

Locally-Coordinated
Public Transit
Human Services Transportation Plan

Project Proposal and Request for Funding

December 2008

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Locally Coordinated Public Transit Human Services Transportation Plans

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law on August 10, 2005. This law establishes programs and funding for the Federal Transit Administration through federal fiscal year 2009 and requires the development of Locally-Coordinated Public Transit Human Services Transportation Plans. These plans will determine how transportation funding for the three programs listed below will be spent.

SAFETEA-LU requires that three federal programs be included in the plan. These are the:

- Section 5317 New Freedom Program,
- Section 5316 Job Access and Reverse Commute program (JARC), and
- Section 5310 Vehicle Grant program to serve Older Adults and People with Disabilities.

The section 5310 Vehicle Grant program has an established annual application process. For more information on this grant program, please contact your regional planning organization or the ConnDOT Section 5310 Program Manager at 860-594-2912.

Funding requests for the Section 5317 (New Freedom) and 5316 (Job Access) Programs can be made through this project proposal and request for funding document. There will be an annual update of these requests. A request for up to 2 years of funding may be made.

For more information please go the Connecticut Department of Transportation website and click on Public Transportation, Human Services Transportation Programs. For questions or assistance, please contact Aimee Marques at 860-594-2840 or Lisa Rivers at 860-594-2834.

Contracting Requirements

The following contracting requirements must be met for funding under the Federal Transit Administration, Job Access and Reverse Commute Program or New Freedom Program.

- Applicants must insure that they will be able to comply with the master agreement between the Connecticut Department of Transportation and FTA, as well as state requirements. (Please note that if a grantee receives only non-applicable funding such as JARC, NF, or 5310 then they are exempt from FTA Drug & Alcohol Testing requirements.)
- Subrecipients will be subject to FTA federal rules and requirements. Non-compliance jeopardizes federal funding for the project. A sample of federal requirements can be made available upon request.
- These grant programs are reimbursement programs. After the Agreement between a grantee and the Department is fully-executed, grantees will be required to pay all project expenses first, and then apply for reimbursement. Reimbursement requests may be made monthly.
- Grantees must enter into a formal agreement with the Department to be eligible for reimbursement. Expenses incurred prior to full execution of the agreement are not reimbursable.

Eligible Activities - Job Access and Reverse Commute Program

Projects must serve the targeted low-income population for employment related transportation needs. Needs and strategies must have been identified in and be selected from the locally-coordinated public transit human services transportation plan.

The following is a list of the types of services and enhancements that have been funded.

- a. New transit service
- b. expansion of service hours on existing routes
- c. expansion of days of services
- d. increased frequency to better meet shift start and quit times
- e. more direct service to employment destinations

Planning and technical assistance expenses are not be allowed. Capital equipment needs should be requested under the state’s combined capital program as they will not be funded with JARC program funds.

Eligible Activities - New Freedom Program

The following list of eligible activities are *examples* provided within the Federal program guidance. (Updated March 10, 2008) Eligible activities must be BOTH new and beyond the requirements of ADA.

- a. New Public Transportation Services Beyond the ADA. The following activities are examples of eligible projects meeting the definition of new public transportation.
 - (1) Enhancing paratransit beyond minimum requirements of the ADA. ADA complementary paratransit services can be eligible under New Freedom in several ways as long as the services provided meet the definition of “new:”
 - (a) Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
 - (b) Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
 - (c) The incremental cost of providing same day service;
 - (d) The incremental cost of making door-to-door service available to all eligible ADA paratransit riders, but not as a reasonable modification for individual riders in an otherwise curb-to-curb system;
 - (e) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;

- (f) Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for common wheelchairs under the ADA and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600 lb design load, and the acquisition of heavier-duty vehicles for paratransit and/or demand-response service; and
 - (g) Installation of additional securement locations in public buses beyond what is required by the ADA.
- (2) Feeder services. New “feeder” service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.
- (3) Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. New Freedom funds are eligible to be used for new accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail and rapid rail. This may include:
- (a) Building an accessible path to a bus stop that is currently inaccessible, including curbcuts, sidewalks, accessible pedestrian signals or other accessible features,
 - (b) Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA,
 - (c) Improving signage, or wayfinding technology, or
 - (d) Implementation of other technology improvements that enhance accessibility for people with disabilities including Intelligent Transportation Systems (ITS).
- (4) Travel training. New training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.
- b. New Public Transportation Alternatives Beyond the ADA. The following activities are examples of projects that are eligible as new public transportation alternatives beyond the ADA under the New Freedom Program:
- (1) Purchasing vehicles to support new accessible taxi, ride sharing, and/or vanpooling programs. New Freedom funds can be used to purchase and operate accessible vehicles for use in taxi, ridesharing and/or van pool programs provided that the vehicle has the

capacity to accommodate a passenger who uses a “common wheelchair” as defined under 49 CFR 37.3, at a minimum, while remaining in his/her personal mobility device inside the vehicle, and meeting the same requirements for lifts, ramps and securement systems specified in 49 CFR part 38, subpart B.

- (2) Supporting the administration and expenses related to new voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Only new voucher programs or expansion of existing programs are eligible under the New Freedom Program. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The New Freedom Program can provide vouchers to individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on pre-determined rates or contractual arrangements. Transit passes for use on existing fixed route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (Federal/local) match.
- (3) Supporting new volunteer driver and aide programs. New 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, and other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of new enhancements to increase capacity of existing volunteer driver programs are also eligible. FTA notes that any volunteer program supported by New Freedom must meet the requirements of both “new” and “beyond the ADA.” 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.
- (4) Supporting new mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a non-profit agency could receive New Freedom funding to support the administrative costs of sharing services it provides to its own clientele with other individuals with disabilities and coordinate usage of vehicles with other non-profits, but not the operating costs of the service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:

- (a) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, older adults, and low-income individuals;
- (b) Support for short term management activities to plan and implement coordinated services;
- (c) The support of State and local coordination policy bodies and councils;
- (d) The operation of transportation brokerages to coordinate providers, funding agencies and customers;
- (e) The provision of coordination services, including employer-oriented Transportation Management Organizations' and Human Service Organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;
- (f) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
- (g) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of Geographic Information Systems (GIS) mapping, Global Positioning System Technology, coordinated vehicle scheduling, dispatching and monitoring technologies as well as technologies to track costs and billing in a coordinated system and single smart customer payment systems (acquisition of technology is also eligible as a stand alone capital expense).

Criteria for Application Review

The following criteria will be used to compare project proposals.

1. To be eligible for funding under NFI, JARC, or Section 5310, the proposed strategy must:
 - a. serve the target population categories and address an identified gap (see the list of gaps excerpted from the LOCHSTP Plan),
 - b. achieve efficiency in service delivery,
 - c. not replace other funding programs or resources,
If the strategy has been funded in prior years by a different resource, in order to be eligible for FTA funding programs, the strategy must have been rejected for future funds or had funding for the specific strategy reduced.
 - d. be able to start up in a reasonable period of time,
 - e. provide regional/geographical equity,
Each community should be able to share in the benefits from these funds.

- f. maximize the use of available local, state and federal-funded public transportation resources,
This will allow us to make use of resources already in place and will prevent the creation of a secondary layer of services.
 - g. be subcontracted with a subrecipient that has the technical and managerial capabilities to conduct the project,
 - h. have appropriate resources available to provide the service, and
This would include wheelchair accessible vehicles, and could possibly include resources such as dispatch capabilities or other resources as determined by the strategy.
 - i. have an adequate plan to make the target population aware of the available service.
2. To receive “extra points”, the proposed strategy must:
- a. provide continued operating funding for a service which is already in operation,
 - b. provide a service where or when no other service is available,
 - c. (for Section 5317 only) have matching funding available from sources other than ConnDOT or US DOT funding, and
 - d. coordinate with other public and private programs to maximize resources.
 - e. attain any other productivity measures determined by the region.

Suggested Agendas and Action Items by Meeting

	<u>Agenda by Meeting #</u>	<u>Action Items</u> Participant	<u>Planning Tasks</u> ConnDOT/Planning Agency
1	Review status of projects Discuss new Gaps Request additional stakeholders for contact Meeting held October 27,2008	Action Item 1: In preparation for discussion at meeting 2, interested applicants should gather information on potential strategies using the Project Proposal and Request for Funding as a guide	Review of prior survey responses Contact new stakeholders Begin update to LOCHSTP plan Prepare minutes Send out meeting notice Update website
2	Welcome new stakeholders Review gaps/introduce new gaps Begin to discuss strategies from Action Item 1 Set a date for receipt of “Project Proposal and Request for Funding” Meeting held December 10, 2008	Action Item 2: Interested applicants should prepare and submit Project Proposal and Request for Funding to the Regional LOCHSTP Committee and ConnDOT.	Receive, review , and prepare comments on Project Proposal forms Prepare minutes Send out meeting notice. Update website
3	Review updates to LOCHSTP plan Begin review of project proposals from Action Item 2 Determine whether additional information is required of any request for funding Set a timeline for response to request for additional information Meeting scheduled for Jan. 27, 2009	Action Item 3: Respond to request for additional information if needed.	Request additional information to complete the Project Proposal and Request for Funding, if needed. Receive and review additional information requested above. Prepare for final review and prioritization of strategies. Prepare minutes Send out meeting notice Update website
4	Prioritize the strategies and select for funding. Regional LOCHSTP Committee Approves selection Meeting scheduled for Feb. 24, 2009		Finalize LOCHSTP plan update. Send plan update for MPO/UZA approval where needed. Send approved plan update to ConnDOT Update website

State of Connecticut
Locally Coordinated Public Transit –Human Services Transportation Plan
Annual Update – SFY 2009

Your completed application should be submitted to Mario Marrero, Capitol Region Council of Governments, 241 Main Street, Hartford, CT 06106 by **Tuesday, January 20, 2009**. Applications received after that date **will not** be considered.

Project Proposal and Request for Funding

A. General Information

Legal name of applicant Grant amount applying for: \$ _____

Address

Nine-digit Federal Employer Identification Number: _____ - _____ - _____

Contact information for questions on the application.

Name: _____

Title: _____

Telephone number: (_____) _____ - _____

Fax number: (_____) _____ - _____

Email Address: _____

B. Project Information

1. Describe the project, including the gap identified in the locally coordinated public transit human service transportation plan which will be addressed by the project and the geographic area served by the project:

2. If it is an operating project provide the following information (if not, please use N/A):
 - a.) On what days will service be provided?

 - b.) During what hours?

 - c.) Will the proposed grantee provide the service or will it be contracted out?

 - d.) What type of vehicle will be used?

3. If this is a new project proposal:
 - a.) What is the proposed start date for the project?

 - b.) Has this project been provided before? If yes, how was it funded, summarize the results, why was it discontinued?

4. How does the proposal maximize the use of existing available local, state, and federal-funded public transportation resources?

C. Other Required Information

1. Type of Agency/Organization:

- Private non-profit
- State or local governmental
- Operator of public transportation services (including public or private operators)
- Other

2. Estimate number of individuals in the following groups to receive service:

	Black
	Asian/Pacific Islander
	Hispanic
	American Indian/Alaskan Native
	Other

3. If the project is selected, how will the applicant promote public awareness of the project? Describe outreach efforts to the community being served and include efforts to inform areas with a significant level of Limited English Proficiency.

D. Budget Request

1. Review Table 1.

Table 1

	Operating (Federal/local)	Capital (Federal/local)
New Freedom	50/50	80/20
JARC	50/50	Not applicable
5310	Not applicable	80/20

Please state the amount and describe the source of matching funds for the project.

2. Use Table 2 (attached) to submit a transit operating project budget, or use the “Other Project Budget Request” (page 13) to submit a project budget for a non-transit operating project. If requesting more than one year of funding for operating, please submit a separate budget page for each fiscal year.

State of Connecticut
 Locally Coordinated Public Transit –Human Services Transportation Plan
 Annual Update – SFY 2009

Table 2 – Operating Budget Request

State Fiscal Year	
Name of Applicant	
Name of Service Provider	

Annual Days of Service	# of Trips/Day	# of Buses/Day	Miles/Day	Hours/Day	Estimated Daily Ridership	Incremental Cost/Mile	Incremental Cost/Hour	Estimated Revenue	Fully-Allocated Cost/Hour
# of Weekdays									
# of Saturday									
# of Sunday									
# of Holiday									
Annual Total			Total annual miles	Total annual hours	Total annual ridership			Total annual revenue	

Total Expense	
Total Revenue	
Subsidy Required	

Other Project Budget Request

1. Name of Project

2. Duration of Project 1 year
 2 years
 Other (Explain):

2. Budget Information

Total Project Cost	
Operating	
Capital	
Administrative costs	
Other costs (Define - such as printing, advertising, etc.)	

2. What is the proposed unit of measure and number of units for the project?
 (For example, anticipated ridership, # of curb cuts, # of advertisements purchased, # of brochures or guides produced.)

Unit of measure	
# of Units	

3. What are the proposed sources and amounts of matching funds and the level of commitment for those funds?

Public Transportation Glossary

Access to Jobs – Program to increase work-related transportation available to low-income individuals. The federal program is known as Job Access and Reverse Commute (JARC).

Americans with Disabilities Act - Federal legislation that contains several mandates, including the requirement that people with disabilities be given the same access to public transportation as the rest of the community. The ADA requires that paratransit service be provided for individuals with a transportation disability for trips with an origin and destination within $\frac{3}{4}$ mile of fixed route bus service. These ADA services must be available during the same days and hours as the fixed route bus service.

Coordination – Cooperative arrangement between transportation providers and organizations needing transportation services. Coordination models can range in scope from shared use of facilities, training or maintenance to integrated brokerages or consolidated operations and dispatching.

Curb-to-Curb Service – Paratransit service where the transit vehicle picks up and discharges passengers at the curb or driveway in front of their home or destination. In curb-to-curb service the driver may assist the passenger onto the vehicle but does not assist the passenger along walks or steps to the door of the home or other destination.

Demand-Response Service – (used interchangeably with **Dial-a-ride** and **Paratransit**) A type of transit service where individual passengers can request transportation from a specific location to another specific location at a certain time. Transit vehicles providing demand-response service do not follow a fixed route, but travel throughout the community transporting passengers according to their specific requests. These services usually, but not always, require advance reservations.

Door-to-Door Service – Paratransit service which includes passenger assistance between the vehicle and the door of the home or other location. A higher level of service than curb-to-curb, yet not as specialized as a door-through-door service (where the driver can provide assistance inside a location).

Fixed Route — Transit service provided on a repetitive, fixed-schedule basis along a specific route, with vehicles stopping to pick up passengers at and deliver passengers to specific locations.

Human Services Transportation – Transportation related to the provision of human or social services. This includes transportation for the elderly and people with disabilities when the transportation is provided by an arrangement other than a public service available to all.

Incremental Cost – The increase in cost as a result of one more unit of output. This is different than a fully-allocated cost which would include a portion of all the costs of doing business. In terms of transit operating costs, incremental cost is directly attributable to the new service, so

that only the additional cost of each hour or mile of service is charged to a program. For example, the salary of the general manager of the agency would not be included in the incremental cost, but the additional hours that a dispatcher works because a transit service has expanded it's service hours could be included.

Match – State or local funds required by various federal or state programs to complement the primary agency's funds for a project. Match may also be required by states in funding projects which are joint state/local efforts. Some funding sources allow services, such as the work of volunteers, to be counted as an in-kind funding match. Federal programs normally require that match funds come from other than federal sources.

Mobility Management – Approach to transportation that maximizes resources through collaboration between transit providers and other agencies and organizations, with an emphasis on meeting users' needs. It uses all of the community resources to match customer demand for service with a wide range of available transportation resources, including not just public transit systems but also volunteers, private nonprofit organizations, and private businesses such as taxi services.

Ridesharing – A form of transportation, other than public transit, in which more than one person shares in the use of the vehicle, such as a van or car, to make a trip.

Connecticut Department of Transportation

Community-Based Transportation Service Planning

The Connecticut Department of Transportation and regional planning organizations across the state are working together on a community planning process for Federal Transit Administration (FTA)-funded transportation of older adults (60+), persons with disabilities and individuals with low incomes. The plan will determine how those funds will be spent in Connecticut and will be developed through a process that includes representatives of public, private and nonprofit human services transportation providers and participation by the public. At this time the process only covers the three FTA-funded programs described below. In the future, it could encompass additional federally-funded and state-funded programs.

Frequently Asked Questions

What is Human Services Transportation?

For the purposes of this planning effort, it is defined as transportation services for persons with disabilities, older adults (60+), and individuals with lower incomes. This could include services provided by public transit agencies, municipalities, human service agencies and private providers such as taxi or medical livery companies.

Why are we doing community-based transportation planning?

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law on August 10, 2005. This law establishes programs and funding for the Federal Transit Administration through federal fiscal year 2009 and requires the development of Locally-Coordinated Public Transit Human Services Transportation Plans. These plans will determine how transportation funding for the three programs listed below will be spent.

What types of programs will the locally-coordinated transportation plan include?

SAFETEA-LU requires that three federal programs be included in the plan. These are the:

- Section 5317 New Freedom Program,
- Section 5316 Job Access and Reverse Commute program (JARC), and
- Section 5310 Vehicle Grant program to serve Older Adults and People with Disabilities.

How much funding is there?

Statewide, there is \$1 million for Section 5317, \$1.1 million for Section 5316 and \$1.3 million for Section 5310 for Federal Fiscal Year (FFY) 2006. Funds increase by a small percentage every year through FFY 2009.

What can the communities and the state do with these funds?

- *Section 5317 New Freedom* projects must assist individuals with disabilities with transportation. The projects must be for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act (ADA.)
- *Section 5316 JARC* projects must improve access to employment and employment related activities for low-income workers.
- *Section 5310* provides vehicle grants to non-profit agencies or municipalities to provide transportation to seniors and people with disabilities.

Why should I get involved?

As an agency, you can represent the needs of people your agency serves. As an individual you can let us know your own needs and make those needs a part of the planning process. If you already operate a Section 5310 vehicle or are interested in applying for one, you should be involved, since future program priorities are being considered.

How do I get involved? Who do I contact?

You can get involved by attending regional meetings or by responding to a survey concerning human services transportation needs. Contact the Department at dotadmin.ctrides@po.state.ct.us or Transit Administrator, P.O. Box 317546, Newington, CT 06131 and we will direct your inquiry to the right place.

Do I have to attend meetings?

No. We can keep you informed about what is going on in your region by adding your name to the mailing list for the region.

What will happen during the planning process?

During the planning process, partners will do the following:

1. Build a database of interested participants.
2. Inventory available services.
3. Identify gaps in service and unmet travel needs.
4. Develop proposals to address gaps in service.
5. Evaluate and select proposals to address gaps in cooperation with a panel of planning partners.
6. Prepare a list of selected projects for each region.
7. Adopt the final list in the Statewide Transportation Improvement Program and apply for FTA funds.

When will this happen?

The first plan was in place in spring 2007. Updates are required every four years, but Connecticut is preparing an update to the plan in fall 2008.

U.S. DOT
Questions & Answers
Elderly Individuals & Individuals with Disabilities (Section 5310),
JARC & New Freedom Programs
Last Updated October 16, 2008

All Programs:

1. Q. Do applicants have to list the source of non-U.S. DOT funds for the local match?

A. As a general rule, applicants do not have to list the source of a non-U.S. DOT local match. However, FTA grant representatives reserve the right to ask for more detailed information from the grantee such as the source of local match.
2. Q. Are contributions of funds from human service agencies eligible to be used as local match? How are these applied as local match?

A. Local funds and non-U.S. DOT federal funds may be used as local match for these programs. If human service agencies are using other federal funds as a source of local match, the grantee should verify that those funds are eligible to match transportation projects and are being used for eligible costs of the project.
3. Q. Can revenue from human service transportation contracts be used as local match?

A. Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for New Freedom or JARC operating assistance. In either case, the cost of providing the contract service is included in the total project cost. FTA program funds may not be used as a source of local match for other FTA programs, even when used to contract for service. For example, if a Section 5310 subrecipient has a service contract to buy service from a Section 5311 provider, the Section 5311 provider may not use the revenue from the Section 5310 service contract as local match for other FTA grants.
4. Q: Can fare-box revenue be used as local match?

A: Fare box revenue cannot be used as local match, however it can be used to reduce the net project cost of a project.
5. Q. Who is responsible for determining that matching funds are allowable for transportation purposes?

A. The grantee is responsible for ensuring that non-U.S. DOT federal funds may be used to match transportation projects and that the funds are available for the project.
6. Q. If the MPO, State DOT or other designated recipient had a JARC plan in place prior to the passage of SAFETEA-LU, what else do they need to do to be in compliance with the coordinated planning requirements to receive JARC, New Freedom, or Section 5310 funds for FY 2007?

A. In order to receive program funds for FY 2007 the MPO, State DOT, or other designated recipient must 1) make an assessment of available services; 2) make an assessment of needs; 3) develop strategies to address gaps for target populations; and 4) the lead agency developing the plan should also include the needs of elderly individuals and individuals with disabilities in the coordinated plan, unless they do not plan to apply for Section 5310 or New Freedom funding.

7. Q. If the MPO, State DOT, or other designated recipient did not have a coordinated plan prior to the passage of SAFETEA-LU, will they need to have a completed plan in place to receive JARC, New Freedom, and/or Section 5310 funds for fiscal year 2007?

A. Yes, and the coordinated plan should be consistent with the program circulars for fiscal year 2007 planning requirements. These requirements are outlined in Chapter V of the program circulars.

8. Q. Beginning in fiscal year 2008, must MPOs, State DOTs, and other designated recipients have a completed coordinated public transit-human service transportation plan in place in accordance with the JARC, New Freedom, and Section 5310 programs before they can be awarded any program funds?

A. Yes. FTA expects plans developed for FY 2008 and beyond to include more information than plans developed for FY 2007. Please see Chapter V of the program circulars for the required elements of coordinated plans.

JARC (Section 5316) and New Freedom (Section 5317) Programs:

9. Q. Can a Small Urbanized Area be a designated recipient?

A. No. Please see Chapter III, Section 4, ELIGIBLE DIRECT RECIPIENTS, in the JARC and New Freedom circulars, stating, “The State is the designated recipient and may apply directly to FTA for grant funds for itself and its subrecipients.” This is consistent with the language found in 49 U.S.C. 5316 and 5317.

10. Q: Can New Freedom funds be transferred between the non-urbanized portion of the governor’s apportionment to and the small-urbanized apportionment, or to or from a large urbanized apportionment?

A: No. With the exception of consolidating grants to insular areas, Congress did not provide States and Designated Recipients with the authority to transfer New Freedom funds into or out of the areas in which they were apportioned. Accordingly, funds apportioned to non-urbanized areas, small-urbanized, and large-urbanized areas must be used for projects in those areas. New Freedom funds can be transferred to Section 5307 or 5311 recipients provided that they are used for projects that are eligible under the New Freedom program.

11. Q. When the State is transferring funds from JARC or New Freedom to Section 5307 or Section 5311, is a certification or declaration needed to assure JARC and New Freedom needs are met?

A. No. Please see Chapter III, Section 8 of the circulars:

- o Transfer to Other FTA Programs. A State may transfer funds apportioned to it for rural or small urbanized areas to apportionments under Section 5311(c) or 5307, or both. The

purpose of the transfer provision, however, is not to supplement the resources available under the State’s Section 5311 or Section 5307 apportionments. Transfer to Section 5311 or Section 5307 is permitted, but not required. Transferred funds must be used for JARC and New Freedom projects. A State may make the transfer only after consulting with local officials and publicly owned operators of public transportation. The period of availability for the transferred funds is not changed by the transfer.

- Notification of Transfers. The State must notify the FTA regional administrator of the State’s intent to have funds transferred so that FTA can initiate the transfer. For transfers of JARC or New Freedom funds into the Section 5307 program for urbanized areas (UZAs) under 200,000 in population or Section 5311(c), and for transfers of flexible funds, the notification must indicate the amount of funds transferred, the recipient of transferred funds, and the program to which they are being transferred.

12. Q. How do we differentiate State administration for each program at the time of draw down if funds are transferred to Section 5307? How will we know if they are JARC or New Freedom funds?

A. JARC, New Freedom, and Section 5307 funds should not be combined in a single grant. Grantees should have individual Section 5307 grants for each program. A Section 5307 grant that contains JARC or New Freedom funds should use the appropriate scope code in TEAM (646-00 for JARC and 647-00 for New Freedom.)

13. Q. What is the difference between a “direct” and a “designated” recipient?

A. The “designated recipient” is the entity designated, pursuant to 49 U.S.C. 5302(a)(2), by the Governor of a State to receive FTA funds. Under the JARC and New Freedom programs, the designated recipient is responsible for competitively allocating JARC or New Freedom funds to itself and subrecipients in an area. The “direct recipient” is an entity that can apply directly to FTA for grant funding they have received through the designated recipient’s competitive selection process.

- The designated recipient may be the direct recipient for all funds on behalf of itself and all subrecipients

For example:

- **In Small UZAs** (50,000 – 200,000 population) an entity receiving Section 5307 funds directly from FTA can be the direct recipient for JARC and New Freedom funds if the State (the designated recipient) transfers the funds to Section 5307 after consultation with responsible local officials and publicly owned operators of public transportation.
- **In a large UZA** (over 200,000 in population) a public entity that is a designated recipient for Section 5307 can be the direct recipient of a JARC and New Freedom grant if it is selected for funding through the designated recipient’s competitive selection process.
- **In nonurbanized areas** (areas under 50,000 in population) tribes can be direct recipients for JARC and New Freedom funds if the funds are transferred to the Section 5311

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program and applied for in a Section 5311 grant. The appropriate scope codes 646-00 and 647-00 should be used in TEAM.

- **In all other cases**, the entity selected to receive JARC and New Freedom funds will be a sub-recipient of the designated recipient.
 - Private non-profits
 - Private for profit operators
 - Public transportation providers in nonurbanized areas.

14. Q: Can a Section 5307 recipient in a small urbanized area apply directly to FTA for JARC and New Freedom funds or does the application need to come from the State?

A: The 5307 recipient can apply directly to FTA for funds provided the State has competitively awarded the funds to small urbanized areas and that the State transfers the funds to the Section 5307 recipient. The state must notify FTA of the amount of funds transferred, the program to which they are transferred, and the specific projects to be implemented under JARC and New Freedom.

15. Q. Does the designated recipient have to be a public agency?

A. Yes, consistent with FTA’s interpretation of 49 U.S.C. 5307(a)(2).

16. Q. Can the title for vehicles purchased using JARC or New Freedom funds pass from a designated recipient through to a subrecipient?

A. Yes. Please refer to Chapter VI, Section 6 “TITLE TO VEHICLES” and Section 7 “SATISFACTORY CONTINUING CONTROL” in the circulars. The designated recipient is encouraged to either hold title or record a lien against the title to vehicles. This is not mandatory, however. What is mandatory is that the designated recipient establish continuing control over the vehicles and accept the responsibility for continued public transit use of the vehicles, and more particularly use for New Freedom purposes, whether by itself or a subrecipient. When capital equipment or facilities are acquired, built, or improved, provisions must be made to assure satisfactory continuing control of that capital equipment and facilities. While the designated recipient may delegate these responsibilities to a subrecipient, the designated recipient is ultimately responsible for compliance with this requirement.

This means that designated recipients responsible for administering JARC or New Freedom funds may hold title to vehicles purchased with Section 5316 or Section 5317 funds, or title may be held by a subrecipient.

17. Q. Which activities are capital and which are operating? Where can grantees find guidance on determining the difference? Is there a more detailed listing of eligible capital and operating expenses for JARC and New Freedom grants? Specifically, are insurance costs associated with some of the New Freedom projects, costs associated with car loan programs, and costs associated with voucher programs operating or capital expenses?

A. The basic definition of an operating cost is something that does not have a useful life of more than one year. In contrast, a capital item is usually a tangible item that has a useful life of more than one year. For example, vouchers are considered an operating expense, consistent with FTA program requirements; insurance is considered an operating expense; a guaranteed loan fund or a revolving fund used to make loans are capital expenses; and funds used to pay the administrative costs of loan programs are operating expenses. The construction of bus stops, installation of elevators, or the purchase of buses are examples of capital expenses. Also, mobility management is defined by law as an eligible capital expense. Chapter III of each program circular contains a list of eligible activities for the program.

18. Q: Are private, for-profit taxicab companies that seek to purchase accessible taxis eligible subrecipients under the New Freedom program?

A: In some cases, yes. FTA considers private taxi companies that provide shared-ride taxi service to the public or to special categories of users (such as older adults or persons with disabilities) on a regular basis to be operators of public transportation, and therefore eligible subrecipients. “Shared-ride” means two or more passengers in the same vehicle who are otherwise not traveling together. Similar to general public and ADA demand response service, every trip does not have to be shared-ride in order for a taxi company to be considered a shared-ride operator, but the general nature of the service must include shared rides.

Local (municipal/State) statutes or regulations, or company policy, will generally determine whether a taxi company provides shared-ride or exclusive-ride service. For example, if the local regulation permits the driver to determine whether or not a trip may be shared, the service is not shared-ride. Similarly, if the regulation requires the consent of the first passenger to hire a taxi be obtained before the taxi may take on additional riders, the service is not shared-ride. In essence, services which can be reserved for the exclusive use of individuals or private groups, either by the operator or the first passenger’s refusal to permit additional passengers, is exclusive-ride taxi service, and is not shared-ride taxi service. A recipient passing funds through to a taxi company subrecipient should request documentation from the taxi company to assure the company is providing shared-ride service.

Taxi companies that provide only exclusive-ride service are not eligible subrecipients; however, they may participate in the New Freedom program. Exclusive-ride taxi companies can receive New Freedom funds to purchase accessible taxis under contract with a State, designated recipient or eligible subrecipient such as a local government or non-profit organization. The taxi company may hold title to the accessible vehicle(s) as long as the agreement between the State, designated recipient or subrecipient and the taxi company is sufficient to establish satisfactory continuing control. Acceptable means of establishing satisfactory continuing control could include a State, designated recipient or subrecipient’s lien on the vehicle, or contract provisions that require the accessible taxi to be used to provide transportation to people with disabilities, and that the vehicle may not be removed from service or disposed of prior to the end of its useful life without the express written consent of the FTA recipient or subrecipient.

19. Q Can New Freedom funds be used to expand service hours and days for existing fixed route or demand responsive services (other than ADA complementary paratransit), and (2) Can NF funds be used to fund public transportation services where they currently do not exist?

A: In our March 15, 2006, Federal Register notice on the New Freedom program, FTA proposed that "new public transportation services" and "public transportation alternatives beyond those required by the Americans with Disabilities Act (ADA)" be considered separate categories of service. Subsequent to this notice, we received feedback from Congressional offices that projects that do not meet both criteria--new and beyond the ADA--are not eligible for funding.

Even though FTA understands that expanded service would be helpful to individuals with disabilities, providers of demand responsive or fixed route service to the general public cannot use New Freedom funds to expand their service area or hours or days of service. Nor can New Freedom funds be used to provide public transit service where none previously existed. While the ADA does not require any minimum level of public transit service in any community, it does require that any service provided be ADA compliant (e.g. in regard to size of lifts, wheelchair restraints, calling of stops, etc.) so the service, while new, cannot be beyond the ADA. Expanding transportation that is provided to the public at large is therefore not an eligible activity under the New Freedom program.

On the other hand, the ADA does provide very specific minimum requirements for ADA complementary paratransit service, when a public agency provides fixed route service. That is why New Freedom funds can be used to expand the scope of that ADA paratransit service beyond the minimum requirements of the ADA to enhance the mobility to individuals with disabilities.

At the same time, many other types of services that are eligible under the New Freedom program can be implemented in areas that lack ADA complementary paratransit service. Vehicle modifications that are beyond the ADA, such as equipment to accommodate over-sized wheelchairs, or increased securement locations on vehicles, would be an eligible New Freedom expense on fixed route or demand-response vehicles. Travel training and mobility management activities may be valuable in rural areas, as would the addition of new feeder service to outlying transit stations for which ADA complementary paratransit is not required, such as commuter rail stations, express or commuter bus service, or an intercity bus stop or rail station. In addition, alternatives to public transportation such as accessible taxis and volunteer driver programs can be invaluable to rural residents. FTA encourages rural operators (as well as urbanized area operators) to use the planning process to create innovative solutions to meet the needs of individuals with disabilities in their communities. A non-exhaustive list of eligible New Freedom activities can be found on pages III-7 through III-11 of the New Freedom circular 9045.1.

The circular, in turn, can be found on the New Freedom page of the FTA website, http://www.fta.dot.gov/funding/grants/grants_financing_7185.html.

- 20** Q: Can New Freedom program funds be used to purchase new vehicles designed to accommodate oversized wheelchairs or that include multiple securement areas, for use on fixed route or demand response service?

A: Yes. While the New Freedom circular lists the acquisition of vehicles designed to accommodate oversized wheelchairs and installing additional securement locations within the context of enhancing paratransit services beyond the minimum requirements of the ADA, these vehicles can also be put into service on fixed routes and demand response service, provided that the service is targeted towards people with disabilities. New Freedom funds can be used to acquire the vehicle and fund the labor costs of aids to help drivers assist passengers with oversized wheelchairs.

- 21** Q: Can a human service transportation provider use New Freedom funds to reduce the cost of fares paid by their clients?

A: No. Although New Freedom program funds can be used to support voucher programs offered by human service providers, the vouchers are intended to supplement existing services and expand the number of providers available or the number of passengers receiving transportation services. Offering reduced fares on an existing service does not meet the New Freedom program goal of expanding services. Other Federal funding is available for transit passes.

- 22.** Q: Are there limits on what constitutes an “employment support service” for the purposes of the JARC program?

A: FTA considers job training and childcare to be employment support services because access to these services can help low-income persons attract and retain employment. Applicants who are considering providing service to destinations other than job training or child care locations should contact FTA to determine whether these destinations constitute employment support service. Projects that transport children of low-income parents to and from school or after school locations do not constitute transportation to employment support services under the JARC program and would not be eligible for JARC funds.

- 23.** Q: Can mobility management projects be funded and implemented over multiple years?

A: Yes. Although mobility management refers to “short term”: management activities to plan and implement coordinated services these activities can occur on a multi-year basis.

- 24.** Q: Is sidewalk construction an eligible activity under the JARC and New Freedom programs?

A. Sidewalk construction is not an eligible activity under the JARC program and may be an eligible activity under the New Freedom program, provided two conditions are met.

First, the sidewalk must be constructed in order to provide an accessible path to a bus stop that is currently inaccessible. Secondly, the recipient should determine whether

Federal highways or other funds are available for pedestrian improvements before applying for New Freedom funds for this purpose.

25. Q: Is travel training considered a capital expense or an operating expense under the New Freedom program?

A: The New Freedom program circular treats travel training as a component of mobility management, which is considered a capital expense and is eligible for up to an 80 percent Federal match.

Planning Process:

26. Q. Do the FTA regional offices have to verify that projects are derived from coordinated plans?

A. Yes, in coordination with the grant application. Direct and designated recipients must certify that projects to be funded are derived from a coordinated plan and the grant application should include a page reference to the plan. In reviewing the application the FTA Regional Office needs to ensure that the grantee provides this information in the program of projects (POP). Appendix A of the circulars includes the following language: "Project activities shall be sufficiently described to assist the reviewer in determining eligibility under the program and shall include the page number of the coordinated plan from which the project was derived, as well as the date the plan was adopted."

27. Q: Are applicants required to attach their coordinated plan to their application in TEAM?

A: No. FTA regional offices will not review coordinated plans as a part of their review of an application for Section 5310, JARC, or New Freedom funding. Rather, FTA will rely on:

(1)The applicant's certification in the grant that a project is derived from a coordinated plan; and

(2)The "paper clipped" Program of Projects that contains the name of the applicable plan and the page number where the project or strategy is located within the plan.

28. Q. Does the State have to have its own coordinated plan or can it rely on local plans?

A. There is no requirement for a State plan, just a local coordinated plan. However, the community will define "local" and in some cases the planning area may be defined as statewide. Please reference Chapter V, Section 2 of the circulars.

29. Q. Do projects have to be in both the STIP/TIP?

A: If the project is within the planning boundary of a Metropolitan Planning Organization (MPO), the project has to be in both the TIP and the STIP. Projects in nonurbanized areas only have to be in the STIP. Depending on State or local requirements, the projects may show on the aggregate

(program level) or be listed on the individual project level listing. TIP and STIP listings must be consistent with the metropolitan and statewide transportation plans.

30. Q: Can an applicant hold a competitive selection and apply to FTA for funding for projects that are derived from draft coordinated public transit human services transportation plans?

A: Designated recipients can hold a competitive selection for projects that are derived from a draft coordinated plan and can place those projects that were selected in Category B of their application to FTA. Projects in Category B are those projects the designated recipient anticipates approving during the current year, but have not yet met all of the Federal statutory or administrative requirements. Grant money for projects derived from a draft coordinated plan can be obligated by FTA but may not be expended by the designated recipient until the plan is finalized.

Competitive Selection Process:

31. Q. For projects or needs that cross UZA and rural or small urbanized boundaries, whose coordinated plans or competitive selection process should we compete in?

A. This is a local decision. If the service is completely located within an urbanized area, providers should compete for those funds in the urbanized area; and in a rural competition if the area is rural. If the service is targeted to serve the residents of the rural area (even if the provider is located within the urbanized area) the service is eligible for rural funding. Ideally in this situation the coordinated plan boundaries could include services in urbanized, rural, and small urban areas; however, this does not have to be the case.

32. Q. May a stakeholder or transportation provider that meets the criteria of both urban and rural compete within both categories?

A. A transportation provider that provides services in rural, small urban, and/or large urbanized areas can compete and therefore receive funding in any area to provide services.

33. Q. May a transportation provider bid on projects if it participated in the coordinated planning process?

A. Yes.

34. Q. Is a transportation provider required to participate in the coordinated planning process in order to bid on projects?

A. No.

35. Q. Is it acceptable to compete different project components/costs in each of the categories, urban and rural?

A. Yes, This is acceptable.

36. Q. Do projects have to be specifically listed or can they be “generally” consistent with the coordinated plan?

A. Projects do not have to be listed specifically, but they have to be consistent with and derived from the coordinated plan. Chapter IV of the circulars contains examples of different types of competitive selection processes. These examples also illustrate how projects may be derived from the coordinated plan without being specifically listed in the plan.

37. Q. Can the State ask for projects regardless of specific program and then determine under which program the project will be funded?

A. Yes, the State may have an open call for projects which meet the objectives of the various programs. However, the State must use developed criteria to competitively select projects funded by JARC or New Freedom program funds.

38. Q: In response to a designated recipient's request for proposals, can a potential subrecipient propose to pass through the funds to another subrecipient, or must an applicant conduct a third-party procurement before passing through funds to the subrecipient?

A: States or designated recipients can, in some cases, choose to grant Section 5310, JARC, or New Freedom assistance to a subrecipient through an intermediary subrecipient. For example, a state could pass funds to a non-profit organization through a local government authority. The arrangement between the first tier and second tier subrecipient is not a third party contract if the ultimate subrecipient would otherwise be eligible under Section 5310, JARC, or New Freedom to receive funds directly from the State or Designated recipient. If the ultimate subrecipient is not otherwise eligible, the intermediary subrecipient would need to conduct a procurement, consistent with FTA guidelines in Circular 4220.1

General Questions/Suggestions:

39. Q. If a project includes purchase of a vehicle for a specific program and the program ceases to exist before useful life of the vehicle is achieved, what happens to the vehicle?

A. Grantees must follow the requirements of the Common Rule (49 CFR Part 18 or Part 19, depending on the nature of the grantee). This information is also referenced in Chapter VI, Section 5 in the program circulars.

40. Q. Has oversight for JARC and New Freedom been established?

A. For States and Section 5307 direct recipients of JARC and New Freedom funds, FTA will incorporate additional questions into the State Management and Triennial Reviews. FTA is in the process of exploring oversight options for direct recipients that are not States or Section 5307 direct recipients.

41. Q. If the State does not want to be responsible for implementing the JARC or New Freedom program can the Governor designate a large metropolitan/urban area to be responsible for the programs?

A. No, the State is the designated recipient for rural and small urbanized areas. For JARC and New Freedom the Governor may designate any state agency to manage the program.

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42. Q. Can the State be a designated recipient for a large urbanized area?
- A. Yes, if the designation is in accordance Section 5307(a)(2).
43. Q. Large UZA – If a traditional grantee that is not a designated recipient of New Freedom is allowed to apply directly, do they need to apply in a Section 5317 (“57”) application or can the funds be added to their regular Section 5307 (“90”) application for administrative purposes?
- A. A traditional grantee in a large UZA could apply directly to FTA for the Section 5317 funds allocated to them through the designated recipient's competitive selection process. However, the grantee must make an application for a Section 5317 (57) grant in TEAM because there is no transfer provision that allows transfer to Section 5307 for large urbanized areas. A supplemental agreement will need to be executed between the designated recipient and the traditional Section 5307 recipient. This would also be the process if the funds being applied for were JARC funds: the direct recipient would apply for a Section 5316 (37) grant.
44. Q. Small UZA – If the state transfers funds to Section 5307 so traditional grantees can apply directly, is a supplemental agreement with the state necessary?
- A. No, the transfer also removes the oversight responsibility for those funds from the designated recipient to the grant recipient under Section 5307. The State will only be responsible for the program requirements (such as competitive selection and ensuring projects are derived from a coordinated plan) and data collection for annual reporting purposes. Although the funds can be applied for in a Section 5307 grant, the grant should only contain funding and activities for the New Freedom project. New Freedom, JARC, and Section 5307 funds cannot be combined in a single grant because disbursements cannot be recorded to the appropriate program.
45. Q. If different funding programs administered by the State (JARC, New Freedom, 5310, 5311) are included in one application, what grant number is used (37, 57, 16, 18) or does it matter as long as the separate scopes are used?
- A. The State will use the grant number for Section 5311 (18); separate scopes would still be used within the project budget to distinguish between the funds used. States may combine funds from multiple programs in a consolidated Section 5311 grant, but the State must track, manage, and report on each program’s funds separately within the consolidated grant.
46. Q. If a grantee submits one grant for the program administration (10%) for all three programs, how is the grant coded/numbered?
- A. Administrative funds may not be combined into a single section 5307 grant. However, Chapter III of the program circulars specifies the following: “FTA will allow all or a portion of the administrative funds for JARC, New Freedom, and Section 5310 to be combined to support activities (such as coordinated planning) that are common to all three programs. Recipients may combine program administration funds into one administrative account, so long as the recipient uses the funds for costs associated with administering the Section 5310, JARC, and New Freedom programs. However, FTA must still track the funds attributable to each program at the accounting classification code, Activity Line Item (ALI), and Financial Purpose Code (FPC) Level in respective grants. As a recipient incurs expenses against the pooled funds for program administration, it can draw down the reimbursement against any grant that has undisbursed

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program administration funds.” If the funds for multiple programs are combined in a Section 5311 grant, there could be one line item for state administration, equaling the total of state administration obligated using FPC 06 for all the programs included in the grant.