service projections. Any concerns resulting from the inspection or analysis of data, such as underutilized equipment, safety issues, or potential misuse of equipment, are analyzed for follow-up. RPCGB will take appropriate action and resolution to ensure program compliance as follows:

- Disallow or temporarily withhold cash payments pending correction of the deficiency
- Prohibit subrecipient from receiving future funding for projects
- Wholly or partially suspend the current award
- Terminate the current award for the subrecipient's project and/or remove the project equipment from the subrecipient. (Removing equipment from a subrecipient is used as a last resort, and only after coordination efforts or remedial actions are unsuccessful).

SUBRECIPIENTS will be responsible for:

- Completing and submitting application for 5310 funding
- Procuring capital items following FTA Circular 4220.1
- Developing and maintaining a Maintenance Plan for vehicles purchased with 5310 funds that will be kept on file with RPCGB
- Inspecting, insuring, and maintaining all vehicles funded through the program
- Completing and submitting acceptance certifications to RPCGB upon vehicle delivery
- Delivering the project as described in the grant project application and grant agreement

- Providing financial management of the project, including assurance that 5310 funds are used for the project identified in the application
- Submitting financial reports, operating statistics, and vehicle data to RPCGB as described herein
- Maintaining a Title VI plan and complying with federal Title VI requirements
- Submitting to on-site inspections as requested by RPCGB and federal representatives
- Maintaining a Data Universal Numbering System (DUNS) profile
- Complying with all additional applicable state and federal requirements

Application Process

RPCGB staff will conduct a competitive selection process for projects seeking 5310 funds apportioned to the Birmingham UZA. As the Designated Recipient, RPCGB issued its first Call for Projects in June 2020, utilizing FY 2019 and FY 2020 appropriations. In subsequent years, the competition will occur every year or every other year, as RPCGB deems necessary, with initiation of the application process approximately two months after publication of the UZA apportionments in the *Federal Register*. The Call for Projects will allow a minimum of 30 days for the due date.

The Call for Projects will include program information, project eligibility (as set forth in FTA C 9070.1G) application instructions, and evaluation criteria. An electronic copy of the application must be submitted to RPCGB by the due date. The applicant should allow adequate time to prepare the application and obtain the necessary signatures for submission by the deadline stated in the Call for Projects.

All projects must comply with the locally-adopted Human Services Coordinated Transportation Plan (HSCTP) and identify strategies for addressing the needs and gaps identified therein. Total funding requested by an applicant for vehicles and other equipment cannot exceed the amount determined by the RPCGB, based on available grant funding. Project eligibility is set forth in FTA C 9070.1G.

Call for Projects

A Call for Projects will be widely disseminated through an email blast to interested and eligible parties and a copy posted on RPCGB's website at www.rpcgb.org. If project sponsors are unable to access the Internet, RPCGB will mail a paper copy of the Call for Projects upon request.

RPCGB staff will conduct application workshops, as necessary, to explain program requirements, application process, and project selection process, as well as to provide an opportunity for project sponsors to ask questions about the application process. Staff will also offer technical assistance, if requested, in person, via email, or by phone.

Project Selection

RPCGB will assure funds are allocated to subrecipients on a fair and equitable basis through a competitive process. After applications have been received and the submission deadline passed, RPCGB will form a selection committee of interested and knowledgeable individuals outside of the organization. One RPCGB staff member will have a voting seat on the selection committee. Each member of the selection committee will receive a copy of each application, the Call for Projects, a project evaluation form, and information regarding previous awards. The selection committee will have time to review and evaluate the applications before convening for discussion and final recommendations.

Committee recommendations will be brought before the committees of the Birmingham Metropolitan Planning Organization (MPO), acting on behalf of the RPCGB, with final approval by the Policy Committee. Staff will then notify the applicants and post the results on the RPCGB website.

After approval of funding recommendations, the RPCGB will develop a Program of Projects (POP) and ensure the projects are included in the TIP and STIP. The POP must be consistent with the TIP and the federal share cannot exceed the annual allocation of 5310 funds.

Program Management

The RPCGB has developed the following procedures for managing the 5310 program in accordance with applicable federal, state, and local rules, regulations, and guidance.

Procurement

RPCGB will work with all subrecipients and manage all capital purchases to ensure compliance with federal regulations. For capital purchases under \$15,000, the subrecipient may purchase the capital equipment directly, after review and approval by RPCGB. Purchases over \$15,000 will be secured under the direction and supervision of RPCGB. All procurements will be conducted in accordance with FTA C 4220.1 and RPCGB's FTA Procurement Procedures Manual.

RPCGB will work with the subrecipient to determine the preferred and/or most effective means of grant distribution. For small purchases, after approval of RPCGB, a subrecipient may want to pay the vendor directly and receive 80% reimbursement for approved costs. For large

purchases, within 24 hours of delivery and acceptance of the capital equipment, a subrecipient must forward the invoice to RPCGB, along with the 20% match of the approved costs, to RPCGB. RPCGB is responsible for paying the vendor the total amount of the approved invoice within 14 days of receipt.

For all capital projects, RPCGB is required to maintain continuous control of the assets through their federal useful life. For vehicles, RPCGB will place a lien on the title of the vehicle and will release that lien at the end of the federal useful life. Following release of the lien, subrecipients are required to provide notice to RPCGB of disposal of the vehicle. (See Disposition, below.)

Reimbursement

Subrecipients receiving funding for operations or purchased transportation will receive payment on a reimbursement basis. Subrecipients will submit invoices to RPCGB. All invoices must include supporting documentation for proof of payment. Supporting documents must follow the FTA's regulations of approved expenses. Once submitted, RPCGB will reconcile the expenses and documentation. Upon approval of the invoice, RPCGB will issue payment to the subrecipient within 30 days. Subrecipients may choose to submit invoices on a monthly or quarterly basis and must notify RPCGB of their intended schedule. If subrecipients are not current on their reporting and compliance requirements, payment of invoices will be withheld until compliance is confirmed.

Maintenance

Vehicles purchased through 5310 must be maintained and used for the intended purpose under which they are purchased. Maximum use of vehicles is encouraged, first for program related purposes, then other federal programs and project purposes. RPCGB is responsible for ensuring that the subrecipient is maintaining continuing control over vehicles and that the vehicles are being utilized for their intended purpose.

RPCGB will maintain an inventory of all vehicles purchased through 5310 and will require all subrecipients to submit annual vehicle use reports (miles, hours, passengers, trips, and trip purpose) to ensure that vehicles are used in accordance with program requirements.

Subrecipients must maintain all federally-funded property in good operating order and maintain ADA accessibility. RPCGB will audit maintenance records of vehicles and may inspect vehicles during site visits. RPCGB may also require subrecipients to perform pre-trip inspections of vehicles.

Subrecipients are required to develop a maintenance plan covering all federally-funded vehicles and provide RPCGB with a copy of their plan. Each maintenance plan will be monitored for adherence to that plan by RPCGB staff for compliance. Maintenance programs must include:

- Preventative maintenance practices and schedules
- Preventative maintenance practices for accessibility equipment
- A system for recording maintenance and repair activities
- A process for authorizing and controlling maintenance activities and costs
- Quality control for outsourced maintenance
- A procedure for pursuing warranty recoveries

5310 subrecipients must have an up-to-date maintenance plan on file with RPCGB prior to applying for future FTA grants. Subrecipients will not be required to resubmit maintenance plans with each application cycle, but are required to submit updated plans when necessary, e.g., when they have acquired new vehicles or other substantial assets not addressed in previously submitted plans or when the plan on file is no longer effective.

Disposition

RPCGB follows FTA guidelines for determining when a vehicle has reached the end of its useful life. A subrecipient may dispose of or utilize a vehicle for another purpose when the vehicle has attained its useful life. Useful life is defined based on vehicle type. See FTA C 5010.1D.

If a federally-funded vehicle is to be removed from service prior to the end of its useful life, subrecipient must notify RPCGB prior to removal and remit the federal share of the current market value of the vehicle to RPCGB. If a federally-funded vehicle is to be removed from service at the end of or after its useful life, subrecipient will notify RPCGB. If the vehicle is sold for over \$5,000, the excess amount must be returned to RPCGB for re-programming.

Pre-award and Post-delivery

When purchasing revenue service rolling stock with federal funds, a pre-award and post-delivery audit will be conducted to verify compliance with Buy America provision (exempt for purchases under \$150,000), purchaser's requirements, resident inspector requirements, and Federal Motor Vehicle Safety Standards (FMVSS).

Whenever applicable, the Procurement Coordinator shall be responsible for assuring that the procurement is undertaken in accordance with FTA's Buy America provision, purchaser's requirements, and Federal Motor Vehicle Safety Standards (FMVSS). This includes required pre-award and post-delivery documentation. For piggybacking purchases, certifications may be

obtained from the awarding agency or contractor. RPCGB will ensure that a post-delivery audit is complete before title to the rolling stock is transferred to the subrecipient.

Financial Management

RPCGB is responsible for managing grants, contracts, and interagency agreements to ensure that expenditures comply with federal rules and regulations for all FTA grant programs. Financial management responsibilities include:

- Investigating and resolving accounting problems to ensure compliance with state and federal rules
- Managing documentation associated with individual grants, contracts, and interagency agreements
- Submitting federal financial reports
- Rectifying and closing out FTA grants when projects are completed

RPCGB will use the Electronic Clearing House Operation System (ECHO Web) process to request FTA grant awards so that transactions are processed in a timely manner and accounts are balanced and documented.

RPCGB will maintain records for vehicles, facilities, and other substantial assets purchased with 5310 funds. It will ensure that all equipment purchased through 5310 is used for the program or project for which it was acquired. Records will be updated, and appropriate equipment use will be assured through reporting by subrecipients and on-site reviews.

Subrecipients must have a set of accounts in which all transit-related costs, revenues, and operating sources are recorded and clearly identified, easily traced, and substantially documented. Accounting practices and records must be in accordance with Generally Accepted Accounting Principles.

RPCGB uses the same accounting system for 5310 that it uses for its other state and federal grant programs. It uses the information contained in quarterly reports to monitor subrecipients' fiscal and operational activities. Requests for reimbursement will be reviewed for accuracy and completeness, and requests must be approved prior to payment.

RPCGB will initiate project closeout with subrecipients within 90 days after all funds are expended and all work activities for the project are complete. RPCGB will also initiate POP closeout with FTA within 90 days after all work activities for the POP are complete.

Reporting

The goal for monitoring and reporting is to ensure effective use of program funds, provide useful information for the planning and prioritization of future projects, and to fulfill federal requirements without placing an excessive burden on the designated recipient or subrecipients.

RPCGB will submit required 5310 reports to the FTA Region IV by October 31 of each year, covering a 12-month period ending on September 30, as well as quarterly reports, as required. Subrecipients are required to submit required information to RPCGB so that RPCGB can consolidate the information for inclusion in the report to the FTA. RPCGB will act as a liaison between the FTA and subrecipients during audits. Annual reports filed by RPCGB will include:

- An updated POP
- Civil rights compliance
- Milestone activity report
- Federal Financial Assistance Transparency Act Report (FSRS)
- Program measures

Subrecipients shall submit semiannual progress reports of their 5310-funded project to RPCGB and which will include, at a minimum:

Traditional Capital Projects

- Number of one-way unlinked passenger trips
- Number of individual clients served

Other Capital and Operating Projects

- Physical improvements completed (such as sidewalks, transportation facilities, or technology)
- Description of accomplishments, problems, and changes to milestones and budgets
- Fleet summary including year, mileage, make/model, and relevant features
- Number of one-way unlinked passenger trips (if applicable)
- The number of individual clients served (if applicable)

Other Program Requirements

Civil Rights

RPCGB agrees to comply with all applicable civil rights statutes and implementing regulations including, but not limited to Title VI, Equal Employment Opportunity (EEO), and Disadvantaged Business Enterprise (DBE). The RPCGB has submitted supporting plans and documentation to

FTA. RPCGB signs the FTA Annual List of Certifications and Assurances, declaring its compliance with all civil rights requirements.

Section 504 and the Americans with Disabilities Act of 1990 are civil rights laws to protect people with disabilities by eliminating barriers and allowing full participation. Subrecipients will be required to provide assurances to RPCGB of compliance with Section 504 and ADA regulations. Through grant agreements, subrecipients consent to comply with all applicable civil rights statutes and regulations. These include Title VI of the Civil Rights Act, Equal Employment Opportunity, and Americans with Disabilities Act. 5310 program subrecipients must also comply with the FTA's Annual List of Certifications and Assurances.

Limited English Proficiency

Subrecipients are required to take reasonable steps to ensure meaningful access to their programs and activities by Limited English Proficient (LEP) persons. These are persons who may have trouble speaking, reading, and writing English sufficiently enough to access service. The subrecipient is required to certify that their agency provides reasonable alternate-language accommodation for LEP persons through a four-factor analysis based on their area of service.

Disadvantaged Business Enterprise

Recipients of 5310 funds should take steps to ensure that Disadvantaged Business Enterprises (DBEs) participate in the performance of contracts and subcontracts. This may mean as actual transportation service providers, or as suppliers of commodities or services needed in the operation of transportation service. Grant agreements will detail DBE requirements.

Drug-Free Workplace

In accordance with the Drug-Free Workplace Act of 1988, each subrecipient is required to maintain a drug-free workplace for all employees and have an anti-drug policy and awareness program.