



# Program Management Plan

## FTA Section 5310

Enhanced Mobility of Seniors and Individuals with Disabilities  
*In conformance with the requirements of FTA Circular 9070.1G*

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## **A. MAP-21 Introduction**

The passage of Moving Ahead for Progress in the 21st Century (MAP-21) in July 2012 transformed 49 USC 5310 from the Elderly Individuals and Individuals with Disabilities Program to the Enhanced Mobility of Seniors and Individuals with Disabilities Program. The new program encompasses many of the same program elements of Section 5310 from Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), but also incorporates the old New Freedom program (49 USC 5317 under SAFETEA-LU). The purpose of 49 USC 5310 under MAP-21 is to enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the special needs of transit dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services.

## **B. Statutory Authority**

The Federal Transit Administration (FTA) has provided program guidance in FTA Circular 9070.1G, dated June 6, 2014. The circular elaborates upon the intent of the 5310 program, interprets provisions, and establishes additional requirements for designated sub-recipients, direct sub-recipients, and sub-recipients of Enhanced Mobility of Seniors and Individuals with Disabilities Program funding. The development of this program management plan is included among these additional requirements. Therefore, the contents of this plan comply with FTA Circular 9070.1G and satisfy the FTA requirement for its development. Further references in this program management plan to Title 49 USC 5310 shall be the “5310 program”.

## **C. Program Goals & Objectives**

This Program Management Plan for the Enhanced Mobility of Seniors and Individuals with Disabilities Program incorporates the goals of the 5310 program under Map-21. FTA has defined the goal of the Seniors and Individuals with Disabilities Program in FTA Circular C 9070.1G, “to improve mobility for seniors and individuals with disabilities throughout the country by removing barriers to transportation services and expanding the transportation mobility options available.” Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities. The program requires coordination with other federally assisted programs and services in order to make the most efficient use of Federal resources. In addition, to support the general FTA objectives, the 5310 program will support the mission and priorities of the City of Montgomery (COM). The goal of the program is to promote the expansion of a coordinated, comprehensive, and multimodal transportation system that will increase the quality of life for residents within the Montgomery UZA, reduce dependency on personal automobiles, and increase mobility for those who cannot or choose not to use other transportation modes. Objectives represent a strategy to increase personal mobility and travel options for those with special transportation needs in the Montgomery area, including seniors and individuals with disabilities. The long-term goal is that no individual is denied access to his or her community and services due to a lack of transportation.

## **D. Roles & Responsibilities**

Under federal law, the Governor of each state designates which agency is responsible for the administration of federal programs. In Alabama, the governor has designated the City of Montgomery as the designated recipient of 5310 funds for the Montgomery area. FTA requires that each recipient produce a program management plan documenting its policies and

procedures used in administering the specific programs. Additionally, the City of Montgomery derives all projects selected for 5310 funding from a locally developed coordinated planning process.

Federal and state regulations require agencies to develop a coordinated transportation plan with assistance from human service agencies and transportation providers in order to consider all passenger transportation needs and services. The City of Montgomery will use the Central Alabama Regional Planning Commission Human Services Coordinated Transportation Plan (CTP) to identify coordination. The CTP provides transportation stakeholders - including, but not limited to, local residents, transportation providers, human service agencies, community organizations, elected officials, and state and federal agencies – a comprehensive analysis of the Montgomery Area passenger transportation system. Funding amounts and sources for any project will be included in the Metropolitan Planning Organizations (MPO) Transportation Improvement Program (TIP). Only projects selected during this coordinated planning process will be eligible for 5310 funding. Both the CTP and TIP require public participation and MPO Executive Committee approval before forwarding the final documents to the state for inclusion in the State Transportation Improvement Program (STIP).

The City of Montgomery, as the designated recipient, will be responsible for administering the program, including notifying entities of funding availability, developing the selection process, determining eligibility, developing the program of projects, and ensuring all sub-recipients and contractors comply with federal requirements under the 5310 program. City of Montgomery will present the prioritized projects for inclusion in the MPO's TIP and the STIP. This certifies the following:

- Projects selected for funding were included in the locally developed coordinated public transit-human services plan
- The plan was developed and approved through a process that included participation by
  - Seniors
  - Individuals with disabilities
  - Representatives of public, private, nonprofit transportation and human services providers
  - Other members of the public

## **E. Coordination Efforts**

City of Montgomery is active in the development of the CTP. The CTP looks at existing coordination efforts, and strategizes new ways to coordinate special needs transportation services. The Plan is derived from participation from interested stakeholders of human service and transit agencies, public and elected officials, and advocacy groups, individuals with special transportation needs, school districts, transportation brokers, and human service transportation providers. The Montgomery MPO collect public input, as needed, to assist in the planning efforts. The CTP assists with collecting public input, analyzing unmet transportation needs using available data, developing and recommending programs and projects to address these unmet needs.

City of Montgomery as a member of the MPO and CTP will use the inputs, surveys, and data collected during the coordinated planning process in developing the Program of Projects (POP). City of Montgomery, as the designated recipient of the 5310 funds will take the lead in project development, selection criteria and the required oversight of sub-recipients. The programs selected for 5310 funding will be including in the MPO's TIP, State's TIP, and eventually FTA grants.

Implementation of Section 5310 projects will be done in such a manner as to provide effective and efficient programs. One way to provide quality service under these constraints is to coordinate agencies and projects. As part of the selection criteria, project sponsors will identify interagency and/or service coordination efforts they are engaging in, as well as any financial partnerships. These are important portions of the application and have the ability to either negatively affect or increase the award chances for a project requesting Enhanced Mobility of Seniors and Individuals with Disabilities Program funding.

## **F. Eligible Sub-recipients**

City of Montgomery is the designated recipient for FTA 5310 funds for the Montgomery area. The 5310 program permits designated sub-recipients to carry out a competitive process to select sub-sub-recipients, but does not require it. City of Montgomery will only issue a competitive solicitation if during the coordinated planning process; the City of Montgomery identifies and recommends projects for implementation in which City of Montgomery is unable or unwilling to provide the service directly or by contract. In addition, agencies other than the City of Montgomery will benefit from FTA transit assistance funding by contracting to purchase services from City of Montgomery, or by providing service under the auspices of the City of Montgomery. Any such sub-contracts must provide for a coordination of the transit services with other transit services within the Montgomery area or by other sub-contractors.

The following types of agencies are eligible to receive 5310 funding:

- Private non-profit organizations - a non-profit organization is a corporation or association determined by the Secretary of the Treasury to be an organization described by 26 USC 501(a) or one which has been determined under state law to be non-profit and for which the designated state agency or urbanized area designated recipient has received documentation certifying the status of the non-profit organization
- State or local governments
- Operators of public transportation services, including private operators of public transportation services

In addition to being classified as one of the listed types of agencies, only sponsors whose projects serve the area for which the funds were apportioned are eligible to receive funding.

## **G. Federal Share of Costs/Local Match**

Under MAP-21, sub-recipients may use Enhanced Mobility for Seniors and Individuals with Disabilities funds for either capital or operating assistance. As described under Eligible Projects, sub-recipients must use at least 55% of the program funds for eligible capital projects. Depending on which type of assistance a project sponsor is applying for, project sponsors are required to match different percentages to the federal share of eligible expenses. The local share for capital expenses is 20/80% (local/federal) of the total cost of the project, and the match requirement for operating expenses is a 50/50 split, net of fares. The FTA funds revenue vehicles equipped to meet the requirements of the Americans with Disabilities Act of 1990 at 85% federal. Project sponsors must provide all local match funding from sources other than other FTA or Federal Department of Transportation funding.

Examples of eligible local sources:

- State or local appropriations
- Tax revenues

- Private donations
- Revenues from human service contracts
- Net income generated from advertising and concessions
- Non-cash share such as donations, volunteered services, or other in-kind contributions are eligible as a local match, so long as the value of each is documented and supported, and are a cost that would otherwise be eligible under the program in the original submission for funding
- Other non-Department of Transportation federal funds eligible to be expended for transportation such as TANF and Medicaid
- Net income generated from advertising and concessions

To be eligible for local match against Enhanced Mobility for Seniors and Individuals with Disabilities funds, the non-DOT federal funds must be utilized for activities included in the total cost of the project. Project sponsors cannot apply the use of other federal funds for transportation outside the scope of the project as a credit for the local match.

## **H. Project Selection Criteria**

Under MAP-21 at least 55% of Enhanced Mobility of Seniors and Individuals with Disabilities program funds must be used on capital projects that are public transportation 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. Both capital and operating costs associated with contracted service are eligible capital expenses for the 5310 program. The remaining 45% of program funds may be used for new public transportation projects that exceed the requirements of the ADA, improve access to fixed route service and decrease reliance by individuals with disabilities on complementary paratransit, or alternatives to public transportation that assist seniors and individuals with disabilities. The application and instructions for submitting a 5310 project are in the appendix to this plan.

The following activities are examples of eligible operating projects:

- Expansion of paratransit service parameters beyond the  $\frac{3}{4}$  mile required by the ADA
- Expansion of current hours of operation for paratransit services that are beyond those provided on the fixed-route services
- The provision of same day service
- Enhancement of the level of service by providing escorts or assisting riders through the door of their destination
- New “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
- Travel Training: New 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
- Supporting new mobility management and coordination programs among public transportation providers and other human service agencies providing transportation

The following activities are examples of eligible capital projects:

- Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for common wheelchairs under the ADA and labor costs of aides to help drivers assist passengers with over-sized wheelchairs
- Purchasing vehicles to support new accessible vanpooling programs

- 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.
- Acquisition of public transportation services.

The City of Montgomery will use these selection criteria in recommending projects for 5310 funding:

1. Ensure that projects selected are derived from the locally coordinated human services-transportation plan (CTP)
2. Select projects that support adopted goals and strategies outlined in the CTP
3. Project shows evidence of inter-agency or service coordination efforts.
  - a. To give preference to those projects that will effectively serve more than one of the targeted special needs demographics
  - b. Preserve or improve the infrastructure that supports coordination or services

Project is part of a long-range strategy or package of projects. The City of Montgomery will give preference to those projects that address near-term needs, while at the same time being a part of a larger project or local strategy to address current unmet needs or anticipated gaps.

1. Project benefits society - The City of Montgomery will ensure projects provide the most important connections and services for targeted special needs demographics.
2. Cost/efficiency relationship - The City of Montgomery will give preference to those projects providing higher levels of service with limited funds.
3. Verify project has approved financial plan and project schedule
  - a. Ensure most effective and timely use of federal funds
  - b. Evaluate project sponsor's experience in applying awarded funds towards capital and service improvements
  - c. Evaluate the financial capabilities of sponsor agency to sustain operations after initial grant funding is expended
  - d. Give preference to those projects whose sponsors can demonstrate their involvement in an effective financial partnership with another agency

## **I. Program of Projects Development and Approval**

City of Montgomery's Program of Projects is developed during the coordinated planning process. Transportation staff will make recommendations into the TIP coordination process for inclusion in the proposed program of projects and request authorization to proceed with the grant process. Once this is complete, City of Montgomery transportation staff will then notify sub-sub-recipients, if applicable, of funding approval and forward a funding recommendation for Enhanced Mobility for Seniors and Individuals with Disabilities funds to the MPO for inclusion in the TIP. Upon MPO approval of the TIP, the projects will be forwarded to the state for inclusion in the STIP. Staff will then apply for the grant with FTA when the funding becomes available and issue sub-recipient agreements.

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

City of Montgomery will require that all 5310 funding be directed toward direct support of the organizations or sub-recipients selected projects. City of Montgomery or its sub-recipients will not be allowed to apply the 10% maximum of 5310 funding towards administration, planning or technical assistance. Funding for these areas should come from other sources.

#### **K. Transfer of Funds**

City of Montgomery has made no provision to transfer 5310 funds to other programs.

#### **L. Private Sector Participation**

The City of Montgomery is responsible for facilitating the participation of private providers of transportation in the Section 5310 program to the maximum extent feasible. The COM will develop and maintain an email contact list of stakeholders in the Montgomery UZA, including health and human service agencies, and private and public transportation operators. The COM will notify all stakeholders of important Section 5310 activities via announcements in local papers of record, emails to interested parties included in the contact list, and announcements at the MPO meeting. The COM will contact interested parties using these methods prior to the following events:

- Opportunities to provide information regarding current and future needs;
- Notification of funding availability and solicitation of applications; and
- Award of funding.

#### **M. Civil Rights**

City of Montgomery must comply with all standard federal civil rights requirements including:

- Title VI of the Civil Rights Act of 1964, as amended
- The Equal Employment Opportunity (EEO) requirements of Executive Order 11375
- FTA's Disadvantaged Business Enterprise (DBE) program requirements

City of Montgomery requires sub-recipients recommended for federal funding submit all project appropriate FTA certifications and assurances prior to contract execution and annually thereafter. City of Montgomery 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.

#### **N. Section 504 and ADA**

City of Montgomery and its sub-recipients must comply with federal civil rights requirements including the federal protections for persons with disabilities:

- Section 504 of the Rehabilitation Act of 1973 as amended,
- The Americans with Disabilities Act of 1990, as amended, and
- Code of Federal Regulations Title 49 Parts 37 and 38.

City of Montgomery will notify each grant sub-recipient or contractor at the time of the grant award that anyone alleging discrimination in service or employment, including Section 504 and ADA, may contact the City of Montgomery. The City of Montgomery expects each transportation system to have and follow a comprehensive ADA policy, which includes but is not limited to:

- Staff training on accessibility issues
- A service animal policy
- Proper use and maintenance of lifts and securement systems
- Personal Care Attendant policy
- Complaint processes and policies

Transportation staff will review and approve all documents and procedures for compliance during a site and desk review. All policies and protections must be in place before contract award.

## **O. Program Measures**

City of Montgomery will report quarterly and annually the number of rides as measured by one-way trips for seniors and individuals with disabilities to IDOT. The recipient will provide these numbers to the City of Montgomery. FTA reporting will be via the National Transportation Database (NTD) requirements and reporting periods. Reporting all required information is the responsibility of the recipient, unless specifically outlined in a letter to the recipient that the City of Montgomery will accomplish the reporting requirements.

## **P. Program Management**

City of Montgomery will maintain financial management systems for financial reporting, accounting records, internal controls, and budget controls subject to standards specified in state laws enforced by the State Auditor. All systems and procedures for financial management must comply with 49 CFR 18.20, the "Common Rule."

As required, the City of Montgomery will develop and execute grant agreements to those sponsors who are not eligible for direct recipient status. All FTA funding is via a reimbursement policy. Therefore, the City of Montgomery cannot pay out the FTA funding until receiving the paperwork showing the expense occurred. After the recipient incurs the expense, the City of Montgomery will secure the FTA funding and reimburse the recipient. All grant agreements for capital projects will detail the equipment approved for purchase and its intended use. Agreements for operations assistance will outline the type of service provided by the recipient, the period covered by the agreement, and the service area.

City of Montgomery will reimburse the sub-recipient with the federal funds based on the proportions identified on the grant agreement. However, the federal share on any project shall not exceed 80% for capital projects (85% for ADA Vehicles) and 50 % for operations projects. Federal grant number, grant program and sub-recipient grant number will identify grant expenditures. Sub-recipients must retain the original receipts for all eligible project expenditures. In the case of capital projects, sub-recipients will be required to attach copies of vendor invoices to reimbursement requests. Sub-recipients receiving operations assistance will not be required to submit copies of all vendor invoices. However, they must retain copies in their offices for verification of expenses during City of Montgomery site visits.

City of Montgomery will track each sub-recipients project expenditures, amounts charged to each funding source, local matching sources, and project budgets. Additional tracking will summarize the total expenditures on each federal grant and will be used to reconcile the grant expenditures and for revisions to the program of projects and budgets.

Sub-recipients will be required to prepare a variety of reports on a quarterly basis. These will include a project narrative, local matching sources used, number of passenger trips provided, vehicle miles traveled, and revenue service hours provided. This requirement will not be required for sub-recipients currently under contract but will follow current contract guidance for reporting requirements.

Sub-recipients will also be required to report on an annual basis their efforts in purchasing from DBE vendors and a vehicle condition report.

City of Montgomery will restrict vehicle use to passenger transportation services. Vehicles must be used in service that is available to the general public. Sub-recipients may not transfer the operational control of a vehicle purchased under this program to anyone else without prior written approval from FTA.

Sub-recipients must follow FTA policy with regard to vehicle life cycle and disposition of vehicles. Please refer to circular 5010.1C Grant Management Guidelines. Agencies will be required to submit an annual Rolling Stock Inventory. The inventory will include Year/Make/Model, Vehicle Code, Vehicle Identification Number, Agency Vehicle Number, Condition, Age, Remaining Useful Life, Replacement Cost, ADA Access, Seating Capacity, and Fuel Type.

## **Q. Other Provisions**

Environmental Protection – City of Montgomery anticipates only funding projects with categorical exclusions from both the National Environmental Protection Act (NEPA) and the State Environmental Protection Act (SEPA). Therefore, there should be no further documentation necessary.

Regulations Associated with Vehicle Purchase – City of Montgomery or sub-recipient vehicles purchased with 5310 funds will be accessible and comply with ADA. All vehicles will meet federal “Buy America” provisions and certifications.

Restriction on Lobbying and Code of Ethics – City of Montgomery and sub-recipients are required to complete FTA’s Certification on Lobbying prior to contract execution. All staff, officers, employees, board members or agents of the grantee are required to comply with City of Montgomery’s written code of conduct.

Prohibition on Exclusive School Transportation - As required by 49 U.S.C. 5323(f) and FTA regulations, “School Bus Operations,” at 49 CFR 605.14, City of Montgomery and its sub-recipients agree that they will:

- Engage in school transportation operations in competition with private school transportation operators only to the extent permitted by 49 U.S.C. 5323(f), and Federal regulations
- Comply with the requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 or Title 23 U.S.C. for transportation projects

- An exception would be the transportation of students with disabilities who are eligible passengers. City of Montgomery understands that a violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further federal assistance for transportation

Drug and Alcohol Testing – City of Montgomery will adhere to FTA regulations pertaining to drug abuse and alcohol misuse testing, including for sub-recipients and contractors.

## Enhanced Mobility of Seniors & Individuals with Disabilities Project Proposal Application

(please complete one application for each project proposal)

**Application Deadline** – \_\_\_\_\_

Agency:

Contact Person: Title:

Complete Mailing Address:

Daytime Phone:

State

Zip Code

City

E-mail Address: Fax Number:

New

Continuation (list all grants this project was previously funded under)

### Project Title:

**Detailed Project Description:** (Describe proposed project, including nature of service or improvement, specific service area/location, service days/hours, who will provide proposed fare, estimated ridership, etc. If the project includes a capital component this should be described as well. Projects involving expansion service should describe what service exists and how the expansion will complement the existing service. [Projects involving expansion vehicles must give before and after information on spare ratios and rationale why existing fleet cannot be used]. Will the proposed service be open to the general public?) (For continuation projects, please provide relevant operating statistics.)

**Projects without enough detail may not be considered.**

**Project Eligibility:** (Provide detailed rationale on how the project qualifies for Enhanced Mobility of Seniors and Individuals with Disabilities program funding. Describe how the service will benefit the targeted population.)

### General Project Cost Information:

5310 funds requested: \$ \_\_\_\_\_ %

Local funds available \$ \_\_\_\_\_ %

Other funds available: \$ \_\_\_\_\_ %

Specify type(s): \_\_\_\_\_

Total Project Cost \$ \_\_\_\_\_ 100%

**Detailed Project Budget:** (Show how the total cost for project has been estimated, including various cost components. Show calculation of net project cost based on subtraction of passenger revenues for operating projects. Show amount of 5310 funding requested. [If project includes both operating and capital components, please show cost calculations and funding requests for each]).

**Nature/Source(s) of Matching Funds:** (Describe where/who match will come from and what type of funding it might be (federal/state/local/private, etc.) including program names, if applicable. Also include status of local match [i.e. copies of executed contracts, verbal commitments, etc.]

**Inclusion of Project in Passenger Transportation Plan (CTP):** (provide date of plan adoption and provide copies of specific pages where the proposed project meets the recommended strategies/projects portion of the adopted CTP document. Please include information such as, but not limited to, planning partners, a brief description of gaps in services that exist and services proposed to bridge gaps and the intended beneficiaries of the project.)

**Inclusion of Project in adopted Transportation Improvement Program (TIP):** (Provide a copy of the draft Transit Element of your local TIP where the proposed project is programmed in the current year of the locally approved TIP. If project is not currently in the current year of the approved TIP, describe the status of the effort to get this accomplished and the anticipated time-frame for completion.)

**Additional Justification:** (if there are benefits to the transit program anticipated as a result of implementing the proposed project, beyond those addressed in the CTP discussion, please describe. Please provide route maps if appropriate, marketing strategies, letter of support of the project, likelihood of viability after two to three years of 5310 funding, etc.)

I certify the above information is accurate to the best of my knowledge, and that our agency has, or has made arrangements for, the required non-Federal match and is prepared to proceed with implementation of the project upon grant approval. The legal signatory for the transit system acknowledges the above information is accurate to the best of his/her knowledge, the transit system has the required non-Federal match and is prepared to proceed with implementation of the project upon grant approval.

(Authorized Signatory)  
(Printed Name)  
(Title)  
(date)

If submitting more than one project, please list order of project priority on each application. Please note: Priority funding will be given to projects providing more than 50% local match.

Please send applications with attachments to:

Robert Smith  
Director of Planning  
City of Montgomery  
25 Washington Ave 4th Floor  
Montgomery, AL 36104  
Phone: 334-625-2218  
Email: [rsmith@montgomeryal.gov](mailto:rsmith@montgomeryal.gov)