FTA 5310: Specialized Transit Grants

GRANT MANAGEMENT GUIDE

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1. Post Award Training

1.1. Purpose of This Guide

You are awarded! Now what?

This guide will correspond with your post award training workshop. This guide should be read and kept for reference by anyone working closely with your 5310 grant and/or vehicles. This guide will outline the basic FTA (Federal Transit Authority) 5310 requirements of managing your grant, and what is required for your agency to have compliance. If your agency (the subrecipient of FTA 5310 funding) is not in compliance neither is the pass-through entity (UTA).

Our job here at UTA is to help your agency be compliant with FTA 5310 regulations, so that we are also in compliance. It is important to us to be available to assist you or answer questions at any time. Do not hesitate to contact us if you have questions about the program or compliance. We also have our FTA approved Program Management Plan available on our website for your agency to refer to at any time. This plan outlines our process of managing the FTA 5310 program and our subrecipients and is approved by the FTA.

How to use this guide : We recommend you read the entire guide front to back when you first start managing this grant, and keep a copy for reference. This guide may be updated annually and will be available for download on utahridelink.org

Acronyms used in this book:

FTA= Federal Transit Administration
UTA= Utah Transit Authority
PTE= Pass Through Entity that receives funds from FTA and distributes it to subrecipients
CM = Coordinated Mobility Department within UTA that oversees the FTA 5310 awards
CMGA= Coordinated Mobility Grant Administrator
CMGS= Coordinated Mobility Grant Specialist
ZG= Grant Management Portal ZoomGrants
UZA= Large Urbanized Areas of Utah
CAFR = Comprehensive Financial Report
LCC = Local Coordinating Council
DMV= Department of Motor Vehicles
UDOT = Utah Department of Transportation
ADA= Americans with Disabilities Act
LAP= Language Access Plan
LEP= Limited English Proficient persons
DBE = Disadvantaged Business Enterprise
EEO= Equal Employment Opportunity
CAP= Corrective Action Plan
GAO= U.S. Government Accountability Office
GAGAS= Generally Accepted Government Auditing Standards (Yellow Book)

1.2. Operations and Reporting Training

Once your agency has received their award letter, and Notice of Funding from ZoomGrants, there will be a mandatory Operations and Reporting Training Workshop (typically held in the fall). Attendance is required by <u>all agencies</u> receiving an award, whether it is technology, operations, vehicle, or any other project type. This training workshop will review what is expected of you as an FTA 5310 funds recipient. Dates and Times of the workshop will be sent out through ZoomGrants and posted on our website: *UtahRideLink.org/5310-Grant*

NOTE: If you have new employees or need a refresher, these trainings are open to any and all awardees. Instructional videos can be found on the 'Utah UZA's FTA 5310' YouTube page: *https://www.youtube.com/channel/UCPw4DgixlgH94tWXGifwRyw*

1.3. Vehicle Award Training

A second workshop is held in the spring for agencies receiving vehicles. This workshop will cover specific requirements for vehicle awards as they require more management and document retention. This workshop will be held before vehicles are delivered to the subrecipients. New subrecipients must also schedule a one-on-one training with our RidePilot specialist before receiving a vehicle. (Group trainings may also be held for RidePilot. Dates will be emailed and posted on our website).

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2. Reporting Requirements

2.1 Quarterly Reports

The FTA 5310 program requires quarterly reports beginning the day the contract is executed to the date the project is completed. These reports will be submitted and recorded in our grant management software ZoomGrants. In ZoomGrants use the tab labeled Quarterly Report and the date associated with the report due.

Fig. 1

(For recipients of vehicles, you must keep reporting in RidePilot until the vehicle reaches its useful life, but you can stop reporting quarterly in ZoomGrants after two years.)

Quarterly Reports are due by the 15th of the month following the end of the quarter. (E.g. Jan-March report will be due by April 15th) The 5310 Grant Specialist will run a report on the 16th day after each quarter, to check for subrecipient compliance. If your quarterly report is late or missing, it will be recorded and may affect your level of risk and future applications. (This will be explained further in chapter 5.2 Risk Assessment)

Our yearly quarters are:

1) January – March (report due April 15th)
2) April – June (report due July 15th)
3) July – September (report due Oct 15th)
4) October – December (report due January 15th)

Federal Fiscal quarters are:

1) Oct-Dec
2) Jan-Mar
3) Apr-June
4) July-Sept

TIP: Click the Refresh Page button (in blue at the top of the ZoomGrants screen) after submitting your report and make sure it shows it was submitted. You may have to click submit again and refresh a second time before it shows as submitted.

Filling out your report

Quarterly reports should include project type, total number of people served, trip purposes, one-way trips, a narrative, and possibly more depending on your type of project. Total number served is based on the Federal fiscal year, so from October to the end of September. This means you would only count the number of people your project served for the year in those dates. For example, if my agency has 10 clients we typically serve, in my Oct-Dec quarterly report (due January 15th) I would put that my project served 10 people. Then the next quarter, Jan – March (due April 15th) I added no new clients so my quarterly report would say I served 0 people. Then, lets pretend in June we added 5 new clients. Then my next quarterly report I would report 5 people served. When that Federal fiscal year ended in October, after I submitted my July-September report, I would start over. So my Oct – Dec quarterly report would be 15 people served, because I have 15 clients and am starting a new year.

For one way trips, you will report the number of trips and riders you took from point A to point B. For example, my client Sally needs a ride to the doctor. We pick her up at her house and take her to the doctor's office. That is a one-way trip. Then we take her from the doctor back home. That is another one-way trip. So that day, Sally took two one-way trips.
If you took five clients to the doctor and home, that is 10 one-way trips. It is 5 trips to the doctor, 5 trips back.

Incidental trips are any trip taken where a client was not involved. These can be delivering food, going to the gas station, running an errand, etc. If you report incidental trips you MUST include in your quarterly narrative what those trips were for. (For RidePilot, Clint has specific instructions on how to enter these trips. In Zoomgrants there is an easy place to enter the trips, and explain the purpose in your narrative.)

Quarterly narratives should include progress made on your project, goals being met, setbacks, vehicle delivery dates, vehicle placed in service dates, any civil rights complaints or litigations, any resolutions, any updates on internal audits, any policy changes, any new employees hired, etc. Please be as descriptive and inclusive as possible in your quarterly narrative.

2.2   Annual Reports

An annual report of your award project progress will be created by the UTA Grant Manager based on your quarterly reports and sent to the FTA. If UTA has further questions about your project for this Federal annual report, we will contact you and expect you to reply in a timely manner.
There are also documents that must be provided annually.

These include:
1) Financial Report/ Internal Audit Report
2) Certificates and Assurances
3) Vehicle Insurance
4) Title VI update (every 3 years)

Federal Certifications and Assurances

FTA is authorized to consolidate any certification or assurance required by law or regulation for its programs into a single document a grant applicant may submit annually and must publish a list of all such certifications annually (49 U.S.C. 5323(n).)
What this paragraph means is the FTA will release a new copy of Certs and Assurances every year. UTA will send the subrecipients a copy of this form. Subrecipients must then sign the form and have it returned to UTA. UTA then sends a copy to the FTA by uploading it into TrAMS (The Transit Award Management System).

Federal Master Agreement

Along with the Certs and Assurances we will also include the yearly Master Agreement. The Master Agreement is a form the FTA releases yearly that applies to each Underlying Agreement (Grant Agreement, Cooperative Agreement, Loan Agreement etc.) for a specific award. This agreement outlines compliance and responsibilities of both parties, UTA and the subrecipient. **This does not need to be signed** and returned, but it would be wise to review it yearly and save a copy for reference.

Financial Report/Internal Audit

Every year each subrecipient must turn over a full financial report and/or any internal audit results. If your agency is a city and/or government entity this report may be referred to as a "CAFR" or Comprehensive Annual Financial Report. If you are returning a financial report including an independent auditors report on internal control and financial reporting, please make sure this audit is performed in accordance with the Generally Accepted Government Auditing Standards (GAGAS) referred to as the "Yellow Book" and produced in the United States by the Government Accountability Office (GAO).

A typical financial report will include: current assets, net capital assets, liabilities (such as debt), revenue, grants, donations, interest, expenses (by category), investing activities, change in net assets, net assets at the beginning of the year, and net assets at the end of the year.

If your agency does not currently participate in internal audits, we highly suggest looking into it. Internal audits are good for detecting issues early, avoiding fraud waste and abuse, and to help you understand how your agency is doing and if you can handle new funding. An internal audit functions as an internal control and helps you prepare for external audits. If you can, self-identify the key issues in your agency and communicate with your internal auditors. Ask them if you are complying and if they can help you identify risk areas. You can then create a Corrective Action Plan (CAP) to show you are aware of compliance issues and what steps you will take to correct them.

2.3 Close-Out Reporting

When you have spent the last of your operations funding, or you have been reporting on a vehicle in service for two years, you can fill out your Close Out Form and send it to us. If closing operations, you will need to check "this is my last invoice" on the last request for the remaining balance. After that, download the Close Out Form from our website or email us to ask for a copy. Fill it out and return it via email to the Grant Specialist or upload to the "documents" tab in ZoomGrants (email a notification that you have uploaded the document so the Grant Specialist knows to look at it.). Once the Grant Specialist receives your close out forms, they will disable your quarterly report reminders. If you have any questions about that process, please ask.

If you are only reporting on a vehicle, you will complete this form after your project has met its end date identified in your Grant Agreement.

Remember that you must still report in RidePilot until the Federal Useful Life is met on the vehicle. For all capital projects UTA is required to maintain continuous control of the assets through the duration of its federal useful life. For vehicles, UTA will place a lien on the title of the vehicle and will release that lien at the end of the federal useful life, or if disposed of before its useful life has been met. Following release of the lien, subrecipients are required to provide notice to UTA of disposal of the vehicle. If vehicle is sold for over $5,000, the excess amount must be returned to UTA for re-programming. For specific FTA rules reference FTA C 5010.1E Chapter IV.

3. Operations Invoicing

3.1 Reimbursement Request Process

If your FTA 5310 award includes operations, this is paid to you as a reimbursement at 50% of the total expense. FTA instructions (C 9070.1G) state that 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. If you are unsure whether an expense is eligible for reimbursement, **please ask before** submitting a reimbursement request.

It is very important that UTA shows regular and timely use of grant funds as your projects progress. Do not wait until the end of the grant to draw down funds. It is very important that subrecipients request reimbursements on a regular basis. Please assign an employee to this task. Subrecipients must submit invoices on a quarterly basis (monthly with UTA permission) with proper back up documentation attached to the invoice. (see 3.2 Backup Documentation for instructions)
UTA can send payments by check or direct deposit. If you would like to set up direct deposit, please let us know.

To begin an electronic invoice for a reimbursement payment request, go to your ZoomGrants account and make sure you are in the correct year (your application admin must give you invoice permissions to access) and click the 'Reimbursements" tab.

Summary	Application Questions	Budget	Documents
Reimbursements	Quarterly Report	Quarterly Report Totals	

Fig. 2

Reimbursements

Next, assuming you have invoicing permissions, you click the 'Create a new invoice" in blue.

Fig. 3

Next, a pop-up box will open for you to fill out. For the invoice number, you will use your agency abbreviated and the last date of the quarter you are billing for. (E.g. UTA013020)

Fig. 4

Then, you will enter the 'Total Requested'. This is the Federal Amount you are requesting for reimbursement, not the total amount for the quarter. The total amount for the quarter should be your local match added to the total requested.

For Operations: Local Match 50% + Federal Amount (Total Requested) 50%
= Total Amount for Quarter

Funding Uses/Expenses

Line Item *(from application)*	Description	Requested Funding Amount Approved
Expansion Vehicle		USD$
Replacement Vehicle		USD$
Operations		USD$
Other (specify in narrative below)		USD$

Is this your final invoice for this grant?
(payment will result in all operations funding to be spent)

○ Yes
○ No

Fig. 5

Put the federal amount you are requesting in the correct line item box. Be sure to answer the question if this is your final invoice. Final invoice means you will have used all operation money awarded after this last invoice is paid.

Documents Requested *	Required?	Uploaded Documents *	
Back-up Documentation	☑	*-none-*	Upload

* ZoomGrants™ is not responsible for the content of uploaded documents.

Fig. 6

Last, you will need to upload your backup documentation to this invoice before submitting.
Please read 3.2 Backup Documentation Guide for instructions on how to prepare those documents.

Once your invoice is submitted, UTA will send you payment within 30 days by check or direct deposit if requested. You can check your remaining balance from the reimbursement tab in your ZoomGrants account.

Funding Uses/Expenses

Line Item *(from application)*	Contracted Budgets	Invoice			
	Contracted Budgets	Invoice Approved	Invoice Paid	Remaining Balance	Invoice Requested
Expansion Vehicle	USD$ 0.00			USD$ 0.00	
Replacement Vehicle	USD$ 0.00			USD$ 0.00	
Operations	USD$ 0.00			USD$ 0.00	
Other (specify in narrative below)	USD$ 0.00			USD$ 0.00	
	USD$ 0.00			**USD$ 0.00**	

Fig. 7

3.2 Backup Documentation Guide

Backup documentation must be included with any Operations Reimbursement Invoice. Documents must be uploaded as a single PDF file. This guide will show you how that file needs to be organized, what information it should include, and show some examples.

The first page of your backup document should include a summary of all expenses for the quarter. Expenses should be separated by category (i.e. Driver Wages, Fringe Benefits, Fuel, Vehicle, Maintenance, Telecommunication etc.) It should also show a clear Total Balance, and Amount Requesting (the amount you are requesting will be 50% of the total balance).

Example Cover Page:

Financial Billing Summary Oct-Dec 2024
Made via FastBooks Accounting Software for Happy Transportation Agency

Expense Type	Description	Total Amount
Wages and fringe	payroll for drivers	$ 80,000.00
Fuel		$ 6,000.00
Telecommunications*	T Mobile	$ 600.00
Preventative maintenance		$ 2,000.00
Repairs		$ 100.00
Vehicle Insurance		$ 800.00
Transportation*	Uber Ride	$ 40.00
Total Expenses:		$ 89,540.00
Local Match:		$ 44,770.00
5310 Reimbursement Request:		$ 44,770.00

5310 Grant Funds Awarded:	$ 100,000.00	Remaining:	$55,230.00

Fig. 8

*Any expense must be directly related to the program or project to qualify. Data plans for mobile devices to allow RidePilot AVL, or cell phones to allow operators to contact dispatch are allowable.

** If you are billing for an outside transportation agency such as Uber or Lyft, and the ride will not be recorded in RidePilot, you MUST include: 1) starting and ending location 2) trip type or purpose 3) receipt showing cost, miles traveled 4) if including a tip in expense amount it must "reasonable" for your area, typically under 20%.

Now that your summary page is complete, the next step is to provide proof of the expense for each item. For wages/payroll there are different ways that your agency may keep that information. If you want to use a payroll software, it may look like this:

```
System:              4:23:38 PM                              Page:     1
User Date:                                                   User ID:  sa
                                    U.S. Payroll

Ranges:
    Employee ID         First - Last
    Department          First - Last
    Check Number        First - Last
    Audit Trail Code    First - Last
    Date                4/1/2017 - 4/30/2017

Sort By:     Employee ID

Employee ID  Check Number    Dept  Audit Trail   Beg Date   End Date   Code   Shift   Hours/Units   Total Rate      Amount
----------------------------------------------------------------------------------------------------------------------------
BLAIJ01      22458           001   UPRCC00000420 4/1/2017   4/15/2017  PEN             1.00          $44.63          $44.63
BLAIJ01      22458           001   UPRCC00000420 4/1/2017   4/15/2017  SALARY          86.67         $1,487.50       $1,487.50
BLAIJ01      22458                 UPRCC00000420 4/1/2017   4/15/2017  UT              0.00          $0.00           $60.73
BLAIJ01      22477           001   UPRCC00000421 4/16/2017  4/30/2017  PEN             1.00          $44.63          $44.63
BLAIJ01      22477           001   UPRCC00000421 4/16/2017  4/30/2017  SALARY          86.67         $1,487.50       $1,487.50
BLAIJ01      22477                 UPRCC00000421 4/16/2017  4/30/2017  INSUR           0.00          $0.00           $397.18
BLAIJ01      22477                 UPRCC00000421 4/16/2017  4/30/2017  UT              0.00          $0.00           $60.73
BROWR01      22459           001   UPRCC00000420 4/1/2017   4/15/2017  HOUR            18.75         $10.00          $187.50
BROWR01      22478           001   UPRCC00000421 4/16/2017  4/30/2017  HOUR            29.50         $10.00          $295.00
CABAH01      22460           001   UPRCC00000420 4/1/2017   4/15/2017  HOUR            80.75         $15.00          $1,211.25
CABAH01      22460                 UPRCC00000420 4/1/2017   4/15/2017  UT              0.00          $0           $59.39
```

Fig. 9

If you keep your payroll in an excel spreadsheet, that is fine if you include a unique employee identifier, check number, time, and amount. If we are unable to identify the drivers, and the amounts being requested your request will be denied.

For all other reimbursable items, you must submit proof of payment. This can be in the form of scanned receipts, or an invoice accompanied by a bank statement showing the invoice was paid.

Example of invoice and bank statement:

STATEMENT #	NP50302778
STATEMENT DATE	05/01/2017
AMOUNT DUE 05/15/2017	$545.98
TOTAL BALANCE	**$545.98**

(name, brand, street, state, zip code and if possible, phone number) to   Submit site addresses Thank you!

DESCRIPTION OF CURRENT ACTIVITIES
Purchases and Charges for 4/1/2017 - 4/30/2017

Date	Description	Gallons	Amount Due
04/12/2017	PAYMENT: ONLINE IFLEET PAYMENT		$700.15 CR
05/01/2017	Fleet # 237957 Name:	202.155	$545.98
CURRENT PERIOD TOTALS FOR ALL FLEETS		202.155	$545.98

Fig. 10

WELLS FARGO

Checking
Account XXXX
Routing Numbers

$$$$$$
Available balance

Activity Summary

Current posted balance	$$$$$$
Pending withdrawals/debits	-$$$$$
Pending deposits/credits	$0.00
Available balance	$$$$$$

Routing numbers

Activity

The Available Balance shown above reflects the most up-to-date information available on your account. The balances shown below next to the last transaction of each day do not reflect any pending withdrawals or holds on deposited funds that may have been outstanding on your account when the transaction posted. If you had insufficient available funds when the transaction posted to your account, fees may have been assessed.

First
Previous
Next

Date	Description	Deposits/Credits	Withdrawals/Debits	Ending Daily Balance
Authorized Transactions				
Note: Debit card transaction amounts may change.				
09/21/24	PURCHASE FUEL IFLEET		$545.98	
Posted Transactions				

Fig. 11

Please highlight the expense or blur out the other expenses to make it clear which payment correlates with this specific invoice. If your invoices are not backed by receipts or bank statements your payment request will be denied.

The more organized and clear your backup documentation is, the faster we will be able to approve your payment request. If you have a payment request that shows approved, but it has been more than 30 days and you have not received payment please notify the CMGS.

4. Vehicle Management

4.1 Vehicle Procurement Process

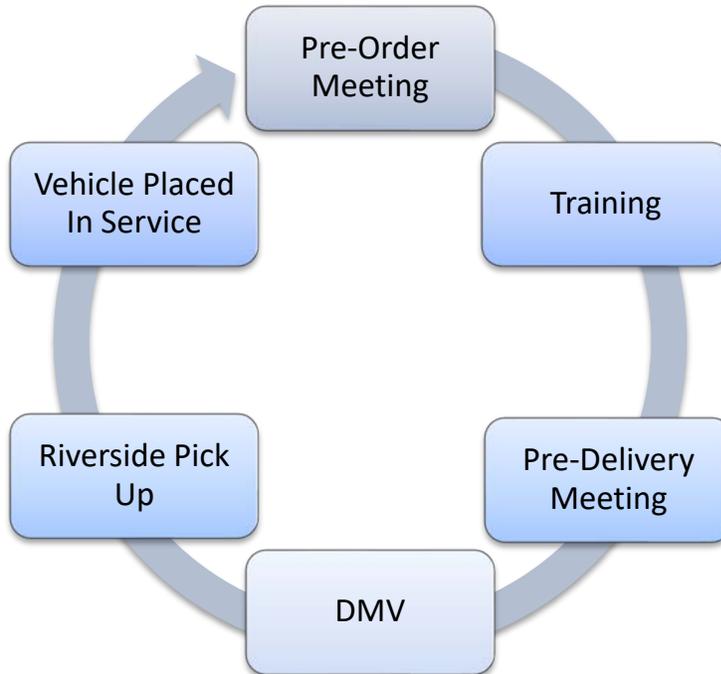UTA procures vehicles for the FTA 5310 grant subrecipients.

Fig. 12

Vehicles Awarded

Award Letters and Program of Projects
Subrecipients will receive award letters notifying them of their award or rejection, and notification of any missing items or edits that must be made on their application. Once any missing application documents have been turned in the award will be made in ZoomGrants. CMGS is responsible for entering the award budget into the online grant management system. Once the agencies have received the official notice in the grant management system, they can assign duties and manage their grant through it.

Grant Agreements Executed
CMGA is responsible for working with the UTA Attorney to draft grant agreement language. The CMGS is responsible for entering each subrecipients contact information, budget, and scope of work for each grant agreement. The CMGA then sends the grant agreement to the UTA Attorney before it is routed to the subrecipient. Following approval by the UTA attorney, the CMGA signs the agreement as the project manager. The agreement is then sent to the subrecipient for their signature and must be signed by the designee listed in their grant application board approval letter. Once the agreement is signed by the subrecipient, the document is routed through the UTA contracting process for final execution. A final executed document is sent to the CGMA and subrecipient.

Vehicle Ordering

Pre-Order Meeting
CMGA is responsible for scheduling a pre order meeting with subrecipients, UTA Procurement, and the vehicle vendor. (Vendors include those with long term vehicle contracts with UTA or vendors of other vehicles selected through a formal procurement.) Prior to the pre-order meeting the CMGA sends the subrecipients the order form. The subrecipients fill out the order form and bring it to the meeting. At the meeting, all attendees review the order form and optional additions to ensure everything is correct. The CMGA fills out the Title Application at the meeting with the subrecipient, so it can be included with the requisition.
If the subrecipient is ordering a Bus or Van from Lewis Bus Group, CMGA also gives the applicant instructions to complete the Ford Registration online. **This needs to be completed before the order is submitted.**

Forms:
- Order form with vehicle specifications filled out prior to meeting by the subrecipient
- Instructions for Ford FIN & GPC Application Process (Lewis Bus Only)
- Title Application filled out during meeting

The vehicle order will then be placed following UTA's internal policies and procedures.

Vehicle Delivery

Vendor Delivery and UTA Acceptance
Once the vehicle has been inspected and accepted by UTA, someone from 5310 office will personally pick up the keys, invoice, Title, and other document from Riverside.

UTA and Subrecipient Acceptance/Delivery
Subrecipient will be notified by the CGMA when their vehicle is ready. This notification will typically be by email.

Subrecipient completes all vehicle trainings

Prior to subrecipient receiving the vehicle they must complete RidePilot training, and mandatory Vehicle Grant Management training.

Pre-Delivery Meeting

Upon completion of trainings, pre-delivery meeting will be scheduled with the subrecipient. At the pre-delivery meeting the subrecipient will be given all necessary paperwork to take to the Utah Department of Motor Vehicles (DMV).

CM employee gives Subrecipient:

- Title Application signed by vendor
  (add memo on title application that vehicle was procured with FTA funds)
- Odometer disclosure form

- MSO

Subrecipient gives:
- Local Match Check (may send to Holly prior to meeting)
- Invoice in ZoomGrants with the Federal Amount of vehicle

Subrecipient Obtains Plates

Subrecipient is responsible for submitting paperwork to the DMV to obtain license plates. This process ensures no mistakes will be made on the Title of the vehicle, and that the subrecipient will have their plates immediately upon vehicle acceptance and the vehicle will be ready to be placed in service. The Title will be sent to UTA from the DMV, as they will be the lien holder on the Title.

Subrecipient accepts vehicles

Upon the subrecipient obtaining registration and license plates, the CMGA or CMGS will meet the subrecipient at the UTA Riverside location. The Vehicle Delivery Checklist will be completed and the subrecipient signs Checklist agreeing to the vehicle disposal terms. Photos are taken of the vehicle for documentation.
The subrecipient is given an instruction form for steps to take after the vehicle is accepted to prepare it for service. Subrecipient is given two sets of keys at delivery.[1]

CM employee gives Subrecipient:

- Emails copy of Vehicle Delivery Checklist
- Instruction Form for Vehicle Preparation
- Two sets of Keys
- Any needed safety kits, fire extinguisher, or decals missing from vehicle or not provided from vendor

Subrecipient steps after receiving vehicle

- Make sure you have all required items in the vehicle. Civil rights notices should include ADA and Title VI notice to public, including a translation in any language in your area with over 5% population identified in your Language Assistance Plan. You must also have a decal that notifies the driver what the height of the vehicle within the driver's line of sight.
- You must print out accident report forms and have them in the vehicle. We recommend including a pen and clipboard. In the case of an accident it is your responsibility to notify UTA within 24 hours and provide the accident form. These can be found on our website under resources.
- Ensure you have everything required in your safety kit. Fire extinguisher, seat belt cutter, triangles, etc.
- Vehicle registration and insurance should always be kept up to date and in the vehicle
- Vehicle "placed into service" date must be entered in RidePilot

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[1] If the vendor

- Vehicle invoice on ZoomGrants must be submitted and marked as "paid" by administrator

4.2   Vehicle Invoice

Before the pickup of your vehicle, you will receive an invoice for the Local Match payment from the CMGA. Once you have received this, you can prepare you local match payment, and create an invoice in ZoomGrants.

To complete this invoice, you need to log onto your ZoomGrants account and click the Reimbursements tab. This process will be similar if not identical, to the payment reimbursement request process we covered in chapter 3. Click create an invoice, and for the 'amount requesting' you will put the amount the grant is paying for your vehicle (80% of the total cost). You do not need to worry about including total cost of local match amount on this invoice. You may attach the local match invoice you were sent to the 'documents' section of the ZG invoice. After you submit, and once you receive your vehicle, the CMGS will mark that invoice as 'paid' indicating that your vehicle was received, and that money has been spent down from the grant award.

Please remember to bring your local match payment to your pre-pickup meeting or send it to the CMGA before the meeting. Your local match payment will be 20% of the total vehicle cost.

4.3   RidePilot

RidePilot is the online management system UTA has helped create for subrecipients to track their vehicle assets. This helps subrecipients report to UTA, and UTA report to the FTA how your vehicle is being utilized and its condition. Before receiving your vehicle, your agency will need to have 1:1 or group training with our RidePilot specialist. They will train you how to track trips, how to track individuals served, how to report maintenance events and preventative maintenance, and upload receipts and documents. If your agency uses dispatching for vehicles, RidePilot can also be used as a dispatching software to save your agency money. (please see chapter 2 on reporting requirements for information on one way trips and individuals served)

4.4   Pre/Post Trip Inspections

Before and after a trip your driver must perform a pre/post trip inspection. We have templates on our website that have more detail, and you can make your own pre inspection as long as it contains these minimum requirements:
- Date
- Driver identification
- Vehicle walkaround
- Fluid leaks
- Low tires
- Mirrors
- Windows
- Lights/flashers/blinkers

- Cycle and inspect lift or ramp (if accessible vehicle) and lift counter number
- Vehicle fuel (gal)
- Begin odometer
- End odometer
- Total daily miles
- Notes or comments section

Completed inspection forms must be kept in a place that is easily accessible, to provide proof during an audit. This can be digital or kept in a file cabinet.

4.5 Vehicle Maintenance

Vehicle preventative maintenance will be based on a schedule. You can find your vehicle schedule in RidePilot under the 'Preventative Maintenance' heading. Each vehicle schedule will have different requirements based on manufacturers recommendation. If you have a vehicle with a wheelchair lift, your lift will also have preventative maintenance requirements you will need to follow.

Maintenance events will also need to be recorded and reported in RidePilot. This is anything that is not on the preventative maintenance schedule such as fixing a dent, replacing a mirror or a lightbulb, repairing a flat tire or replacing a tire. You must upload receipts and invoices of maintenance events and preventative maintenance into RidePilot.

Preventative maintenance plans (or schedule) should be within 20% of the manufacturer's recommended timelines and should include any required warranty service or inspections. Record-keeping should include a file with copies of all procurement documents, such as the purchase order, manufacturer's specifications and warranty, and a schedule of inspections, service, and repairs which were done for the equipment and/or vehicle. These records must be maintained as long as the equipment/vehicle is used in the service or program it was purchased for, plus three additional years.

4.6 Accident and Incident Reporting

If an accident or incident (any significant damage to the vehicle) occurs your **agency must report it to UTA within 24 hours**. You must also fill out an accident report and send us a copy. You will also need to send us any police reports. You can use your own accident report if it contains similar information as our template. We recommend keeping a clipboard, pen, and incident reporting forms inside the vehicle at all times.

In the unlikely event that the vehicle is a complete loss, UTA will need to work with your agency's insurance company with regards to proceeds. Please contact UTA as usual and let us know so we may follow correct protocol.

ACCIDENT CONTACTS:
CM Grant Manager; Holly Mahoney (801) 237-1994 (801) 541-8053 hmahoney@rideuta.com
Coordinated Mobility Manager; Ryan Taylor (801) 287-2399 (801) 635-9482 rtaylor@rideuta.com

4.7 Driver and Management Training

Training videos can be found:
nationalrtap.org on the eLearning page
And 'Utah UZA's FTA 5310' youtube channel

All drivers must complete the following trainings:
- ADA and Sensitivity
- Bloodborne Pathogens
- Customer service
- Defensive Driving
- Distracted Driving
- Drugs and Alcohol
- Emergency Management
- Passenger Safety
- Transporting Non-Ambulatory Passengers
- Transit and Human Trafficking
- Problem Passengers: Managing Difficult Passengers and Situations

For Maintenance:
- Top Shops: Emergency Management
- Top Shops: Instructor Led Training (ILT) course

For Grant Managers and Fleet Managers:
- UTA Application Workshop
- UTA Vehicle Workshop
- UTA Grant Management Workshop
- UTA RidePilot Training
- Transit and Human Trafficking
- ADA and the FTA: Improving Access for People with Disabilities
- FTA Drug Abuse Awareness Video
- Reasonable Suspicion Training for Supervisors
- FTA 101: An Introduction to the Federal Transit Administration
- Title VI Program Requirements for FTA Grantees

Vehicle Safety Standards:
Additionally, your agency must have the following policies and procedures.

- Agency management commitment to safety. Examples may include safety policies, an agency safety committee, a safety communication program for the workplace (such as posters, safety bulletins, safety meetings, etc.), and workplace procedures that include safety elements
- Operational on-board safety equipment, including fire extinguishers, first aid kit, web cutter, bio-hazard kit, road warning triangles, based on agency policies ⌉ Ensure communications equipment is working properly and that back-up procedures are in place for emergency communications in areas of poor coverage or "dead spots"
- Driver training for the safe transport of all passengers, including service animals, should include special needs passenger assistance, proper restraints for children, responding to passenger and vehicle emergencies, and requirements for seat-belt use
- Driver training for transporting special needs individuals, including lift operation, storing portable oxygen tanks, securing wheelchairs and non-traditional personal mobility devices, and any other specialized driver training required by the agency
- Driver first aid and CPR training, should include procedures for dealing with potential blood-borne pathogen spills inside a vehicle
- Vehicle pre-trip and post-trip inspections as outlined section 4.3 of this handbook
- Driver training for driving under challenging conditions such as winter storm driving, techniques for driving in heavy rain, snow and ice, night driving, left turns at intersections, driving in heavy winds, etc. (Optional but strongly recommended.)
- Procedures for vehicle breakdown and unavoidable stops, including safe vehicle evacuation and grouping of passengers outside of the vehicle
- Safety procedures for bus storage and vehicle maintenance facilities, if the agency operates such facilities, covering both the operation of vehicles inside the facilities, and the safe use of equipment
- Procedures and policies for responding to all hazards, including evacuations, as established by the agency's policies and procedures, and in coordination with emergency first responders in the area. Agencies are encouraged to establish inter-agency agreements and to define how vehicles might be deployed in the event of an emergency - what agency will be providing drivers, insurance coverage would in place, and procedures are in place in advance
- Your agency must have written policies and procedures in place to prevent loss, damage, and theft of vehicles.
- You must always secure keys when they are not being used in the vehicle.

- Your agency must have a policy outlining that a driver cannot deny service if a wheelchair cannot be secured. You must have a policy on what to do if wheelchair cannot be secured (such as using extra straps, calling for a different vehicle, etc.)
- Vehicles will be inspected by UTA every two years.

4.8 Insurance Coverage

All vehicles must have proof of insurance cards up to date. UTA must have a copy of your insurance coverage plan with amounts and showing UTA as the lien holder. Unless the agency in question is self-insured, wherein they must provide a signed letter that states UTA is the lien holder on the vehicle.

Minimum coverage required:

Automobile Liability
Bodily Injury and Property Damage for any owned, hired, and non-owned vehicles used in the performance of this Contract.
Combined Single Limit (CSL) $2,000,000
The policy shall be endorsed to include the following additional insured language: "The Utah Transit Authority shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor, including automobiles owned, leased, hired or borrowed by the Contractor"

4.9 Useful Life and Disposal

Please refer to the Vehicle Type and Useful Life Benchmark chart in Fig. 13 shows different vehicle types and their useful life benchmark. Once the useful life is met the agency may request UTA to release the lien on the title. When the vehicle is ready for disposal the agency must notify UTA.

Agencies are required to notify UTA if the vehicle has been out of service for 90 consecutive days. Agencies are required to notify UTA when the subrecipient can no longer use a vehicle, if the original purpose for the vehicle changes, the service is terminated, the transit project ends, or the agency is closing or no longer providing transportation. If the project is at an end or an agency closes and useful vehicle life remains, UTA will transfer the vehicle to another eligible agency.

Regardless of the method of disposal, any vehicle being disposed of must have a free and clear title. (Agencies must request the title to be released by UTA even when a vehicle will be "junked.") The wrecking company will need to provide the title to DMV showing that the vehicle is no longer operational. Titles are released to the owner (subrecipient) when requested for disposal, once useful life standards have been met. When a vehicle is requested to be transferred to another agency for similar service, UTA releases the title for changes but must remain on the title as first lien holder as long as it is used for transporting seniors and people with disabilities. When disposing of a vehicle, the agency may follow its own rules and procedures for disposing of federally-funded surplus property, as long as the disposal or sale is conducted in an open public process and meets all state or federal laws, rules, and requirements. Agencies may sell the vehicle and keep the sales proceeds but must return any amount over $5,000 to UTA to give back to FTA which has a right to those funds. (see FTA C 5010.1E Chapter IV) Once a vehicle has been formally replaced through a 5310 grant, any subsequent replacement (such as when the vehicle is no longer fit for back-up service) is considered a vehicle expansion purchase. Agencies may submit expansion vehicle grant applications through the 5310 program as capital projects.

Equipment/Facilities Type and Useful Benchmark:

- Computer equipment, software, and other office equipment = 5 years
- Communications equipment (mobile radios, base stations) = 5 years
- Surveillance equipment (cameras, etc. for vehicles or facilities) = 5 years
- Shop equipment (e.g., vehicle lift, bus washing, tire changers, etc.) = 15 years
- Fare boxes = 10 years
- Wheelchair lift = same as useful life of the vehicle on which it is installed
- Passenger shelters (prefabricated metal and glass/Plexiglas and stick-frame) = 10 years
- Signs and sign poles = 10 years
- Amenities: (e.g., benches and on-ground bicycle lockers or racks) = 15 years
- Equipment sheds > 300 square feet (prefabricated and erected on site) = 20 years
- Any "stick frame" constructed building/structure = 40 years Examples include bus barns, maintenance shops, administrative offices
- Concrete/pavement infrastructure (bus parking areas, passenger transfer stations, park-and-ride lots, transit malls) = 20 years
- Security fencing (permanently installed metal cyclone-type) = 15 years

- Office furnishings within buildings (e.g., office partition systems, desks, filing cabinets, etc.) = 10 years
- Land = perpetual - useful life does not expire on land purchases
- Renovations to existing grant-funded facilities = allowable maximum of once every 10 years; each proposed project will be reviewed separately, on its own merit

Vehicle Types and Useful Life Benchmark:

Vehicle Class	Photo	Approx. GVWR	Seat #	Length	Federal Useful Life
Medium-Size, Light-Duty Bus & Van Chassis Cutaway Bus		10,000-16,000 lbs.	12 - 16	20 – 25 ft.	4 years or 100k miles
Small, Light Duty - Bus		6000-14,000 lbs.	3 - 14	20 - 22 ft	4 years or 100k miles
Modified Vans, Vans, Minivans, Sedans		6000-14,000 lbs.	3-14	<20 ft	4 years or 100k miles

Fig. 13

4.10 Asset Inventory

Your agency must keep record of specific items related to the grant, in an asset inventory. We highly recommend using the excel spreadsheet we offer on our website as it already contains each category you are required to track. However, feel free to develop your own version of asset tracking if it contains the following items.

For vehicles:

- Vehicle type
- Agency vehicle ID
- Model and year
- Date placed into service
- Mileage
- Seating capacity
- Accessible (yes/no)
- 5310 funded (yes/no)
- Expected year to retire (useful life)
- Adequate insurance (yes/no)

- Vested Title (yes/no)
- Total Cost
- Federal % (or federal amount and local amount)
- Grant Number
- Location
- Use and Condition
- Disposition Method (if applicable)
- Replace (yes/no)

For equipment such as lifts, radios, cameras, bus stops, shelters, etc. your inventory must include:

- Agency's internal equipment ID number
- Year of manufacture
- Equipment condition
- Serial Number
  Date placed into service
- Total purchase cost including federal share and local share

- Minimum useful life or remaining useful life (annual update required)
- Date removed from service (if applicable)
- Disposal method (if applicable, e.g., "auction sale")

Bus Shelters, Signs, or Amenities

- Facility/item location – the street address, or nearest cross-streets and side of street (North, South, East, West) where the shelter or amenities are located.
- One-sentence description of the asset.
- Identifying inventory property tag number or item code assigned by the local agency.
- Month and year of installation.
- Original cost of facility/item, including applicable federal share, and local share
- Current condition and remaining grant replacement useful life

Structure and Facilities:

- Facility name (if applicable) and address.
- The full name of the facility as it appears on the legal deed (e.g., "City of Centerville, Davis County Transit Facility") and the legal street address.

- Brief general facility description including purpose/function of the facility, transit programs served, number of floors and square footage.
- Facility number or code assigned by the local agency.
- Facility occupancy rating by local or state fire marshal.
- Date the occupancy permit allows facility to be used.
- Original total cost of facility, including applicable federal share, and local share. If real estate acquisition was part of the grant project, that cost should be included in the total project cost.
- For facility renovations: Date completed, square footage, and project cost of all major facility renovations or additions, including federal grant shares, if funded in a 5310 grant.
- A list of the major building infrastructure equipment systems, including (but not necessarily limited to) elevators, central fans/blowers, HVAC chillers and heaters, cooling towers, emergency power generators, and waste disposal equipment – including manufacturer's serial numbers.
- Current building condition

For determining "Condition" please use UTA's five-point rating system:

1 - Excellent = Asset new or nearly new 75% - 100%, the asset is still new or like new with no visible defects.

2 - Good = Asset nearing or at its midlife point 50%-75%, the asset is showing minimal signs of wear and may have some slight defects or deterioration. May include rehabilitated vehicles restored to good condition.

3 - Adequate = Asset has passed its midlife point 25%-50%, some minor to moderate defective or deteriorated components, there are expected maintenance needs.

4 - Marginal = Asset nearing or at end of its useful life 0%-25%, increasing numbers of defects, including deteriorating components, growing maintenance needs and cosmetic flaws. Repairs are beginning to exceed normal maintenance schedules.

5 - Poor = Asset passed its useful life with high mileage, asset in need of replacement or restoration such as engine or transmission overhaul needed to keep the vehicle in service, may have critically damaged components and major mechanical or cosmetic flaws. Non-maintenance repair happening frequently and becoming more costly.

5. Risk, Audits, and Vehicle Inspection

5.1 Risk Assessment

A risk assessment is a tool the FTA requires to determine a subrecipients level of risk. We use a scoring system to evaluate your risk. Monitoring levels and monitoring needs are established by the Pre-Award Risk Assessment, which is completed by the subrecipient during the Pre-Application prior to the grant being executed. Grantees will fall into one of the following risk areas: Low, Medium and High Risk. After awards have been made, a Post-Award Risk Assessment will be completed by a UTA Coordinated Mobility staff member and compared to the subrecipients review of their own risk.
 (For more on-site visits, see section 7.3 External Audits)

What is a risk? A risk may be a change in policy or regulation, a new program, high turnover, large amount of funding with lack of sustainability, inability to meet program goals and milestones, or inexperience managing grants. The reason we have you fill out a risk assessment in the beginning is to help us get an overview of your agency, and help you identify your own risks.

Based on the rating scale in the Risk Assessment Form, grantees are placed in one of the following risk areas. Depending on the level of risk, grants will be monitored differently. Below are some examples of how different risk levels will change the monitoring of the agency.

Low Risk
1. Monitoring may be standard or lowered to the PTE's discretion, but will still include Grant Status Reports, Final Report, Vehicle Inspections, and evaluation.

Medium Risk
1. Standard monitoring. Onsite visits, Grant status reports, vehicle inspections, etc.
2. Financial Review during the first quarter.
3. Pending site visit results, UTA could withhold full or partial payments.
4. UTA will provide training and technical assistance on program related matters.

High Risk
1. Same monitoring as Low and Medium Risk.
2. A meeting will be scheduled between UTA and grantee subrecipient the first month of the project start date.
3. Grant training attendance will be required by two of the following: Authorizing Official, Agency Administrator, Program Manager, or Agency Financial Officer.

5.2 External Audits

External audits cannot be your internal control. It is your responsibility to know if you are compliant before an audit, and it is our responsibility as the Pass-Through Entity (PTE) of your grant funding to help your agency be compliant. If your agency is found non-compliant by an external auditing agency, we (PTE/UTA) will be held accountable. Therefore, it is in our best interest to do everything we can to assist you and educate you on compliance.

Site Visits

UTA will perform site visits and vehicle inspections to help your agency ensure compliance, improve performance, and reduce risk. The frequency of this compliance monitoring is based on the subrecipients level of risk, but for medium risk agencies it is typically every 2 years. UTA will complete a risk assessment of the subrecipient (similar to the one filled out by the subrecipient at the time of application) yearly, or less than yearly if the agency is determined low risk.

During a site visit we check your accounting systems, your trainings, your policies, and may request to interview some of your staff or check on equipment.
For a full list of the questions we ask during a site visit, you can see our site visit checklist on our website under the 'Resources' tab. You can also find our vehicle inspection checklist to get an idea of the things our maintenance manager will be looking for. ***www.utahridelink.org/5310-Grant/5310-Resources***

Here is a list of documents we may request ahead of time or request to see on site, keep in mind this list is subject to change:

- **Civil rights documents, complaint forms, public notices**
- **Employee handbooks**
- **Driver Training**
- **Drug and Alcohol Policy**
- **Civil Rights**
- **Asset Inventory**
- **Vehicle Inspection**
- **Website**
- **Vehicle Insurance**
- **Asset Inventory**
- **Current Financial statements**
- **Audit results**
- **Incident logs**
- **Any civil rights complaints, litigation, and/or resolutions**

After our site visit is complete, we will send the subrecipient a formal letter with our findings and/or recommendations. In this letter we will identify the problems, communicate the issues, and make recommendations. We will also include a time frame in which subrecipient has to make changes, typically this is 30 days. If it is an urgent matter, it may require more immediate attention. Other items may require the subrecipient to write their own Corrective Action Plan (CAP) and UTA will hold them to that plan. Failure to address the recommendations within the time given will result in a change or risk score, or further action may be taken to ensure safety and compliance.

<u>Other Audits</u>

Outside of our site visits, as a subrecipient you should be prepared to receive an external audit at any time. Every three years FTA Triennial Reviewers and Regional Staff audit the PTE agency (UTA) and at that time subrecipients may be selected for a visit from the FTA, especially if they are a high-risk agency. UTA will try and give prior notification when FTA will be visiting, though we cannot guarantee that we will know ahead of time. Other government agencies can also audit subrecipients, such as the Inspector General or the Government Accounting Office (GAO).

During an external audit, you may receive a finding or a recommendation.

Findings vs Recommendations:
Finding = breaking the law, regulations, or agreement policy
Recommendation = area of concern, no compliance violation, could become a finding if not addressed

It is wise to provide any internal audit reports to the external auditor. Also, if you are aware of any areas you are non-compliant in, bring them to the attention of the auditor up front showing that you have an action plan in place to remedy the issue.

<u>Corrective Action Plan</u>

A CAP should include deficiencies identified, a timeline, and a detailed plan to correct issues.

If subrecipient does not meet the deadline or does not complete their CAP, the PTE may take the following actions:

1) offer technical assistance
2) withhold payments
3) report subrecipient to FAPIIS.gov
4) other remedies for non-compliance as allowed by regulation

If the subrecipient completes their CAP and remedies any findings, PTE will send a second letter notifying that subrecipient is complying and has made changes that the PTE finds acceptable. All correspondence on these matters will be saved and documented. The CAP process should be similar within any other external government agencies.

<u>Extension</u>

Some delays in correcting findings may be acceptable for an extension. An extension may be requested in writing and approved by the PTE or other external government agency.

Excusable delays: must amend an agreement, natural disasters, act of public agency, awaiting board approval

Non Excusable delays: cash flow problems, inadequate equipment, back order procurement problems, lack of knowledge due to personnel turnover

Most common compliance issues

To help subrecipients identify risk or noncompliance ahead of time, here is a list of the most common compliance problems UTA and FTA see.

- Not submitting quarterly reports on time
- Not using Ride Pilot consistently
- Not recording Preventative Maintenance in RidePilot correctly
- Not responding to written communication
- Title VI plan deficiencies
- Not billing for operations regularly (quarterly) – more and more auditors are looking at this. UTA needs to be reimbursing your operations regularly and not all at once at the end of the grant.
- High turnover without training new employees on grant requirements
- Lack of written policies
- Lack of project goals and milestones to evaluate success of project – these should be written in your application and grant agreement, and evaluated in your quarterly reports

Ultimately UTA is held responsible for your success so we need your cooperation to comply with federal guidelines. We have incentive to help you succeed! Other subrecipients are also depending on your compliance to receive consistent grant funding.
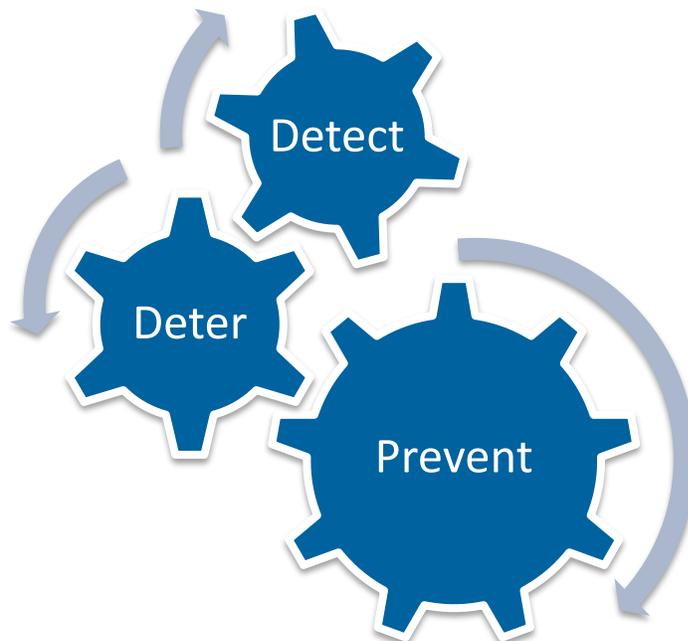
5.3 Vehicle Inspection

Every quarter UTA will do a desk review of your RidePilot reporting on vehicles. We check miles traveled, how often you are reporting, if any vehicles are due for preventative maintenance, and that you are uploading proper documentation with maintenance events. Every two years your agency will receive and onsite vehicle inspection, performed by a UTA maintenance employee. On the years UTA does not inspect your vehicles, you must perform your own vehicle inspections on all 5310 funded vehicles. You are welcome to use our vehicle inspection form available on the 5310 webpage under 'resources'. This will ensure you are prepared for our onsite vehicle inspection.

Things we will check during our onsite inspection include: Exterior condition, safety equipment, interior condition, proper signage (height, Title VI, Emergency Exit, etc.), lift condition, proper Q'straints and seat belts, understructure condition, front suspension, and battery compartment.

5.4. Civil Rights

The Office of Civil Rights within the FTA is responsible for ensuring transit providers comply with all nondiscrimination requirements. The office oversees the implementation of laws and regulations that prohibit discrimination on the basis of race, color, national origin, religion, sex, disability, and age in the provision of services to the public. The office provides technical assistance and training and conducts complaint investigations and onsite compliance reviews to ensure public transit providers fulfill civil rights requirements. Major programs the office implements include:

- Title VI of the Civil Rights Act of 1964
- Americans with Disabilities Act of 1990
- Disadvantaged Business Enterprise program
- Equal Employment Opportunity program

As a pass-through entity of FTA 5310 funds, it is UTA's responsibility to ensure that all subrecipients have written policies and procedures that are in compliance with all Civil Rights programs.

Americans with Disabilities Act

The Americans with Disabilities Act of 1990 (ADA) is a civil rights law that protects the rights of individuals with disabilities to equal opportunity and access to employment, public services, and public accommodations and services operated by public and private entities. As stated in Chapter 2 of the FTA ADA circular, "as a comprehensive civil rights law, the ADA grants the same rights and responsibilities to individuals with disabilities as are available to all individuals. Fundamentally, the overarching requirement of the law is that entities cannot discriminate against individuals with disabilities."

Subrecipients should be aware that compliance with the ADA covers virtually every aspect of transit operation, including transit system employees, service provision, vehicle purchasing, transit facility design, and information about transit services. Daily operations are impacted by the need to deliver consistent, high quality service to members of the riding public regardless of their disabilities or abilities.

The ADA regulations that focus on public transportation providers are issued by the U.S. Department of Transportation (DOT) in 49 CFR Parts 27, 37, 38, and 39. The U.S. DOT ADA regulations are extensive and often complex. Refer to FTA Circular 4710.1, Americans with Disabilities Act: Guidance, for FTA guidance on the U.S. DOT ADA regulations, in-depth compliance information, and recommended practices.

As a pass-through entity, UTA requires subrecipients complete the ADA checklist provided in their 5310 grant application, as well as notices to the public in both English and any required language identified in their Language Access Plan* (LAP).

(*For specific instructions on LAP Title VI program, please review Chapter 6 Civil Rights.)

5.5 Vehicle Security Requirements

It is your agencies responsibility to have policies and procedures in place that prevent loss, damage, or theft to your vehicles and/or equipment purchased with 5310 funds.
Your agency must:
- Have a system in place for checking out and returning keys
- Keep keys in a secured location when not in use
- Keep vehicles in a secure location when not in use

"Secure location" for our purposes, is defined as a safe access restricted repository.

Ideas for acceptable security measures:
- Cameras around parking facility
- On site security guards or security monitoring
- An enclosed gated area with a lock
- Adequate night lighting

6. CIVIL RIGHTS

6.1 Title VI

State and local transit agencies receiving Federal Transit Administration (FTA) funds are required to uphold Title VI of the Civil Rights Act of 1964, a landmark piece of civil rights legislation that outlaws discrimination on the basis of race, color, or national origin. Title VI of the Civil Rights Act specifically states that any programs and activities receiving federal assistance cannot discriminate on the basis of race, color, or national origin. It is essential for all FTA grantees and subrecipients to have a well-planned Title VI program in place to prevent discrimination, promote public inclusion, and have the means to address, avoid, and mitigate any discriminatory actions and activity.

To ensure Title VI compliance, subrecipients should become familiar with FTA's Title VI Circular 4702.1B. This document clarifies and updates FTA's Title VI requirements and guidance. As a subrecipient you have a responsibility to prepare and submit your plan to the grantee or pass-through entity, in this case Utah Transit Authority. Prior to submitting your Title VI plan, the subrecipient must obtain approval from its board of directors, or similar decision-making body.

Developing your Title VI Program

A Title VI program will include:
- A Public Notice in English and Spanish (or whichever language identified in LAP described below), that also contains subrecipients designated Civil Rights officer contact info as well as UTA's Civil Rights officer's contact information. Notices should be posted in any common areas and vehicles. (In general, the Safe Harbor language of Utah is Spanish)
- Instructions to the public regarding how they can file a Title VI discrimination complaint with the subrecipient agency, and grantee agency: Utah Transit Authority
- A list of any public transportation-related Title VI complaints, investigations, or lawsuits filed with the subrecipient since the time of the last submission
- A Public Participation Plan
- A Language Access Plan (LAP/ "LEP plan") that includes a Four-Factor Analysis using the most current census data available in your area

If a subrecipient is applying for funds for the first time, and does not have a program, it will be required to provide information to supplement your Title VI Program. First time subrecipients are encouraged to contact their respective Regional Civil Rights Officer, or UTA's Civil Rights Officer if they need assistance developing a program.

Public Notice

Title VI requires that subrecipients of federal funds notify the public of their rights against discrimination. At a minimum, information must be published on the subrecipient's website, as well as areas where the public may interact with the agency. Examples of this include displaying posters or providing pamphlets in reception areas, meeting rooms, service areas and inside vehicles.

The notice should state that the agency operates programs without regard to race, color, or national origin and include a description of the procedures that the public should follow to get more information on the Subrecipient's Title VI obligations. The notice must also state procedures for the public to file a Title VI complaint with the agency and with Utah Transit Authority.

UTA contact information to add to public notice:

Title VI Complaints

To ensure compliance with the handling of complaints, a grantee must develop a procedure for informing, accepting, investigating, and tracking any filed Title VI complaints. Title VI complaint forms must be available for the public's use along with information on how to file a complaint. At a minimum these should be available online.

The next requirement is Recording and Reporting Title VI complaints, Investigations, and Lawsuits. This report must include the date of the complaint, investigation, or lawsuit; a summary of the allegation; status of it and any actions taken.

If subrecipients wish, they can adopt portions of UTA's policies and procedures by finding the resources on the 5310 website or reaching out to our Civil Rights Officer for assistance.

   This can include:
- The notice to the public informing them of their Title VI rights
- Procedures on how to file a Title VI complaint, and
- A Title VI Complaint Form.

The subrecipient is still responsible for notifying passengers and other interested persons of their rights, and how an individual may file a discrimination complaint directly with the subrecipient.

If the subrecipient adopts UTA's complaint form and process, they are still responsible for its enforcement, monitoring, and overall management.

Language Assistance Plan

A subrecipient's Title VI program must include a plan for providing language assistance to Limited English Proficient (LEP) persons, which is referred to as a Language Assistance Plan (LAP).

LEP refers to persons for whom English is not their primary language and have a limited ability to read, write, speak, or understand English.

In order to establish a LAP, the subrecipient must first conduct a Four Factor Analysis.
The first factor looks at how many LEP persons are served. When evaluating this factor subrecipients must look at:

- How many and how do LEP persons interact with the agency?
- Who are these LEP communities?
- How many languages do they speak?
- What are the literacy skills of each LEP group in their native languages?
- Are LEP persons underserved due to language barriers?

The second factor to analyze is how often do LEP persons come into contact with transit programs. This includes surveying key program areas and assessing major points of contact with the public.

The third factor is assessing what the LEP populations consider essential services, as well as the most effective means to provide language assistance to them. This can be done by holding facilitated meetings with LEP groups.

Lastly, a subrecipient needs to manage resources and costs, consider technological advances, reasonable business practices, and the sharing of language assistance materials and services between subrecipients, advocacy groups, LEP populations and Federal agencies. Subrecipients use the results of the Four Factor Analysis to determine which language assistance services are appropriate in order to develop its LAP.

At a minimum, the LAP should contain:

- The results of the Four Factor Analysis, including a description of the LEP populations served
- A description of how assistance services will be provided by language
- Communication methods to LEP persons about the availability of language assistance
- How the plan is evaluated and updated
- How drivers and employees are trained to provide timely and reasonable language assistance to your LEP populations

A good starting point for LEP communities is to translate vital documents into the language of each frequently encountered LEP group. Failure to translate these vital documents could result in you denying an eligible LEP person access to services and would constitute discrimination on the basis of national origin. Non-vital documents can be translated orally.

Once you understand who your LEP populations are, and you have developed your LAP, you must apply it to your Title VI efforts, including public meetings, surveys and other documents or interactions with the public where you may need to translate information into languages other than English.

The Safe Harbor Provision outlines the circumstances that can provide transit agencies a safe harbor regarding the translation of written materials for LEP populations. It stipulates that a subrecipient is in compliance if each eligible LEP language group has written translation of vital documents.

Eligible LEP groups constitute 5% or 1,000 persons of the total population qualified to be served. (use census data from your area to determine)

Written translation of vital documents is not required if there are fewer than 50 persons in a language group. Written notices should be provided in the primary language of those with Limited English Proficiency about their right to receive competent oral interpretation of those written materials, free of cost.

These Safe Harbor Provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Title VI Compliance Monitoring

UTA must monitor subrecipients to ensure that they are carrying out their plans as documented.
This is important because if a subrecipient is not in compliance, then neither is the primary recipient. UTA must document its process to ensure that all subrecipients are complying with the reporting requirements. UTA is required to establish a schedule to collect and review its subrecipients Title VI program. UTA will collect and review Title VI plans annually in the fall. For all civil rights complaints or lawsuits, subrecipients must report to UTA in their quarterly report at least annually and include resolutions.

Title VI for facilities only (not vehicles)

When a subrecipient is planning to site a facility, it has to conduct a Title VI equity analysis to ensure that the site location was not determined with regards to race, color or national origin. Examples of facilities include operation centers and storage and maintenance facilities. They do not include bus stations, transit stations, or power substations, as these are evaluated during project development and the NEPA process.

This Equity Analysis must occur during the planning stage before the selection of the preferred site and must compare the equity impacts of various site alternatives and must notice and conduct outreach to potentially impacted populations. Attention should be paid to other facilities in the preferred area, as there may be cumulative adverse impacts if an additional facility is built.

To ensure proper perspective is used in the analysis, grantees should utilize the Census tract or block group data. If the grantee determines that the location will result in a disparate impact on the basis of race, color, or national origin, it may only locate the facility there if there is a substantially legitimate justification to do so. The grantee must have analyzed the alternatives and found that there are no other locations that will have a less disparate impact.

Further Research and Resources

For more information on Title VI Programs, and to view sample checklists, templates, standards, etc., see the *"Title VI Requirements and Guidelines for Federal Transit Administration Recipients" circular, FTA C 4702.1B (effective October 1, 2012).* You can also find samples on our website at *http://www.utahridelink.org/5310-Grant/5310-Resources*

6.2 Disadvantaged Business Enterprise (DBE)

The U.S. DOT DBE requirements are intended to create a level playing field for DBEs in competing for federally funded contracts. A DBE is a for-profit small business owned and controlled by a socially and economically disadvantaged individual.

An FTA recipient must develop a DBE program if it receives FTA planning, capital and/or operating assistance and will award prime contracts (excluding vehicle purchases) exceeding $250,000 in FTA funds in a federal fiscal year. Subrecipients participate in the State DOT's DBE program and report to the state on DBE contracting activity. Also, FTA-funded vehicle procurements must require transit vehicle manufacturer bidders to certify that they have complied with FTA DBE program requirements. UTA does procurement for all of our FTA 5310 subrecipients, to ensure that these rules and other Federal procurement rules, are followed correctly

DBE Program Elements

The following are the required elements of a DBE program document, as presented by the FTA in a training webinar for Region VI entitled
"U.S. DOT's Disadvantaged Enterprise (DBE) Program: The Basics," supplemented with requirements detailed in 49 CFR Part 26:

• **Policy statement –** this is a written statement of commitment to the DBE program, and it should be signed by the highest officer in the organization and circulated throughout the organization and to the business communities that perform DOT-assisted work for the organization.

• **Standard contract assurances –** a nondiscrimination clause should be included in every contract signed with a contractor and every contract that a contractor signs with a subcontractor (when drafting, use exact language from 49 C.F.R. Part 26.13 (b))

• **DBE liaison officer –** this is the individual responsible for the implementation of the DBE Program

• **DBE goals and goal-setting methodology** – the organization must set an overall goal for DBE participation in U.S. DOT-assisted contracts, with transit-specific overall three-year agency goals, which must be submitted to FTA annually and updated at least every three years. A DBE goal should be based on ready, able and willing DBE firms relative to all firms available to perform on all contracts. Goal-setting methodology requirements are detailed in 49 CFR 26.45. The State DOT includes its subrecipient procurements in the state's DBE goal, and the subrecipient needs to comply with the state's DBE program requirements, which may require more frequent goal setting.

• **Prompt payment and retainage provisions –**The organization must establish a contract clause to require prime contractors to pay subcontractors for satisfactory performance of their contracts no later than 30 days from receipt of each payment made to the prime contractor. The organization must also ensure prompt and full payment of retainage from the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Methods to comply with this requirement are detailed in 49 CFR

Section 26.29.

• **Good faith efforts criteria –** the transit agency must make good faith efforts to meet the organization's DBE goals through methods detailed in 49 CFR Section 26.51.

• **Monitoring and enforcement mechanism –** to ensure that DBEs are performing the contracted work, including written certification that you have reviewed contracting records and monitored work sites for this purpose. (See 49 CFR Section 26.37 for greater detailed requirements.)

• **Small business provision (new rule) –** the organization needs to foster small business participation in its contracts, taking all reasonable steps to eliminate obstacles to small business participation, as detailed in 49 CFR Section 26.39.
The Unified Certification Program (UCP) is the state-level entity responsible for certifying eligible firms as DBEs. To be counted toward meeting the agency's DBE goal, a firm must be certified as a DBE by the state's UCP at the time of the execution of the contract.

Further Research and Resources

FTA and U.S. DOT requirements and guidance on DBE can be found on several pages of the FTA website, include the DBE Overview web page *(https://www.transit.dot.gov/dbe)*, DBE Regulations *(https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/dbe-regulations)*, and DBE Guidance *(https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/dbe-guidance)*. View FTA DBE training materials at *https://www.transit.dot.gov/regulations-and-guidance/civilrights-ada/dbe-training*

6.3 Equal Employment Opportunity (EEO)

Equal Employment Opportunity (EEO) refers to statutes and regulations that prohibit employment discrimination and provide employees and job applicants protections and remedies against employment discrimination. These protections and remedies were established under a series of Federal laws *(https://www.eeoc.gov/laws/statutes/index.cfm)* that are enforced by the U.S. Equal Employment Opportunity Commission. These laws prohibit discrimination against a job applicant or an employee on the basis of race, color, religion, sex, pregnancy, gender identity, sexual orientation, national origin, age (40 or older), disability or genetic information. It is also against the law to discriminate against a person because the person complained about discrimination, filed a charge of discrimination or participated in an employment discrimination investigation or lawsuit. EEOC regulations are detailed in 29 CFR Parts 1600-1699 (see EEOC website *(https://www.eeoc.gov/laws/regulations/index.cfm))*.

As stated in FTA Circular 4704.1A, "EEO Guidance" *(https://www.transit.dot.gov/regulationsand-guidance/civil-rights-ada/eeo-circular)*, "Under Federal Transit Laws, FTA is responsible for ensuring that its recipients do not engage in employment discrimination:
A person may not be excluded from participating in, denied a benefit of, or discriminated against

under, a project, program, or activity receiving financial assistance under this chapter because of race, color, religion, national origin, sex, disability, or age. (49 U.S.C. 5332(b))"

To ensure non-discrimination in employment, FTA requires that FTA applicants, recipients, subrecipients, and contractors that employ 50 or more transit-related employees: 1) request or receive capital or operating assistance in excess of $1 million in the previous Federal fiscal year, or 2) request or receive planning assistance in excess of $250,000 in the previous Federal fiscal year must prepare and maintain an EEO Program.

EEO Program Requirements

FTA applicants, recipients, subrecipients, and contractors that meet the dollar thresholds and have 100 or more transit-related employees must submit a full EEO program to FTA every four years. Such organizations that employ between 50-99 transit-related employees and meet the dollar thresholds have reduced requirements. The smaller organizations must develop an abbreviated EEO Program that is only required to be submitted to FTA if requested by FTA.

The abbreviated EEO Program includes the following elements:

• **Statement of policy –** FTA requires a signed and dated EEO policy statement issued by the agency's Chief Operating Officer (CEO)/General Manager (GM) covering all employment and personnel practices, including recruitment, hiring, promotions, terminations, transfers, layoffs, classification, compensation, training, benefits, and other terms and conditions of employment.

• **Dissemination, both internally and externally –** FTA requires agencies to publicize and disseminate their EEO policy statement by posting it in conspicuous locations so that employees, applicants, and potential applicants are aware of the agency's commitment to EEO. Agencies are required to disseminate their EEO policy internally and externally.

• **Designation of personnel responsible for carrying out the EEO Program, including the designation of an EEO Officer –** FTA requires agencies to designate an executive as EEO Officer who will report to and is directly responsible to the agency's CEO/GM. FTA requires agencies and their senior managers to give the EEO Officer support and assign sufficient staff to successfully carry out the EEO Program, as appropriate. The EEO Officer's contact information must be published in all internal and external communications regarding the agency's EEO Program.

• **Assessment of the agency's employment practices –** FTA requires agencies to document their employment practices with sufficient detail to identify trends and any practices that may operate as employment barriers, identify all problem areas, and propose a program of corrective actions as part of their EEO Program. Organizations that employ 100 or more transit-related employees must also include the following elements in their EEO programs:

• **Utilization analysis –** identifying job categories that have an underutilization or concentration of

minorities and women in relation to their availability in the relevant labor market (showing where problems may exist in the agency).

• **Goals and timetables –** setting numerical goals to correct employment practices that contributed to any identified underutilization or concentration for the next four-year period.

• **Monitoring and reporting –** establishing an internal monitoring and reporting system to assess the results of action plans taken since the last program submission, evaluate the EEO Program at least semiannually and to take any necessary corrective action regarding the development and execution of programs, goals, and timetables, and produce documentation that supports actions to implement the plan for minority and female job applicants or employees and informs management of the program's effectiveness.

Further Research and Resources

For more information, refer to FTA Circular 4704.1A. *(https://www.transit.dot.gov/regulationsand-guidance/civil-rights-ada/eeo-circular)*

For Subrecipients that have less than 50 employees

Organizations that do not meet the FTA EEO Program thresholds are not required to submit an EEO Program to FTA, but they are still required to comply with all applicable EEO statutes and regulations. This includes having a process for accepting, investigating, and resolving EEO complaints including directing individual complaints to the EEOC (required under 29 CFR Part 1691*(https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title29/29cfr1691_main_02.tpl))*. Employers must post EEO notices visible to employees, applicants for employment and union members (29 CFR Section 1601.30).

As a best practice, FTA recipients and subrecipients that do not meet the thresholds triggering an FTA EEO Program should nonetheless adopt an EEO statement of policy, disseminate the policy internally and externally and designate an EEO officer.

6.4 Americans with Disabilities Act (ADA)

The Americans with Disabilities Act of 1990 (ADA) is a civil rights law that protects the rights of individuals with disabilities to equal opportunity and access to employment, public services, and public accommodations and services operated by private entities. As stated in Chapter 2 of the FTA ADA circular, *"as a comprehensive civil rights law, the ADA grants the same rights and responsibilities to individuals with disabilities as are available to all individuals. Fundamentally, the overarching requirement of the law is that entities cannot discriminate against individuals with disabilities."*

Transit managers should be aware that compliance with the ADA covers virtually every aspect of transit operations, including transit system employees, service provision, vehicle purchasing, transit facility design, and information about transit services. Daily operations are impacted by the need to deliver consistent, high quality service to members of the riding public regardless of their disabilities or abilities. The ADA regulations that focus on public transportation providers, 49 CFR Parts 27, 37, 38, and 39, are extensive and often complex. This ADA page (sourced from the NRTAP Transit Manager's Toolkit) provides a very brief introduction to the major requirement areas new rural transit managers need to be aware of on the first day on the job.

(The National RTAP provides a separate ADA Toolkit containing more expansive information which all rural transit managers should become familiar with. In addition to the "deeper dive" ADA Toolkit, also refer to FTA Circular 4710.1, "Americans with Disabilities Act: Guidance," for in-depth compliance information as well as recommended practices.)

This section of the toolkit is organized in the following subsections:
• Overarching requirements
 o Nondiscrimination
 o Reasonable Modification of Policies, Practices, and Procedures
 o Complaint Process
• ADA Requirements for ALL Service Types
• Demand Responsive Service
• Accessibility Specifications for Transportation Vehicles
• ADA Requirements for Transportation Facilities
• ADA Requirement for Reasonable Accommodations in Employment

This section introduces the ADA requirements for public transportation entities and their private contractors that provide public transportation services. Note that even if a public transportation provider is a private entity these requirements may still apply. When a public entity has a contract with, or has another arrangement (such as a grant) to operate fixed route or demand responsive service, the public entity's ADA requirements also apply to the public transportation operated by a private entity, which is considered to be "standing in the shoes" of the public entity (49 CFR Section 37.23). For more information on whether a private organization or contractor must follow the requirements

for public entities, see Section 1.3.2 of FTA Circular 4710.1.

Also note that these are highlighted aspects of the ADA regulations as they pertain to public transportation entities and not an exhaustive list of all compliance requirements. ADA regulations are also issued by other federal agencies such as the Departments of Justice (DOJ), Education (DOE), Health and Human Services (HHS), Labor (DOL), Interior (DOI), and Housing and Urban Development (HUD). If an organization provides services other than transportation and/or receives grant funding from federal agencies other than the FTA, it may have additional requirements that apply to these services or funds. As an employer, an organization is also subject to employment-related ADA requirements.

The information presented in this section is based on the U.S. Department of Transportation (U.S. DOT regulations in 49 CFR Part 37- Transportation Services for Individuals with Disabilities (ADA) and FTA Circular 4710.1. First, several overarching requirements are briefly discussed. Next, service requirements that apply to all providers regardless of the type of service are introduced, followed by requirements that only apply to specific types of service, labeled accordingly. Finally, this section touches upon ADA requirements for transportation facilities.

Overarching Requirements

Nondiscrimination

The nondiscrimination requirements in 49 CFR Section 37.5 state that an organization may not discriminate against people with disabilities. This is the overarching requirement that needs to be applied throughout transportation system and the entire organization.

Clear organizational and operating policies can help a transit agency clarify exactly how it will deliver public transit service in a nondiscriminatory manner. If the agency has not already done so, it is a good idea to develop a set of service policies so that passengers know exactly what they can expect from the transit system. These policies are applicable to ALL passengers regardless of ability. Well-articulated policies demonstrate that all passengers are being treated equitably. They should be posted on the transit agency's website available in accessible formats upon request.
Examples of policies that the U.S. DOT regulations explicitly cite as discriminatory include compelling an individual with a disability to use a separate transportation service than the general public service when they are capable of using the public service, imposing special charges, or requiring an individual with a disability to be accompanied by an attendant (49 CFR Section 37.5). For additional examples and guidance, see Chapter 2 of FTA circular 4710.1.

Reasonable Modification of Policies, Practices, and Procedures

Public transportation entities are required to make reasonable modifications in policies, practices, or procedures when the modifications are necessary for an individual with a disability to use the service, subject to certain limitations, and need to have a process in place for considering modification requests (49 CFR Section 37.5). For examples and guidance, see Chapter 2 of FTA circular 4710.1 as well as Appendix E for 49 CFR Part 37.

Complaint Process

Every transportation provider is required to designate a responsible employee and adopt procedures for resolving ADA-related complaints. Complaint procedures must be accessible for people with disabilities, include due process, and document responses (49 CFR Section 37.17). **Subrecipients must also provide UTA's ADA officers contact information for complaints.**

ADA Requirements for ALL types of service

The following requirements apply to all public transportation services, including fixed route, route deviation, and demand responsive.

• **Maintenance of accessibility features:** A transit agency must ensure that all vehicles and related transit facilities are maintained in operative condition so that they are usable by individuals with disabilities (49 CFR Section 37.161(a)). This includes keeping vehicle lifts/ramps in operative condition through a system of regular and frequent maintenance checks of lifts (49 CFR Section 37.163(b)), such as cycling the lift as part of each pre-trip inspection as well as conducting interval-based preventive maintenance. All accessibility features must be promptly repaired if they are damaged or out of order, and reasonable steps to accommodate individuals with disabilities who would otherwise use the feature must be taken until it has been repaired (49 CFR Section 37.161(b)).

• **Use of accessibility features:** Vehicle operators and other personnel must make use of the accessibility-related equipment or features that are required under 49 CFR Part 38 (49 CFR Section 37.167(e)). This includes using the wheelchair lift or ramp, securement devices, and audio equipment for certain fixed route announcement requirements on fixed route. Operators must assist individuals with disabilities who need or request assistance with the use of securement systems, ramps and lifts. If this requires the vehicle operators to leave their seats, they must do so (49 CFR Section 37.165(f)). They must also permit individuals with disabilities who do not use wheelchairs, including standees, to use a vehicle's lift or ramp to enter the vehicle (49 CFR Section 37.165(g)). Operators must provide individuals with disabilities adequate time to complete boarding or disembarking from the vehicle (49 CFR Section 37.167(i)).

Operators cannot refuse to permit a passenger who uses a lift to disembark from a vehicle at any designated stop, unless:
      o the lift cannot be deployed,
      o the lift will be damaged if it is deployed, or

o temporary conditions at the stop, not under the control of the transit operator, preclude the safe use of the stop by all passengers (49 CFR Section 37.167(g)).

• **Accommodating people who use wheelchairs and other mobility aids:** U.S. DOT defines a wheelchair as *"a mobility aid belonging to any class of three- or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered"* (49 CFR Section 37.3). Although not a complete list, the following are some of the requirements to accommodate riders in wheelchairs and other mobility aids, such as scooters that are primarily designed for use by individuals with mobility impairments:

o Accommodating riders who use wheelchairs if the lift and vehicle can physically accommodate them. 49 CFR Part 38 requires that vehicles accommodate occupied wheelchairs weighing a minimum 600 pounds and measuring 30" x 48." However, many vehicles and lifts are manufactured to accommodate larger and heavier wheelchairs. A transit system is obligated to carry a wheelchair and occupant if the lift and vehicle can physically accommodate them, unless doing so is inconsistent with legitimate safety requirements. "Legitimate safety requirements" include such circumstances as a mobility device of such size that it would block an aisle or would interfere with the safe evacuation of passengers in an emergency (49 CFR Section 37.165 and Appendix D to Part 37 under Section 37.165).

o Providing service to a wheelchair user even if their mobility device cannot be secured or restrained satisfactorily by the vehicle's securement system. However, an agency is not required to permit wheelchairs to ride in places other than designated securement locations (49 CFR Section 37.165), nor to transport an individual who refuses to allow their wheelchair to be secured if the agency's policy requires securement (FTA circular 4710.1, section 2.4.3, page 2-14).

o Asking that individuals sitting in the priority seating area, or fold-down seats in the wheelchair securement area, relocate if an individual needs to use that priority seating because of a disability or needs to secure a wheelchair (49 CFR Section 37.167(j)). For more information on accommodating riders who use mobility aids, see FTA Circular 4710.1 *(https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/americansdisabilities-act-guidance-pdf)*, Section 2.4 Lift/Ramp and Securement Use.

• **Allowing service animals:** U.S. DOT defines a service animal as *"any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing animal protection or rescue work, pulling a wheelchair, or fetching dropped items"* (49 CFR Section 37.3). Transit agencies must allow service animals to accompany individuals with disabilities in vehicles and facilities (49 CFR Section 37.167(d)). Staff may ask if an animal is a service animal or ask what tasks the animal has been trained to perform but cannot require special ID cards for the animal or ask about the person's disability. However, a transit agency may refuse

to transport a service animal that would *"pose a direct threat to the health or safety of drivers or other riders, create a seriously disruptive atmosphere, or are otherwise not under the rider's control"* (FTA circular 4710.1, section 2.6, page 2-17).

• **Allowing portable oxygen:** operator transit agency cannot prohibit an individual with a disability from traveling with a respirator or portable oxygen supply (provided the devices are properly secured per 49 CFR subtitle B, chapter 1, subchapter C. U.S. DOT Office of Pipeline Safety and Hazardous Materials) (49 CFR Section 37.167(h)).

• **Training requirements:** Transit agencies must ensure that all personnel (including contractors) are trained to proficiency, as appropriate to their duties. Personnel must be able to operate vehicles and equipment safely and properly assist individuals with disabilities using the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities (49 Section CFR 37.173).

• **Information accessibility:** Service information must be available in accessible formats to individuals with disabilities (49 CFR Section 37.167(f)). This means printed materials must be made available, upon request, in a format that is accessible to the person making the request, such as large print, Braille, or electronic files that can be read by screen reading technology. As stated in FTA Circular 4710.1 *(https://www.transit.dot.gov/regulations-andguidance/fta-circulars/americans-disabilities-act-guidance-pdf)*, Section 2.8 Accessible Information, 2.8.1 Accessible Formats, the information needs to be made available in a format the person can use, and FTA encourages agencies to work with individuals who request information to determine the most appropriate alternative formats. Online information also needs to be accessible to people who use screen readers. Audio information needs to be available in visual formats for people with hearing disabilities. For more information, see Section 2.8 - Accessible Information of FTA Circular 4710.1.

Demand Response Service

While many requirements apply to all agencies providing public transportation service, there are some requirements that are specific to different modes of service.

According to U.S. DOT ADA regulations, a "demand responsive system" is any system of transporting individuals which is not a fixed route system (49 CFR Section 37.3). This type of service is also commonly referred to as "demand response," but for this section, the U.S. DOT/FTA term is used. General public demand responsive service is found in many rural and tribal areas. As stated in Chapter 7 of FTA circular 4710.1, *"demand responsive systems encompass a wide variety of service types, including traditional dial-a-ride service, taxi subsidy service, vanpool service, and route deviation service."*. A demand responsive system may operate non-accessible vehicles as long as equivalent service for people with disabilities is provided in accessible vehicles. Service provided to individuals with disabilities should be equivalent to the service provided to other individuals in the following ways (49 CFR Section 37.105):

• Response time
• Fares
• Geographic service area
• Hours and days of service
• Restrictions or priorities based on trip purpose
• Availability of information and reservation capability
• Any constraints on capacity or service availability

For more information, refer to Chapter 7 in FTA circular 4710.1.

Accessibility Specifications for Transportation Vehicles

When procuring new passenger vehicles that are required to be accessible, the vehicles must be manufactured to comply with U.S. DOT ADA regulations. Minimum vehicle accessibility specifications for buses and vans are defined in 49 CFR Part 38, Accessibility Specifications for Transportation Vehicles, Subpart B, with specifications for other types of vehicles (such as trains, over-the-road buses, and trams) found in other subparts.
Vehicle accessibility requirements include:

• mobility aid accessibility and securement systems
• specifications for doors, steps, and thresholds
• signage at priority seating and securement areas
• specifications for interior handrails and stanchions
• requirements for lighting
• specifications for fare boxes and exterior destination and route signs on vehicles that have these elements.

Vehicles longer than 22 feet have additional requirements, including specifications for public address systems and stop request controls. For more information, see Chapter 4 of FTA circular 4710.1.

ADA Requirements for Transportation Facilities

If a public entity constructs new facilities to be used for providing designated public transportation services, they must be readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs and other mobility aids (49 CFR Section 37.41). If a public entity alters an existing facility or part of an existing facility used for providing designated public transportation services, and that alteration affects or could affect the usability of the facility, alterations must be made in a way that is readily accessible to and usable by individuals with disabilities (Section 37.43). This applies to improvements made at bus stops, such as installing shelters or constructing sidewalks. For more information, see Chapter 3 of FTA circular 4710.1.

ADA Requirement for Reasonable Accommodations in Employment

Employers with 15 or more employees, whether or not they receive FTA funding, have an obligation under the ADA to make reasonable accommodations for job applicants and employees with disabilities (29 CFR Part 1630). For more information about this requirement and accommodating employees with disabilities, see the U.S. Department of Labor (DOL) web page on disability resources. *(https://www.dol.gov/general/topic/disability)*

For More on ADA requirements please visit
https://www.nationalrtap.org/Toolkits/ADA-Toolkit/Welcome
and download the ADA toolkit

7. RESOURCES

7.1 UTA CONTACTS

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7.2 INTERNAL RESOURCES

Local Coordinated Council

Local Coordinating Councils (LCCs) were established as forums to coordinate transportation efforts, foster partnerships and to create and implement locally developed plans and projects. The council membership includes:

- Government Agencies
- Non-profit Human Transportation Providers
- Private Companies
- Citizen Members
- Utah Transit Authority (UTA)

LCC meetings are held on a bi-monthly (every other month) basis. Meetings are typically held in February, April, June, August, and October
Periodically there will be a final summit or retreat held in November.

All subrecipients should attend and participate in the LCC meetings. LCC meeting attendance will give you more points on FTA 5310 applications and allow you opportunities for collaboration and partnerships with other transportation providers and not for profit agencies in your area.
Specific meeting dates are posted on the RideLink website, along with a contact form to fill out for updates and attendance records.

http://www.utahridelink.org/Local-Coordinating-Councils

The three local councils for the Wasatch Front represent the areas of:

- Davis/Weber Counties
- Salt Lake County
- Utah County

Wasatch Mobility Plan

The councils lead the development and update of Wasatch Mobility Plan. The plan identifies "the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding implementation."

Individual plans are developed for each county/region by the Local Coordinating Councils that identify the local mobility needs and strategies to resolve those needs.

This plan can also be found and downloaded on the websites LCC section.

http://www.utahridelink.org/Local-Coordinating-Councils

Project Management Plan

The Program Management Plan (PMP) outlines UTA's policies and procedures for administering FTA 5310 funds. The contents of the PMP have been coordinated with the Transportation Improvement Program (TIP), such as: coordination of service, project selection criteria, and method of distributing funds. The PMP was developed under the guidance provided in FTA Circular 9070.1G.

UTA's PMP can be found and downloaded on our website under "Program Information":
http://www.utahridelink.org/5310-Grant

The PMP outlines UTA's goal to fulfill the following objectives:

- Identify, contact and inform public agencies, community organizations, non-profit and private for-profit organizations providing services for seniors and persons with disabilities as to the availability of 5310 program grant funds:

- Establish, promote and outline processes for soliciting and evaluating 5310 program funding proposals:

- Assure that proposals selected for funding are responsive to one or more of the needs identified in the Coordinated Public Transit- Human Services Transportation Plan;

- Assure that the application, evaluation and project selection process ensure fair and equitable distribution of funds within each Urbanized area;

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

ZoomGrants Announcements

In your ZoomGrants account we will occasionally post important dates, training opportunities, or even other grant opportunities in the 'Announcements' section. Check announcements when you log in to complete your reports or invoicing.

Utah RideLink Website

Because the FTA 5310 funding program is under the umbrella of the Coordinated Mobility Department within UTA, our information can be found on the Coordinated Mobility website which is utahridelink.org. On this website you can find all important dates and resources for 5310, information and dates on LCC meetings, Travel Training information, and more!

The two most important pages for 5310 information are:
www.utahridelink.org/5310-Grant
www.utahridelink.org/5310-Grant/5310-Resources

YouTube "Utah UZA's FTA 5310"

You can also access recorded training videos on our YouTube page for training.

https://youtube.com/channel/UCPw4DgixlgH94tWXGifwRyw

7.3 EXTERNAL RESOURCES

Utah's Urban and Rural Specialized Transportation Association (URSTA)

URSTA is a statewide organization that began in 1988. URSTA provides training, education, advocacy and networking for transit providers and their employees in Utah and surrounding states. URSTA is dedicated to improving public transportation in all Utah communities.

URSTA typically hold a conference in the Fall and Spring that offers training topics for managers and drivers. Scholarships are also available to cover the registration fee and hotel accommodations for the conferences.

For more information visit: www.ursta.org

National Rural Transit Assistance Program (NRTAP)

National RTAP is an amazing resource for transportation programs. They offer driver trainings through their e-learning portal, resources for developing transportation programs, and great resources for programs that receive Federal funding.

National RTAP provides research and technical assistance related to the rural and tribal transit industry. Services include help finding training materials, documents, regulations, reports, and other types of information, as well as connecting you to experts in the field.

The goals of the RTAP program are to promote the safe and effective delivery of public transportation services in rural areas and to facilitate more efficient use of public transportation resources. To meet those goals, the program focuses on the following objectives:

- Improving the quality of training and technical assistance resources available to the rural transit industry
- Encouraging and assisting state, local, and peer networks to address training and technical assistance needs
- Promoting the coordination of transportation services
- Building a national database of information about the rural transit industry

Since its inception, National RTAP has contributed to the achievement of these objectives at the national level by developing and distributing training materials, providing technical assistance, creating web-based applications, producing reports, publishing best practices, conducting research, and offering peer assistance for rural and tribal transit providers and state RTAP programs.

Find out more at: nationalrtap.org

National Grants Management Association (NGMA)

NGMA connects professionals in the grants management field to improve and unify the grants delivery process. NGMA brings together the professionals involved in this process so that they may learn from each other. NGMA supports the complete, evolving process of grants management across all levels — from the grantor to the grant recipient — and everyone in between and beyond.

NGMA holds an Annual Grants Conference, and has also developed credentials for Certified Grant Management Specialists (CGMS).

Find out more at: ngma.org