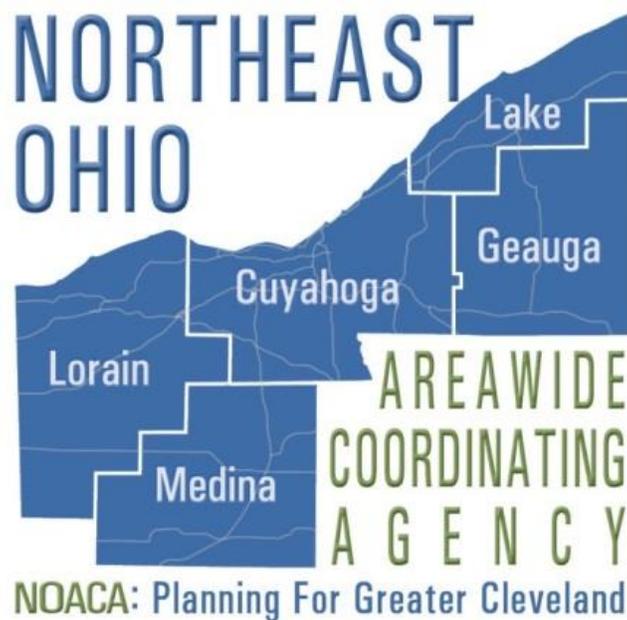


**PROGRAM MANAGEMENT PLAN**  
**For**  
**Enhanced Mobility of Seniors and Individuals with**  
**Disabilities (FTA Section 5310) Program**

November 2016

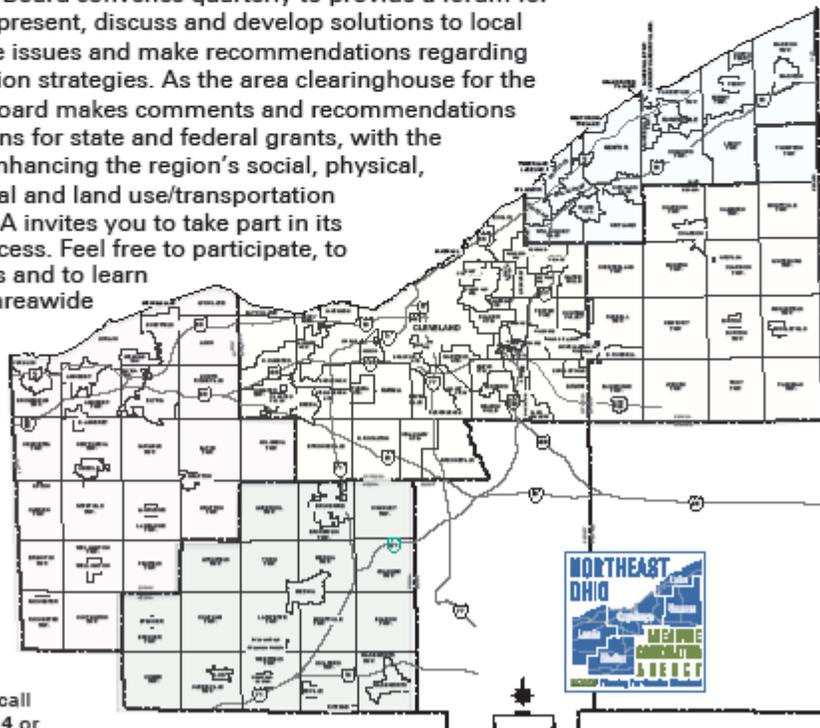


Prepared by  
**NORTHEAST OHIO AREAWIDE COORDINATING**  
**AGENCY**

**The Northeast Ohio Areawide Coordinating Agency (NOACA)** is a public organization serving the counties of and municipalities and townships within Cuyahoga, Geauga, Lake, Lorain and Medina (covering an area with 2.1 million people). NOACA is the agency designated or recognized to perform the following functions:

- Serve as the Metropolitan Planning Organization (MPO), with responsibility for comprehensive, cooperative and continuous planning for highways, public transit, and bikeways, as defined in the current transportation law.
- Perform continuous water quality, transportation-related air quality and other environmental planning functions.
- Administer the area clearinghouse function, which includes providing local government with the opportunity to review a wide variety of local or state applications for federal funds.
- Conduct transportation and environmental planning and related demographic, economic and land use research.
- Serve as an information center for transportation and environmental and related planning.
- At NOACA Board of Director direction, provide transportation and environmental planning assistance to the 172 units of local, general purpose government.

**NOACA's Board of Directors** is composed of 45 local public officials. The Board convenes quarterly to provide a forum for members to present, discuss and develop solutions to local and areawide issues and make recommendations regarding implementation strategies. As the area clearinghouse for the region, the Board makes comments and recommendations on applications for state and federal grants, with the purpose of enhancing the region's social, physical, environmental and land use/transportation fabric. NOACA invites you to take part in its planning process. Feel free to participate, to ask questions and to learn more about areawide planning.



For more information, call (216) 241-2414 or log on at [www.noaca.org](http://www.noaca.org)

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## Tables

[Table 1: Section 5310 FFY 2015 and 2016 Sample Funding Breakdown](#)

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## 1. Background

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### **Overview**

The Federal Transit Administration's (FTA) Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C Section 5310) has been reauthorized through the FAST Act. This formulaic grant program is intended to enhance the mobility of seniors and those with disabilities by providing funding for projects serving the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services.<sup>1</sup>

The 5310 program was established under previous federal transportation legislation (SAFETEA-LU), but underwent important changes under MAP-21 and those changes have been maintained under the FAST Act. Funds were previously awarded directly to the individual states. In Ohio, the Ohio Department of Transportation (ODOT) received this funding, managed the program and selected the applicants and projects to be awarded funding. Under new provisions established by MAP-21, 5310 funding now goes directly to the various metropolitan areas, allowing funding decisions to be made at the local level.

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## 2. Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio

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### **The Study Area**

The NOACA region consists of the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina, encompassing an area of 2,005 square miles with a total population of 2.07 million in 2010. Cuyahoga County, which includes the City of Cleveland, accounts for 61.6% of the region's population. Overall, the region is home to 17.8% of Ohio's nearly 11.6 million residents.

This Coordinated Plan includes information on the existing transportation options and unmet needs of the three target population groups: older adults, individuals with disabilities, and people of low income. The 2015 update to the Coordinated Plan builds off the extensive public outreach and subsequent findings of the 2008 and 2012 Coordinated Plans. The Plan continues to focus on the unique needs of transit dependent populations, identifying gaps, opportunities, and promotes coordination within and between transportation providers. The following core components are included in the Coordinated Plan:

- An assessment of available transportation services that identifies current providers
- An assessment of transportation needs for target populations
- Strategies and activities to address identified gaps and redundancies in services; and
- Prioritization for implementation of strategies and activities based on resources, feasibility, and time.

This document contains additional items like demographic data on the target populations and detailed information about the Section 5310 program that have been included to help inform future transportation coordination projects. FY2012 was the final "call for projects" for the Job Access and Reverse Commute and New Freedom programs and are now represented in the new Enhanced Mobility for Seniors and Individuals with Disabilities.

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<sup>1</sup> <https://www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310>

### 3. Program Management Plan

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#### ***Program Management Plan***

The Program Management Plan (PMP) is the document that describes the designated recipients' policies and procedures for administering the Federal Transit Administration (FTA) Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) Program in a large urbanized area. NOACA will administer this program. This document describes these policies and procedures for the administration of the 5310 program in the Cleveland Urbanized Area (UZA).

As the principal designated recipient for 5310 funds, NOACA is required to have an approved PMP on file with the FTA Region V Office and to update it regularly in order to incorporate changes in program management or new requirements. NOACA will inform stakeholders when it develops a new plan or significantly revises an existing plan.

The PMP is intended to facilitate both NOACA's management and FTA oversight by documenting policies and procedures for administering the 5310 program. The primary purpose of the PMP is to serve as the basis for FTA to perform reviews of the program, and to provide public information on NOACA's administration of the program. It also serves as a program guide for local project applicants. The Federal Transit Administration (FTA) Circular 9070.1G allows the designated recipient to establish arrangements to administer and conduct the selection process. NOACA will issue the call for projects.

#### ***Program Goals and Objectives***

NOACA seeks to eliminate barriers and improve transportation options in Northeast Ohio for older adults, individuals with disabilities, and people with low income through the coordination of resources and efforts of public transit operators, human service agencies, and other transportation providers. Furthermore, NOACA will encourage the efficient and effective use of resources by eliminating gaps and redundancies in transportation services.

As designated recipient, NOACA will certify that all projects that receive funding in the Cleveland UZA from the Section 5310 program are subject to an open and fair competitive selection process and are consistent with the goals of the Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio ("Coordinated Plan"). The following tiered list of transportation goals is listed in Section 6 of the Coordinated Plan. It will be used during the selection process to prioritize funding for projects seeking Section 5310 funds in the Cleveland UZA. Projects may address one or more of the goals of the Coordinated Plan.

The goals of NOACA's coordinated plan are reflective of the engagement of transportation providers, clients, and the public. The goals act as a foundation from which the objectives were developed. The goals of the Coordinated Plan are meant to encompass the principles and spirit of improving transportation services and coordination. These goals also provide context for the objectives and strategies ranked below

Goals:

- Improve accessibility and service efficiency for low income, elderly, and/or disabled riders
- Improve cost effectiveness
- Improve Safety
- Improve coordination of services and resources

Tier One Objectives:

1. Reduce transit/specialized transportation costs for riders and providers
2. Improve frequency of service
3. Improve weekend service
4. Improve operational efficiencies at all levels
5. Improve access to underserved areas with transit dependent populations
6. Improve evening service
7. Advance awareness to growing unmet transportation needs

Tier Two Objectives:

8. Improve access to information and travel training for riders and human service agencies
9. Improve last minute transportation options
10. Mitigate environmental barriers
11. Improve inter-county transportation options

Selected projects will address identified gaps in service and unmet transportation needs listed in the Coordinated Plan, and will further the overall goals of the Enhanced Mobility of Seniors and Individuals with Disabilities program. The Enhanced Mobility of Seniors and Individuals with Disabilities was designed “to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society.”

#### **4. FTA Section 5310 Program Administration**

##### ***Roles and Responsibilities***

As required all urbanized areas with populations greater than 200,000 must have a designated recipient named by the chief executive officer of the state to handle the competitive selection process and administrative functions for the 5310 program. Also mandated beginning with Federal Fiscal Year 2013, any project that receives funding through the Enhanced Mobility of Seniors and Individuals with Disabilities(49 U.S.C. 5310) program must be included in a Locally Developed, Coordinated Public Transit-Human Services Transportation Plan.

NOACA is the Metropolitan Planning Organization (MPO) representing state, county, city, village, and township officials for the five Northeast Ohio counties of Cuyahoga, Geauga, Lake, Lorain, and Medina. With support of NOACA’s Transit Council, consisting of representatives from all transit agencies in the region, NOACA staff requested to serve as the designated recipient for Section 5310 funds in the Cleveland UZA. NOACA’s Board of Directors passed resolution 2014-010 in January 2014 agreeing to these responsibilities, and NOACA was named designated recipient by Governor John Kasich for the Enhanced Mobility of Seniors and Individuals with Disabilities funds for the Cleveland UZA on October 9, 2014.

## **Role of the Designated Recipient**

As designated recipient, NOACA will manage all aspects of the grants in the Enhanced Mobility of Seniors and Individuals with Disabilities large urbanized area and perform a variety of administrative functions. The following list of designated recipient responsibilities is outlined by FTA in its Enhanced Mobility of Seniors and Individuals with Disabilities program circular:

- Selecting projects, and may, but is not required to, include a competitive selection process. If the designated recipient decides to hold a competitive selection, it may conduct the competitive selection itself or establish alternative arrangements to administer and conduct the competitive selection.
- Developing the program of projects (POP). Developing project selection processes, including deciding whether to conduct an area wide competitive selection process and, if so, conducting the competition;
- Certifying that all projects are included in a locally developed, coordinated public transit-human service transportation plan (coordinated plan) developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public.
- Overseeing the implementation of projects as developed and prioritized in the coordinated plan, including, where not specified in the coordinated plan, selecting entities to carry out projects consistent with procedures approved in the coordinated plan and/or documented in the designated recipient's state or program management plan.
- Certifying a fair and equitable distribution of funds to sub recipients;
- Managing all aspects of grant distribution and oversight for sub recipients receiving funds under this program; and
- Submitting reports as required by FTA.<sup>2</sup>

## ***Eligible Recipients***

There are two types of 5310 projects – traditional and non-traditional/other. Eligible recipients (as identified in FTA Circular 9070.1G) for each type are as follows:

### **A. Traditional 5310 Projects (at least 55% of total 5310 funding)**

1. Private non-profit organizations
2. A state or local government authority that:
  - a. Is approved by the state to coordinate services for seniors and the disabled
  - b. Certifies that there are no non-profit organizations in the area to provide these services

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<sup>2</sup> [http://www.fta.dot.gov/documents/C9070\\_1G\\_FINAL\\_circular.pdf](http://www.fta.dot.gov/documents/C9070_1G_FINAL_circular.pdf)

B. Non-Traditional 5310 Projects (up to 45% of total 5310 funding)

1. A state or local government authority unlike those described above
2. Private non-profit organizations
3. Private for-profit organizations – must certify that all funds are used in the provision of shared ride services

***Program of Projects Development, Selection and Approval Process***

NOACA will conduct the Enhanced Mobility of Seniors and Individuals with Disabilities selection process for the Cleveland UZA in compliance with federal guidance. NOACA will conduct a fair selection process and could, but not required to, include a competitive selection process. The process will be fair and open, and will allow for equal access by interested applicants. NOACA will publicize the availability of funding through a variety of outlets including:

- Email notification to the stakeholder list developed during the coordinated planning process and other stakeholder lists;
- NOACA's Web site, which will also include the program information, grant applications, and instruction and overview document that includes detailed scoring criteria information and the process by which applications are selected; and
- An application webinar or workshop explaining the purpose of the Enhanced Mobility of Seniors and Individuals with Disabilities program, eligible use of funds, eligible sub-recipients, and the scoring and grant award process.

Projects may be selected based on population served and/or other selection criteria outlined in Appendix A. There will be a public notification during the selection process that will inform what the selection process and criteria will be for that cycle. NOACA staff will review, score, and recommend Enhanced Mobility of Seniors and Individuals with Disabilities (5310) projects and convey them through NOACA's committee structure and then to the Board of Directors. The Board of Directors will make the final determination on recipients of the 5310 grants for the Cleveland UZA prior to projects being advanced in the Program of Projects (POP) submission to FTA. The Board will select projects that are consistent with NOACA's transportation goals and the goals of the Coordinated Plan. All NOACA Board of Directors and Committee meetings are open to the public, are publicized through NOACA's website [www.noaca.org](http://www.noaca.org) and meeting notices, and are conducted in accordance with the State of Ohio's Open Meetings Act.

Individual Section 5310 projects approved by the NOACA Board of Directors will be added as a technical amendment to the Transportation Improvement Program (TIP), the four-year, fiscally-constrained program of federally-supported transportation projects for the region. Upon addition to the TIP, projects will likewise be added at the project level to the State Transportation Improvement Program (STIP).

### ***Funding Distribution***

It is required that projects implemented with 5310 program funding be the outcome of a selection process that is fair and equitable. FTA provides some flexibility with the process. The selection process may be held bi-annually or at intervals determined by NOACA based on need. NOACA will select projects as needed to avoid any lapsing of funds that are not obligated.

NOACA will select projects on a bi-annual basis and obligate funds within the next two fiscal years. Any funds remaining from the prior fiscal year will be made available within the following year of a selection process. Funds for up to two fiscal years could be made available and NOACA will select projects not to exceed this time frame. This approach will allow for the development of more viable projects and efficient use of staff time for program administration.

Only capital projects will be funded but NOACA reserves to the right to reevaluate this approach each cycle based on regional need. The breakdown of funding allocation for each selection cycle is as follows until a reevaluation of the program deems otherwise: Table 1 is an example of the funding amount breakdown.

- Sixty percent (60%) would be available to transit agencies by population served. If requests from the transit agencies does not expend the full amount, the balance would be rolled over into the 40% selection amount.
- Forty percent (40%) would be available for a separate competitive selection process for all other eligible entities.

**Table 1 – Sample Breakdown**

<b>Breakdown of Funding Amounts</b>	
<b>Total FFY 2015 and FFY 2016 Funding Amount:</b>	\$3,155,214
<b>Sixty Percent (60%) to Transit Agencies</b>	\$1,893,128
<b>Forty Percent (40%) Competitive Selection</b>	\$1,262,086

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

Up to 10 percent of the apportionments for the Section 5310 program may be used, at a 100 percent federal match, for administration expenses. NOACA anticipates using up to the 10 percent limit for the following activities:

- Updating the Coordinated Plan as needed;
- Developing and updating the PMP;
- Conducting the selection process;
- Providing technical assistance to applicants and sub-recipients;
- Contracting with sub-recipients; and
- Grant management, ongoing administration, and monitoring of sub-recipients.

### ***Transfer of Funds***

Following FTA guidance, should any current recipients of the Urbanized Formula Grant Program (Section 5310) apply and be selected during the selection process, NOACA will allow these recipients to apply directly to FTA for Section 5310 funds. In this event, the direct recipient must enter into a supplemental agreement with NOACA. Section 5310 recipients that elect to become direct recipients will then be responsible for all reporting and certifications. A letter will be sent to inform the FTA regional administrator of any transfer of funds, along with the fiscal year of apportionment, the amount of funds to be transferred, and the selected projects for which they will be used.

### ***Private Sector Participation***

Private providers of public transportation services and employers were invited to participate in the coordinated planning process through public notices and advertisements on NOACA's website and these participants will be among the many stakeholders that will be contacted for the Section 5310 call for applications. NOACA's public involvement policy provides the opportunity for continuing involvement throughout transportation planning and programming process.

### ***Civil Rights***

Prior to the receipt of any awarded funding, Section 5310 recipients will certify compliance with the requirement of Title VI, Equal Employment Opportunity (EEO) and Disadvantaged Business Enterprise (DBE) laws and regulations. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin for programs and activities receiving federal financial assistance. Six federal laws enacted between 1964 and 1991 comprise the federal Equal Employment Opportunity (EEO) program, which prohibits job discrimination based on race, color, religion, sex, national origin, age and disability, and provides for monetary damages in cases of intentional employment discrimination.

Whenever possible, compliance with all civil rights requirements will be verified as part of the Section 5310 funding application process.

### ***Title VI***

As a federal funding recipient from the FTA and federal DOT, NOACA is required by federal law (FTA Circular 4702.1B) to complete Title VI documentation related to compliance of Title VI of the Civil Rights Act of 1964. This document includes more detail on policies and procedures for complying with Title VI, including complaint investigation procedures, environmental justice, and LEP. NOACA updated and submitted its Title VI Report to FTA in January 2015 to be in compliance with civil rights requirements. While a direct recipient of funding, NOACA must update this report every four years. A Title VI Program Compliance Review is also completed for ODOT on an annual basis.

### ***Equal Employment Opportunity***

In compliance with Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000e), and 49 U.S.C. 5332, NOACA does not discriminate against any employee or applicant for employment because of race, national origin, religion, disability, age, gender or sexual orientation. NOACA will take affirmative action to ensure that applicants and employees are treated with equality regarding recruitment, employment, upgrading, demotion or transfer; layoff or termination; rates of pay or other forms of compensation; and selection for training including internship. Notices of the provisions of this non-discrimination clause are posted in a conspicuous place, are posted to the agency Web site<sup>3</sup>, and are available to employees as well as applicants for employment.

### **Program Performance Measures**

#### ***Reporting Requirements***

Sub-recipients are required to report on various items with each quarterly invoice. The following performance measures shall be reported to the designated recipient with the submittal of each quarterly invoice, where applicable:

- Passengers per day
- Daily trips
- Annual vehicle miles traveled (reported by quarter)

A brief narrative of quarterly activities shall also be submitted by the sub-recipient (with invoices) to NOACA. Information included in the narrative should contain items such as but not limited to coordination efforts with other transportation providers, marketing or public awareness efforts, and service or schedule revisions made during the period.

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## **5. Financial Management**

### ***Local Share and Local Funding Requirements***

The FTA Section 5310 program allows for a federal share of up to 80% for eligible capital costs, with a local match of 20%. The federal share of eligible operating costs may not exceed 50% of the net operating costs of the activity. All of the local share must be provided from sources other than Federal Department of Transportation (DOT) funds. Possible sources of eligible local matching funds include: other non-DOT federal funds, dedicated tax revenues, private donations, revenue from human service contracts, net income generated from advertising and concessions. Local share documentation is required as part of the grant application.

All funds awarded must be spent in the NOACA service area.

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<sup>3</sup> NOACA's EEO policy is available online at: <http://www.noaca.org/eo.html>.

### ***Designated Recipient Program Management***

NOACA will administer the Section 5310 grant for sub-recipients in the Cleveland UZA. All reporting and financial transactions will be managed through FTA's Transit Award Management System (TrAMS) and Electronic Clearing House Operation Web (ECHO-Web) systems. Any transit agency receiving Section 5307 funds that is awarded Section 5310 funds in NOACA's selection process may opt to become a direct recipient of these grants by completing the supplemental agreement in TrAMS, and will be responsible for all project grant management; NOACA will be released from any liability pertaining to direct recipient grants.

NOACA will develop and execute grant sub-agreements with each sub-recipient selected to receive funding from the Section 5310 program detailing reporting requirements and containing all applicable certifications and assurances. The amount, type (capital or operating) and time period of the funding award will be included in this contract; any expenses incurred in excess of the budgeted amounts are the sole responsibility of the sub-recipient and are not eligible for reimbursement.

NOACA will conduct its program management in compliance with the provisions of 49 CFR Part 18, known as the "Common Rule." Sub-recipients that are public providers of public transportation will also follow these requirements and sub-recipients that are private organizations (whether non-profit or for-profit) will follow the requirements of 49 CFR Part 19.

The Section 5310 Program Project Manager, or designee, will be responsible for processing all reports, plans, and certifications required by FTA. The Project Manager will oversee all aspects of grant management and sub-recipient compliance with federal requirements through regular review of invoices, reports, correspondence, and periodic site visits.

### ***Procurement***

Sub-recipients including NOACA will be required to certify compliance with all federal requirements for fair and open competitive procurement processes, including 49 CFR 18.36 and FTA Circular 4220.1E, "Third-Party Contracting Requirements." Equipment purchases may be conducted directly by the sub-recipient, with NOACA oversight and prior written authorization, or through an existing term contract through another governmental agency or ODOT, if eligible. Additional procurement information is available in the FTA "Best Practices Procurement Manual."

The FTA requirements and standards apply to the procurement of all supplies, equipment, and services funded by FTA. Prior to entering into any third sub-agreement, lease, or third party contract, sub-recipients must review the "Excluded Parties Listing System" at <http://epls.gov/>.

### ***Financial Management***

NOACA maintains financial management systems for financial reporting, accounting records, internal controls, and budget controls subject to standards specified in state laws enforced by the Auditor of State.

Sub-recipients must agree to establish and maintain an accounting system that accurately tracks and itemizes project costs by line item. All accounting records and other supporting papers should be kept by the sub-recipient for a minimum of three years from the date of the final payment. These records should be made available to NOACA, auditors, or the FTA upon request.

### ***Property Management***

Sub-recipients are responsible for all normal maintenance and upkeep on any vehicles or equipment purchased with Section 5310 funds. The sub-agreement that NOACA will enter into with the sub-recipient will outline vehicle and equipment use and requirements.

NOACA will maintain an inventory of all Section 5310 property purchased and will request periodic reports from sub-recipients to keep this inventory current. NOACA staff may also perform site visits to inspect vehicles and equipment.

### ***Vehicle Use***

FTA encourages maximum use of vehicles funded under the Section 5310 program. Vehicles are to be used first for program related needs for which the grant is made and then to meet other transportation needs of other federal programs or project needs, provided that they do not interfere with the project activities originally funded. If any vehicles are to be removed from service prior to the end of their useful life, the sub-recipient must notify NOACA prior to doing so.

### ***Maintenance & Disposition***

Vehicles and equipment must be maintained in good operating order and sub-recipients must follow the manufacturer's suggested maintenance schedules. NOACA and its sub-recipients will follow all required vehicle and equipment management and disposition procedures and guidance under the common rule found in 49 CFR 18.32 and applicable guidance in the current FTA Circular 9030.1.

### ***Accounting Systems***

The sub-recipient must agree to establish and maintain for the project either a separate set of accounts or separate accounts within the framework of an established accounting system that can be identified with the project. The sub-recipient also agrees to maintain all checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents related in whole or in part to the project so that they may be clearly identified, readily accessible, and available to NOACA or FTA upon request.

The sub-recipient must agree to retain all data, documents, reports, records, contracts, and supporting materials relating to the project throughout the course of the grant and for a period of three years after the date of the final expenditure report submission to FTA. This information may be accessed by the designated recipient, U.S. Secretary of Transportation, the Comptroller General of the United States, and, to the extent appropriate, the State, or their authorized representatives.

## **Audit**

The Ohio Auditor of State conducts an annual single audit of NOACA. This audit is conducted in compliance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in "Government Auditing Standards" issued by the Comptroller General of the United States; and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

Sub-recipients receiving greater than \$500,000 annually in federal funding are responsible for obtaining annual audits at either the grant or organization level that are consistent with the requirements of OMB Circular A-133. A copy of this audit must be submitted to NOACA, and any audit findings must be resolved by the sub-recipient.

## **Close-out**

Close-out of projects will occur within 90 days after all funds are expended and all work activities for the projects are completed. NOACA will also initiate program of projects (POP) close-out with FTA within 90 days after all work activities for the program of projects are completed. A final financial status report, final budget, and final POP will be submitted to FTA.

## **Grant Management & Project Monitoring**

The project budget outlining costs, the maximum eligible amount of federal assistance, the specific tasks covered, and the estimated cost of each task will be approved by FTA, and will be referred to as the Approved Project Budget. FTA approval is required when cumulative transfers of funds between total direct cost categories exceed 10 percent of the total budget. An amendment to the Approved Project Budget requires the issuance of a formal amendment to the sub-agreement contract.

All funding for Section 5310 project expenses is provided on a reimbursement basis. Sub-recipients may bill NOACA for reimbursement no more frequently than quarterly by submitting to the project manager detailed invoices with requisite backup documentation. The project manager, or designee, will process each invoice through the ECHO-Web system and NOACA's accounting department. NOACA will strive to reimburse invoices that contain all required information within 60 days.

Sub-recipients will be required to submit to NOACA on a periodic basis, to be outlined in the sub-agreement, certain project data, budget, and statistical information. This information will allow NOACA to properly monitor sub-recipients for compliance with federal requirements. Sub-recipients will be required to contact NOACA immediately if they experience any material project or budget changes from what was outlined in the original project application or sub-agreement.

## **Reporting Requirements**

NOACA must fulfill multiple FTA reporting requirements as designated recipient in addition to triennial reviews by FTA's Office of Oversight, which include an inspection of documentation on file with FTA, a site visit to the designated recipient's office to assess compliance with accounting and grant management requirements, along with visits to the sub-recipient locations. All reporting will be submitted to the TrAMS system electronically.

## 6. Other Provisions

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### ***Environmental Protection***

FTA has stated that most projects and activities funded through Section 5310 programs do not normally involve significant environmental impacts and are termed “categorical exclusions (CEs).” Projects that have been categorically excluded are exempt from the requirement to prepare an environmental document. NOACA will certify to FTA in the annual Certifications and Assurances that all projects in its application for Section 5310 funds are CEs under 23 CFR 771.117(c) unless otherwise noted.

For projects that will likely qualify as a CE under 23 CFR 771.117(d), including projects involving construction or expansion of facilities, NOACA and its sub-recipients will provide documentation to FTA for approval that clearly demonstrates that the stated conditions or criteria are met and that no significant adverse effects will result from the project. For any projects awarded Section 5310 funding found not to be a CE, NOACA and its sub-recipients will consult with FTA to complete all necessary documentation and reviews to conform to applicable environmental protections as required.

### ***Buy America***

NOACA and its sub-recipients must comply with the Buy American provision applicable to FTA grants. FTA funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States. Rolling stock must be assembled in the United States and have a 60 percent domestic content to be considered a United States product. Sub-recipients that purchase more than 10 rolling stock vehicles for use in Section 5310 services must conduct pre-award and post-delivery reviews to ensure compliance with specifications and Buy America requirements.

### ***Pre-award & Post-delivery Reviews***

In order to improve compliance with Buy America requirements, grantee bid specifications, and Federal Motor Vehicle Safety Standards, FTA requires pre-award and post-delivery reviews of revenue passenger rolling stock when purchases exceed 10 vehicles in a large urbanized area (purchase of unmodified minivans, in any quantity, is not subject to this review requirement). In the event that Section 5310 funds are awarded to any one sub-recipient in any given year for acquisition of more than 10 vehicles, NOACA and its sub-recipients will follow all required pre-award and post-delivery requirements outlined by FTA in its manual, “Conducting Pre-Award and Post-Delivery Reviews for Bus Procurements.”

### ***Restrictions on Lobbying***

As a recipient of more than \$100,000 in FTA assistance, NOACA certifies that it will not use federal assistance to pay the costs of influencing any officer or employee of a federal agency, member of Congress, officer of Congress, or employee of a member of Congress in connection with Section 5310 grants, and will require any sub-recipients receiving more than \$100,000 to complete FTA’s Certification on Lobbying prior to contract execution. Any sub-recipient or third party contractor must comply with applicable federal lobbying restrictions.

***Prohibition on Exclusive School Transportation***

FTA funds may not be used for exclusive school bus transportation for school students and school personnel. Sub-recipients will be required to comply with 49 U.S.C. 5323(f) and FTA regulation, "School Bus Operations" (49 CFR Part 605), wherein they must agree to only engage in school transportation operations in competition with private school transportation operators to the extent permitted by 49 U.S.C. 5323(f) and federal regulations. 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. NOACA does not operate vehicles and does not directly provide transportation services.

***Drug & Alcohol Testing***

Sub-recipients that receive only Section 5310 program assistance are not subject to FTA Drug and Alcohol testing rules, but are required to comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for employees who hold Commercial Driver's Licenses (49 CFR Part 382). Sub-recipients will be required to certify compliance with these rules prior to contract execution and annually thereafter.

In accordance with the Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.), and 49 CFR Part 32, FTA requires that all direct recipients (sub-recipients are excluded) maintain a drug-free workplace for all employees and have an ongoing drug-free awareness program. NOACA maintains an alcohol and drug-free workplace and has an anti-drug policy in accordance with the Drug-Free Workplace Act of 1988.

**7. Appendix**

**A. Project Evaluation Criteria**

<b>Section 5310 SCORE SHEET</b>	<b>Eligible Points</b>
<b>Demonstration of Need – Section 2</b>	<b>Up to 30 Points</b>
Area Currently Served by <i>Inadequate</i> Public Transit or NOT Served by Public Transit <i>(Please include supporting letter from local transit authority)</i>	10
Project Alignment with Goals from the Coordinated Plan	20
<b>Agency Effectiveness – Section 2</b>	<b>Up to 10 Points</b>
Agency’s Management Capacity	5
Prior Project Effectiveness	5
<b>Coordination + Outreach – Sections 3 + 4</b>	<b>Up to 30 Points</b>
Detailed Coordination Efforts	15
Letters of Support from Coordinating Agencies	10
Public Outreach Efforts	5
<b>Vehicles + Equipment + Improvements– Section 5</b>	<b>Up to 30 Points</b>
Vehicle Utilization	30
Utilization of Communication Equipment, Computer Hardware/Software, Mobility Management, or Accessibility Improvements <i>(up to 30 points available if applicant is only applying for any of these items).</i>	30
<b>Total</b>	<b>100</b>