

**FY 2013**

**APPLICATION INSTRUCTIONS**

**FOR PUBLIC TRANSIT PROGRAMS ADMINISTERED**

**BY**

**OFFICE OF PASSENGER TRANSPORTATION**



**Effective for October 1, 2012-September 30, 2013**

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## **I. GENERAL INFORMATION**

### **A. Purpose**

The Office of Passenger Transportation (OPT) of the Michigan Department of Transportation (MDOT) distributes federal and state funds for the provision of local public transit services. This application is your gateway to those funds. In this packet you will find a description of the transit funding programs administered by OPT, a description of who is eligible to apply and instructions for completing and submitting the application. OPT staff will review all applications, make funding recommendations, and assist you with any further requirements. When selecting projects for funding, MDOT will consider equitable distribution of funds in accordance with Title VI. A completed application does not guarantee contract award. If your project is selected to receive funding, you will enter into a contract with MDOT and must comply with all requirements of that contract to receive the funds.

This Annual Application Instructions (Instructions) packet is for Fiscal Year (FY) 2013. All documents required for a complete application can be found on PTMS and on OPT's web page, at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms." If needed, the Instructions will be made available in alternative formats, such as Braille, large print, audio tape, or compact disc. PTMS Help Guide is also available on both PTMS and on OPT's web page, at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under PTMS. **In order to complete your application in PTMS, you will need to use Internet Explorer 8 and Adobe Acrobat 8 or a higher version.**

OPT project managers, identified on pages 7 through 10 of the Instructions, can assist agencies in completing the application and obtaining alternative formats to ensure all populations are served.

## B. Acronyms, Definitions, Laws and Regulations

### 1. Acronyms

Act 51	Act 51 of Public Acts of 1951, as amended
ADA	Americans with Disabilities Act of 1990, as amended
OPT	Office of Passenger Transportation
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CTF	Comprehensive Transportation Fund
EEO	Equal Employment Opportunity
EJ	Environmental Justice
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal Year
Instructions	FY 2013 Annual Application Instructions
ITS	Intelligent Transportation System
JARC	Job Access and Reverse Commute Program
LAC	Local Advisory Council
LEP	Limited English Proficiency
MDOT	Michigan Department of Transportation
MPO	Metropolitan Planning Organization
NF	New Freedom Program
OAR	Operating Assistance Report
PTMS	Public Transportation Management System
R&E Manual	Local Public Transit Revenue and Expense Manual
RTF	Rural Task Force
RTP	Regional Transportation Program
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SDNT	Service Development and New Technology Program
SIB	State Infrastructure Bank
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TA	Transit Agency
TEDF	Transportation Economic Development Fund
TEP	Transportation Enhancement Program
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TMS	Transportation Management System
UZA	Urbanized Area

## 2. Definitions

### **Brokerage**

Administrative activities provided by a transportation broker who coordinates between their clients and the transportation operators for one or all facets of a trip.

### **Capital Assistance**

Funding assistance for capital items including, but not limited to, replacement and expansion buses, rehabilitation of existing buses, equipment for communication, maintenance, and/or for operational support, as well as facility construction and renovations.

### **Flex Funds**

Funds transferred from Federal Highway Administration (FHWA) programs to Federal Transit Administration (FTA) programs. These FHWA programs include Surface Transportation Program (STP), Small Urban Program, Transportation Economic Development Fund (TEDF), Transportation Enhancement Program (TEP), and Congestion Mitigation and Air Quality Improvement Program (CMAQ).

### **Flex Process**

A process initiated by OPT in which funds are transferred from the FHWA programs to the FTA programs. For nonurban agencies, OPT flexes funds in accordance with the project list provided by MDOT's Bureau of Transportation Planning; the list is developed through a local project selection process. An urban agency must send flex request(s) to their OPT project manager. For details, refer to the "Urbanized Area Funding Application Process, Including the FHWA Transfer (Flex) Process." This process can be found at OPT's web page [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Reference Manual for Transit Agencies," "Contracts – Checklists."

### **Marine Passenger Services**

Ferry services that link island communities to the mainland.

### **Metropolitan Transportation Planning and Programming**

- **Metropolitan Planning Organization (MPO)**

An organization created and designated to carry out the metropolitan transportation planning process.

- **Statewide Transportation Improvement Program (STIP)**

A statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and transportation improvement programs (TIPs), and required for projects to be eligible for funding under Title 23 U.S.C. and Title 49 U.S.C. Chapter 53.

- **Transportation Improvement Program (TIP)**

A prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required projects to be eligible for funding under Title 23 U.S.C. and Title 49 U.S.C. Chapter 53.

### **Mobility Management Projects**

Capital expense for planning and management activities and projects for improving coordination among public transportation and other transportation-service providers. Mobility management does not include operating public transportation service or providing vouchers.

### **Operating Assistance**

State and/or federal funds provided to reimburse eligible operating expenses as defined by promulgated manuals such as the FY 2013 Local Public Transit Revenue and Expense Manual (R&E Manual) and the Office of Management and Budget Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments. To view the R&E Manual, go to OPT's web page [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Audit/Accounting Information." The Circular A-87 can be found at [http://www.whitehouse.gov/omb/circulars\\_a087\\_2004/](http://www.whitehouse.gov/omb/circulars_a087_2004/).

Operating assistance provided by the state Specialized Services Operating Assistance Program is defined in the Specialized Services Manual (effective October 1, 2007), which can be found at OPT's web page [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Audit/Accounting Information."

### **Regular Services**

Transportation Services open to the general public during the posted hours. These services include, but are not limited to, fixed route services, demand response services, and paratransit services.

### **Revenue and Expense Manual (R&E Manual)**

The FY 2013 R&E Manual provides guidelines for transit agencies (TAs) to report State Operating Assistance revenues and expenses on an Operating Assistance Report (OAR) submitted on PTMS. The current and previous manuals can be accessed on OPT's web page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Audit/Accounting Information."

### **Rural Task Force (RTF)**

The RTF (see Appendix A) is composed of representatives of counties, cities, and unincorporated villages with population less than 5,000, as well as their transit operators and county road commissions. The RTF reviews, prioritizes, and selects projects, ensuring the list of projects is financially constrained.

## Service Areas

- **Nonurbanized or Rural Areas**  
Areas with a population under 50,000.
- **Urbanized Areas**  
Areas with a population above 50,000.
- **Large Urban Areas**  
Areas with a population above 200,000 (by FTA's definition).
- **Small Urban Areas**  
Areas with a population between 50,000 and 200,000 (by FTA's definition).

### 3. Laws and Regulations

#### Laws and Regulations for Public Transportation

The following laws and regulations can be accessed below or on OPT's web page, at

[www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Laws & Regulations."

Laws and regulations applicable to the forming of an organization:

- Act 35 of 1951, Intergovernmental Contracts Between Municipal Corporations
- Act 55 of 1963, Mass Transportation System Authorities
- Act 7 of 1967 (Ex. Sess.), Urban Cooperation Act of 1967
- Act 8 of 1967 (Ex. Sess.), Intergovernmental Transfer of Functions and Responsibilities
- Act 94 of 1933, The Revenue Bond Act of 1933
- Act 279 of 1909, The Home Rule City Act
- Act 196 of 1986, Public Transportation Authority Act
- Act 204 of 1967, Metropolitan Transportation Authorities Act of 1967
- Act 271 of 1990, Limousine Transportation Act
- Act 432 of 1982, Motor Bus Transportation Act

Laws and regulations pertinent to program and/or funding requirements and eligibility:

- Act 51 of Public Acts of 1951, as amended
- Americans with Disabilities Act of 1990 (ADA)
- Comprehensive Transportation Fund Portion of Act 51
- Comprehensive Transportation Fund Administrative Rules
- FTA Circular 4220.1F, Third Party Contracting Guidance

- FTA Circular 4702.1A, Title VI and Title VI-Dependent Guidelines for FTA Recipients
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)
- 49 CFR 604 - Charter Service
- 49 CFR 605 - School Bus Operations
- 49 CFR 609 - Transportation for Elderly and Handicapped Persons
- 49 CFR 611 - Major Capital Investment Projects
- 49 CFR 613 - Planning Assistance and Standards
- 49 CFR 614 - Transportation Infrastructure Management
- 49 CFR 622 - Environmental Impact and Related Procedures
- 49 CFR 630 - Uniform System of Accounts and Records and Reporting System
- 49 CFR 655 - Prevention of Alcohol Misuse and Prohibited Drug use in Transit Operations
- 49 CFR 661 - Buy America Requirements, amended as of September 28, 2007
- 49 CFR 663 - Pre-award and Post-delivery Audits of Rolling Stock Purchases
- 49 CFR 665 - Bus Testing

### **C. Application Submittal**

Applications for all of the programs in any county or multicounty region should be supported by one coordinating entity. The entity should be the public transit authority or governmental agency providing public transit in that area. To ensure coordination, applicants should notify the coordinating entity when their application is ready for submittal to MDOT; this should be done well in advance of the application due date to allow the coordinating entity adequate time to review the application. This process does not make the coordinating entity solely responsible for preparing all of the documents required under the various programs.

**D. Submittal Due Dates**

**Applications submitted after the due dates might not be considered for funding.**

Complete application(s) for the following programs are due to OPT by **February 1, 2012:**

1. Regular Service Program
  - State Operating Assistance (FY 2013 operating budget)  
[Also known as Local Bus Operating or Formula]
  - Federal Section 5311 Nonurbanized Formula Operating Assistance
  - Local Bus Capital (Section 5307, 5309, and flex funds)

OPT will provide comments and recommendations to the applicant within 30 days after an application is received.

Complete application(s) for the following programs are due to OPT by **March 1, 2012:**

1. Federal Section 5310 – Elderly Individuals and Individuals with Disabilities Program
2. Federal Section 5316 – Job Access and Reverse Commute Program (JARC)
3. Federal Section 5317 – New Freedom Program (NF)
4. Marine Passenger Program
5. Service Development and New Technology Program (SDNT)
6. Specialized Services Operating Assistance Program

OPT will provide comments and recommendations to the applicant within 30 days after an application is received.

**E. Mailing Address**

All TAs with access to PTMS must submit their annual applications through PTMS and mail to their OPT project managers the documents that require signatures, such as TA forms, support letter, and resolution of intent, as applicable. TAs without access to PTMS must mail their annual applications directly to their OPT project managers.

The mailing address for the OPT project managers is listed as below:

Jill Adams Erica Busick Fred Featherly Kevin Wassom Darlene Mans Dean Peterson	Transportation Services Section Office of Passenger Transportation P.O. Box 30050 Lansing, Michigan 48909
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Valerie Shultz MDOT Cadillac TSC 7915 US-131 Hwy Cadillac, MI 49601	Chuck Lindstrom MDOT Ishpeming TSC 100 S. Westwood Drive Ishpeming, MI 49849
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## F. Project Manager Contact Information

### OFFICE OF PASSENGER TRANSPORTATION PROJECT MANAGERS BY COUNTY

<u>County</u>	<u>Project Manager</u>	<u>County</u>	<u>Project Manager</u>
Alcona	Featherly	Lake	Adams
Alger	Lindstrom	Lapeer	Adams
Allegan	Peterson	Leelanau	Shultz
Alpena	Featherly	Lenawee	Mans
Antrim	Shultz	Livingston	Busick
Arenac	Wassom	Luce	Lindstrom
Baraga	Lindstrom	Mackinac	Lindstrom
Barry	Featherly	Macomb	Busick
Bay	Wassom	Manistee	Shultz
Benzie	Shultz	Marquette	Lindstrom
Berrien	Featherly	Mason	Shultz
Branch	Featherly	Mecosta	Adams
Calhoun	Featherly	Menominee	Lindstrom
Cass	Featherly	Midland	Wassom
Charlevoix/Beaver Island	Shultz	Missaukee	Shultz
Cheboygan	Shultz	Monroe	Busick
Chippewa	Lindstrom	Montcalm	Peterson
Clare	Adams	Montmorency	Featherly
Clinton	Mans	Muskegon	Peterson
Crawford	Wassom	Newaygo	Shultz
Delta	Lindstrom	Oakland	Busick
Dickinson	Lindstrom	Oceana	Shultz
Eaton	Mans	Ogemaw	Wassom
Emmet	Shultz	Ontonagon	Lindstrom
Genesee	Adams	Osceola	Adams
Gladwin	Mans	Oscoda	Wassom
Gogebic	Lindstrom	Otsego	Wassom
Grand Traverse	Shultz	Ottawa	Peterson
Gratiot	Adams	Presque Isle	Featherly
Hillsdale	Mans	Roscommon	Wassom
Houghton	Lindstrom	Saginaw	Wassom
Huron	Busick	Sanilac	Busick
Ingham	Mans	Schoolcraft	Lindstrom
Ionia	Peterson	Shiawassee	Adams
Iosco	Wassom	St. Clair	Busick
Iron	Lindstrom	St. Joseph	Featherly
Isabella	Adams	Tuscola	Busick
Jackson	Mans	Van Buren	Featherly
Kalamazoo	Featherly	Washtenaw	Busick
Kalkaska	Shultz	Wayne	Busick
Kent	Peterson	Wexford	Shultz
Keweenaw	Lindstrom		

**Kim Johnson, Manager (517) 373-8796**

**Janet Holoweiko, South Unit Supervisor  
(517) 373-7134**

Jill Adams	(517) 335-2598
Erica Busick	(517) 335-2594
Fred Featherly	(517) 373-0386
Kevin Wassom	(517) 335-2539
Darlene Mans	(517) 373-8820

**Norma Guevara, Secretary (517) 335-2560**

**Andy Brush, North Unit Supervisor  
(517) 335-2534**

Valerie Shultz	(231) 775-2733 ext 309
Chuck Lindstrom	(906) 485-6322 ext 139
Dean Peterson	(517) 335-2544

## **G. Program Description and Eligible Applicants**

### **1. Congestion Mitigation and Air Quality Improvement Program (CMAQ)**

Program Description This federal program provides funds for transportation projects in Clean Air Act nonattainment areas for ozone and carbon monoxide. The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards for ozone, carbon monoxide, and particulate matter. Eligible transit projects may include new transit facilities and vehicles, bus replacement, expenses for alternative fuel, up to three years of operating and maintenance expenses for new or expanded service routes, fueling facilities, rideshare administration and marketing, ozone action, and transit fare subsidies. The funds are allocated through a local project selection process. Interested applicants must submit their projects to their MPO or appropriate RTF in addition to requesting these projects through OPT's application process. For information regarding CMAQ project submittal process, contact your MPO or RTF (see Appendix A and B). CMAQ Call For Projects and project submittal processes are being modified. Contact your MPO or RTF for updated information.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51 of Public Acts of 1951, as amended (Act 51), and that are in the federally defined nonattainment areas.

### **2. Federal Section 5307 – Urbanized Area Formula Program**

Program Description This is a formula grant program for urbanized areas (UZAs) with a population over 50,000. Funds are apportioned to UZAs utilizing a formula based on population, population density, and other factors associated with transit service and ridership. This program provides both capital and/or operating assistance to the eligible applicants. Interested applicants must contact FTA for the submittal of their applications in addition to requesting state match through OPT's annual application process.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51 and that are in the UZAs with a population over 50,000 and have been designated by the Governor as eligible funding recipients. Interested applicants should contact OPT's project manager for further eligibility and criteria.

### **3. Federal Section 5309 – Capital Discretionary Program**

Program Description This program provides capital assistance for the establishment and improvement of rail or busways systems and the upgrading of bus systems (buses, bus related equipment, and facilities).

Since the FTA usually issues notice of funding opportunities for additional capital discretionary programs after your annual application is submitted, you should include all the projects you wish to be funded by these discretionary programs and identify them as projects to be funded under Section 5309.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51, as well as private companies engaged in public transportation and private non-profit organizations.

4. Federal Section 5310 – Elderly Individuals and Individuals with Disabilities Program

Program Description This program provides capital funds to assist transportation services meeting the special needs of elderly individuals and individuals with disabilities. If you are receiving capital flex funds, you also need to complete the application requirements for capital assistance.

Eligible Applicants Private non-profit organizations, public transit authorities or governmental agencies where no non-profit organizations are available to provide service and governmental authorities approve to coordinate services. To be eligible for funding consideration, a Coordinated Public Transit – Human Services Transportation Plan and all updates must be on file with OPT or submitted to OPT with the application.

5. Federal Section 5311 – Nonurbanized Area Formula Program

Program Description This formula program is used to provide federal funding to assist transportation services in nonurbanized areas. Michigan presently grants 85 percent of all allocated funds to nonurban public transportation providers currently receiving state funds under the State Operating Assistance Program to further supplement their eligible operating expenses and to the state for administration of the program. The remaining 15 percent is granted to agencies supporting intercity bus service [see Federal Section 5311(f) Intercity Bus Program, for a description of the program]. Due to insufficient funds, the 5311 formula funds have not been used for capital assistance. You will need to apply for capital flex funds and Section 5309 funds to support your capital needs. If you are receiving capital flex funds and Section 5309 funds, you also need to complete the application requirements for capital assistance.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51 who receive state operating assistance and Indian Tribes that provide general public transportation in nonurbanized areas of the state.

6. Federal Section 5311(f) – Intercity Bus Program

Program Description This program provides capital and operating assistance to

support intercity bus service in nonurbanized areas. MDOT is required to spend not less than 15 percent of its Section 5311 apportionment to carry out a program for the development and support of intercity bus transportation. The requirement is in effect unless the Governor certifies that Michigan's intercity bus service needs are being adequately met.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51, private non-profit organizations, Indian Tribes and groups, and private for-profit intercity operators of public transportation services. Contact your OPT project manager if you are interested in applying for financial assistance under this program.

#### 7. Federal Section 5316 – Job Access and Reverse Commute Program (JARC)

Program Description JARC is a competitive formula grant program that provides both capital and operating assistance to develop new or expanded transportation services that connect welfare recipients and other low income persons to jobs and employment-related services.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51; private non-profit organizations and private operators of public transportation services. To be eligible for funding consideration, a Coordinated Public Transit – Human Services Transportation Plan and all updates must be on file with OPT or submitted to OPT with the application.

#### 8. Federal Section 5317 – New Freedom Program (NF)

Program Description NF is a competitive formula grant program that provides both capital and operating assistance to reduce barriers to transportation services and expand the transportation mobility options available to individuals with disabilities beyond the requirements of the Americans with Disabilities Act (ADA) of 1990, as amended.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51; private non-profit organizations and private operators of public transportation services. To be eligible for funding consideration, a Coordinated Public Transit – Human Services Transportation Plan and all updates must be on file with OPT or submitted to OPT with the application.

#### 9. Marine Passenger Program

Program Description The Marine Passenger Program is implemented under Act 51 to provide passenger ferry assistance. The program provides funding for capital improvements and operating assistance for publicly operated or owned ferry services that provide essential transportation services linking island communities to the mainland.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Public Act 51.

#### 10. Regular Services Program

Program Description This program provides both federal and state funding to assist public transportation services in both urbanized and nonurbanized areas. The funding assistance includes State Operating Assistance Program, Federal Section 5307 Operating Assistance Program, Federal Section 5311 Operating Assistance Program, Federal Capital Assistance Programs, including flex funds, and State Capital Assistance Programs that are used to provide match for the Federal Capital Assistance Programs.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51.

#### 11. Service Initiatives

Program Description Beginning in FY 2006, the Regional Transportation Program (RTP), Service Development and New Technology (SDNT) Program, and the Rideshare Program were combined into one new program in MDOT's appropriations bill. The new program is called Service Initiatives.

Eligible Applicants Eligible applicants are stated under each of these three programs, as below.

##### 11.1. Regional Transportation Program (RTP)

**We are not currently accepting applications for the RTP due to lack of funding. We will do a call for projects if funding is restored.**

Program Description Regional Transportation is defined as a public transportation service that facilitates regional travel across multiple eligible agencies, as defined in Act 51, crossing one or more county lines into areas outside of current service areas. This does not include charter services, sightseeing, or transportation that is not open to the public. Regional projects should focus on multicounty service and are not intended for the expansion of services within areas already offering countywide service. Funding may include startup expense, capital equipment and facility modification, brokerage, and operating assistance.

Eligible Applicants One coordinating entity representing regional transportation interests is eligible to receive a grant. The coordinating entity must be one of the following: a public transit authority or governmental agency, a MPO/Regional Planning Agency, or a

governmental agency such as a city, county, township, or village; or private and public non-profit provider; or private for-profit provider.

#### 11.2. Service Development and New Technology Program (SDNT)

Program Description The SDNT Program provides funds for research, training/education, planning and coordination, and operational and technical projects that preserve or enhance public transit. Projects submitted for funding under this application must have statewide application and are subject to a competitive project selection process.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51; and/or private and public non-profit providers, and private for-profit providers.

#### 11.3. Rideshare Program

**We are not currently accepting applications for the statewide Rideshare program due to lack of funding. We will do a call for projects if funding is restored.**

Program Description This program provides capital assistance to eligible rideshare offices to recruit people to commute using carpools and vanpools as an alternative transportation mode to the single-occupant vehicle. This reduces energy consumption, traffic congestion, air pollution, and parking problems while making the roadways safer by reducing the number of vehicles on them. Currently this program is operated locally through each local rideshare office and is funded mainly with CMAQ funds applied through their local MPOs. Urban agencies that receive CMAQ funds to operate their local rideshare program and wish to flex these funds to their TEAM application should also complete the application requirements for capital assistance and follow OPT's flex funds process.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51; and/or private and public non-profit providers, and private for-profit providers.

#### 12. Small Urban Program (Small Cities Program)

Program Description This program provides funding assistance for road and transit projects through STP. The funds for transit projects are administered by OPT. The funds are allocated through a local project selection process. Eligible transit projects include, but are not limited to, bus purchase, bus rehabilitation, bus lease, van purchase, van rehabilitation, van lease, support/administrative vehicle, vehicle equipment, office equipment, computer/computer equipment,

communication equipment, maintenance equipment, facility construction, facility improvements, facility purchase, security/surveillance system – bus, and security/surveillance system – facility.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51, which operate within the federal urban area boundaries of cities with population from 5,000 to 50,000. Private, non-profit corporations and associations that provide transportation services meeting the special needs of elderly individuals and individuals with disabilities are also eligible. Interested applicants must submit their application to their local Small Urban Program committee in addition to requesting these projects through OPT's application process.

### 13. Specialized Services Operating Assistance Program

Program Description This program was developed to improve Michigan's public transportation services by providing operating assistance for transportation services primarily for elderly individuals and individuals with disabilities. Funds may be used to provide or purchase service and/or lease vehicles to provide service. The program is funded with 100 percent state funds.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51. Private, non-profit corporations and associations that provide transportation services meeting the special needs of elderly individuals and individuals with disabilities are also eligible.

### 14. State Operating Assistance Program

Program Description This program is an operating assistance program used to provide state funding to assist transportation services in both urbanized and nonurbanized areas, including ferry services to marine passengers. Program funds may be used for operating and administrative assistance. The State Operating Assistance funds will be distributed to eligible public TAs according to Act 51 and the FY 2013 R&E Manual.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51.

### 15. State Infrastructure Bank (SIB)

Program Description MDOT has established a SIB to provide loans for publicly owned transportation infrastructure projects. The SIB will provide low-interest loans and credit enhancements to state and local, public and private agencies for transportation improvements critical to the economic and social well-being of Michigan's urban and rural communities. The SIB can assist highway, transit, and intermodal projects at any stage of the development process. For further information, go to the Office of Economic Development's website at:

[www.michigan.gov/mdot](http://www.michigan.gov/mdot), “Projects and Programs,” “Grant Programs,” “State Infrastructure Bank (SIB).”

Eligible Applicants SIB qualified borrowers include any public entities such as, political subdivisions, state agencies, regional planning commissions, TAs, economic development corporations, and private companies and non-profit organizations that are developing a publicly owned facility are also eligible.

#### 16. Surface Transportation Program (STP)-Rural

Program Description This program provides capital assistance for road and transit projects in rural areas. The funds are allocated through a local project selection process. Eligible transit projects include, but are not limited to, bus purchase, bus rehabilitation, bus lease, van purchase, van rehabilitation, van lease, support/administrative vehicle, vehicle equipment, office equipment, computer/computer equipment, communication equipment, maintenance equipment, facility construction, facility improvements, facility purchase, security/surveillance system – bus, and security/surveillance system – facility.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51 and that operate in nonurbanized areas with a population less than 5,000. Private, non-profit corporations and associations that provide transportation services meeting the special needs of elderly individuals and individuals with disabilities in the said nonurbanized areas are also eligible. Interested applicants must submit their application to their local RTF committee (see Appendix A) in addition to requesting these projects through OPT’s application process.

#### 17. Transportation Economic Development Fund (TEDF) Category D

Program Description This program provides capital assistance for road and transit projects in rural areas through a local project selection process. Eligible transit projects include, but are not limited to, bus purchase, bus rehabilitation, bus lease, van purchase, van rehabilitation, van lease, support/administrative vehicle, vehicle equipment, office equipment, computer/computer equipment, communication equipment, maintenance equipment, facility construction, facility improvements, facility purchase, security/surveillance system – bus, and security/surveillance system – facility.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51 and that operate in nonurbanized areas with a population less than 5,000. Private, non-profit corporations and associations that provide transportation services meeting the special needs of elderly individuals and individuals with disabilities in the said nonurbanized areas are also eligible. Interested applicants must submit their application to their local RTF committee (see Appendix A) in addition to requesting these projects through OPT’s application process.

## 18. Transportation Enhancement Program (TEP)

Program Description This program provides capital assistance for enhancement of new or existing transit facilities. These transit projects may include landscaping and other scenic beautification; improvement of pedestrian access; preservation, rehabilitation, and operation of legitimate historic transit facilities; acquisition of scenic easements and scenic or historic sites (including historic battlefields); and bike racks for buses. For information to apply for TEP funds, go to [www.michigan.gov/mdot](http://www.michigan.gov/mdot), “Project & Programs,” “Grant Programs,” “Transportation Enhancement (TE) Program.”

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51. Private, non-profit corporations and associations that provide transportation services meeting the special needs of elderly individuals and individuals with disabilities are also eligible. Interested applicants must submit their application on the above website.

## 19. Urban Area Program

Program Description This program provides capital assistance to eligible applicants through the Transportation Management Areas (TMA) – STP and TEDF Category C federal funds. Public TAs in the service area with a population between 50,000 and 200,000 are eligible to receive STP funds; public TAs in the TMA with a population above 200,000 are eligible to receive TEDF Category C federal funds. The funds are allocated through a local project selection process. Eligible transit projects include, but are not limited to, bus purchase, bus rehabilitation, bus lease, van purchase, van rehabilitation, van lease, support/administrative vehicle, vehicle equipment, office equipment, computer/computer equipment, communication equipment, maintenance equipment, facility construction, facility improvements, facility purchase, security/surveillance system – bus, and security/surveillance system – facility.

Eligible Applicants Eligible authorities and eligible governmental agencies as defined in Act 51 and that operate in the service area with a population between 50,000 and 200,000 and/or in the TMA with a population over 200,000. Private, non-profit corporations and associations that provide transportation services meeting the special needs of elderly individuals and individuals with disabilities are also eligible. Interested applicants must submit their application to their MPO (Appendix B) in addition to requesting these projects through OPT’s application process.

## II. REQUIREMENTS FOR A COMPLETE APPLICATION

All TAs with access to PTMS must submit their annual applications through PTMS. TAs without access to PTMS must contact their OPT project manager for access to PTMS. For Section 5310 and SDNT applicants without access to PTMS, the required application forms are available on OPT's web page, at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

*Note: If your agency does not have Adobe, a free Adobe reader can be downloaded at [www.adobe.com](http://www.adobe.com).*

Completing the application on PTMS consists of the following:

### A. Updating Profile Screen

Verify that all of the information listed on the Profile screen is accurate, which includes TA Name, Legal Name, Agency ID, Federal ID, Mr. / Ms., Title, Profile, Service Hrs, County, Address, Phone, Fax, Email, Agency Web Address, Transit Agency Additional Contacts, as well as Service Area Population. Your agency's contact information is used for all MDOT correspondence (both US mail and e-mail).

### B. Updating Vehicle, Facility, and Equipment Inventories

Verify that all current revenue vehicles are listed and that all disposed vehicles have been removed from the list. The mileage for all current vehicles should be updated. Please use the same mileage date for all vehicles. This date should be within one month of January 1 of the current fiscal year (the "mileage" and "mileage as of" fields are found on the Characteristics screen for each vehicle). You also need to fill in all required fields on both Characteristics and Financial screens including vehicles purchased with local funds.

Please note that there are two fields on the Financial screen for each vehicle – "Replacement Requested" and "Replacement Funded." The "Replacement Requested" field must be completed using the application year in which the vehicle was **originally** requested to be replaced. The "Replacement Funded" field will be filled in by OPT when appropriate. The information in the inventory is used to determine eligibility for replacement. If you need assistance correcting your vehicle inventory please see the "PTMS Vehicle Inventory" help guide at both the OPT website and within PTMS, or contact your OPT project manager.

To add items to your facility and equipment inventories, you will need to complete the required fields on the Equipment and Facilities screens in PTMS. To remove items, you need to make sure that each item has met the replacement criteria as identified in Appendix C and that the disposal(s)/transfer(s) have prior approval from your OPT project manager. For further instructions, see "Local Disposal of Vehicles or Equipment" procedures on OPT's web page, at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Reference Manual for Transit Agencies," "Equipment – Facilities."

### **C. Creating and Completing Application Module**

The module consists of operating budget request(s), capital request(s), and TA forms. To create and complete the FY 2013 Application Module, you must:

- **Submit Budget(s).** This is required if you apply for operating assistance, except for SDNT.
- **Complete and Save Capital Request(s).** This is required if you apply for capital assistance, except for SDNT.
- **Complete and Save TA Forms.** The TA forms will open Adobe Acrobat fillable forms. You only need to fill out one set of TA forms per program for both capital and operating assistance.
- **Submit Application.** You must “submit” the application using the “Submit <Fiscal Year> Annual Application” button on the “Transit Agency Application Listing” screen. **You must also change the status of the budget to “submit.”**

There are checklists within the application module in PTMS to assist you in completing all appropriate components of the application. Also for your assistance, use “PTMS Annual Application” help guide online or in PTMS.

### **D. Mailing Signed Forms**

Mail to your OPT project manager only those forms that require signatures as indicated on the PTMS checklist. If a Title VI and EEO Compliance Application form is required, you will also need to send this form to the address provided in the form.

Furthermore, you must complete other program specific requirements as described under Part III, APPLICATION SUBMITTAL BY PROGRAM of the Instructions.

Applications will be considered complete only if the above instructions are followed. **Applicants are responsible for ensuring that all information for completing the application is entered into PTMS, including the information relevant to their subapplicants.**

### III. APPLICATION SUBMITTAL BY PROGRAM

#### A. REGULAR SERVICES PROGRAM (DUE FEBRUARY 1)

##### 1. Operating Assistance Program

###### a. State Operating Assistance Program

The FY 2013 State Operating Assistance funds will be distributed to eligible authorities and eligible governmental agencies as defined in Act 51. The FY 2013 R&E Manual provides guidance for the development of an estimated budget based on eligible expenses. This manual can be accessed via OPT's web page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Audit/Accounting Information."

Each eligible agency will receive state operating assistance per one of the following:

###### i. Legal Cap (maximum):

- Up to 60 percent of eligible expenses for nonurbanized areas and UZAs under 100,000 population.
- Up to 50 percent of eligible expenses for UZAs over 100,000 population.

**ii. Guaranteed Floor (minimum):** This is equivalent to the state funds received in FY 1997. This is contingent upon a local fund requirement. If local funds are reduced, state funds will be reduced proportionally.

**iii. FY 2013 Formula Percentage:** When preparing your FY 2013 application, use 36.24 percent of total eligible expenses for nonurbanized areas and UZAs with a population under 100,000 and 30.65 percent of total eligible expenses for UZAs with a population over 100,000.

**Note: If your budget is 15 percent or higher than your most recent reconciled report, please submit an explanation in the comment field of your budgeted OAR in PTMS.**

###### b. Federal Nonurban Area Formula Program (Section 5311)

Use 16 percent of your FY 2013 total eligible expenses as an estimate.

## 2. Capital Assistance Program

Agencies applying for capital assistance programs must include the projects in the Capital Request portion of the application in PTMS and identify the proposed funding sources and the appropriate fiscal year. You must submit **ALL** capital requests for FY 2013, FY 2014, and FY 2015, which include, but are not limited to, projects funded via federal programs such as Section 5307, Section 5309, Small Urban, 5311 (f), STP, TEDF-Category D, and CMAQ. All eligible capital items should be requested. Requests should indicate which programs are being applied for and the needed match. Unless the funding source has already been identified, such as 5307, 5311(f), flex funds, CMAQ, or TEDF – Category D, requested funds for capital projects should be Section 5309.

**NOTE #1: PREVIOUSLY REQUESTED CAPITAL ITEMS ARE NOT AUTOMATICALLY CARRIED FORWARD TO THE FY 2013 CAPITAL PROGRAM PLEASE SUBMIT ALL CAPITAL NEEDS.**

You may copy the previous year's capital requests into the current year's application. For details, see PTMS help guide, Annual Application, Create a New Capital Request section.

**NOTE #2:** Although the Instructions request that all capital needs be included in your annual application, only projects that can be completed within two years will be included in federal applications submitted by MDOT. This is based on guidance from FTA - Region V in their review of our open federal grants. Therefore when requesting projects from your RTF, the Small Urban Program committee, or your Congressional office, please ensure that these projects can be completed within two years. Large facility construction or improvements projects may be excluded from the two-year requirement.

### a. Federal Capital Assistance Programs

TAs are potentially eligible for funding under the following programs:

- CMAQ
- Federal Section 5307
- Federal Section 5309
- Section 5311 (f)
- Small Urban Program
- STP - Rural
- TEDF Category D
- TEP
- Urban Area Program

## b. State Capital Assistance Programs

State Capital Assistance Programs are only used to provide match for Federal Capital Assistance Programs.

Eligible authorities and eligible governmental agencies as defined in Act 51 may receive capital grants according to Section 10e(5) of Act 51 to match federal capital programs. State participation is contingent upon funding availability. Under Act 51, MDOT is required to provide a portion of the required local match for agencies eligible to receive CTF. Specifically, Act 51 states if money is raised by a CTF eligible authority or agency for a public transportation capital outlay project funded under certain federal transit programs, the state shall pay not less than 66 and two-thirds percent of the local match, which equates to 13 percent. While MDOT is required to provide a 13 percent match, it has been MDOT's practice to provide the full 20 percent match using traditional cash match and toll credits. TAs have been required to submit a capital plan once the Federal Register showing apportionments and allocations has been published. OPT then develops a statewide capital match plan indicating the state match that will be provided for each project.

You may submit all your capital requests under this application using 80 percent federal funds and 20 percent state match. Since toll credits are no longer available for transit projects, we will allocate state funds to the extent they are available.

Vehicle prices should be budgeted at anticipated market prices as indicated in Appendix D.

## 3. Application Requirements

### a. Required Actions in PTMS

- Update Profile Screen
- Update Vehicle, Facility, and Equipment Inventories
- Create and Complete the FY 2013 Application Module
  - Submit Budget(s)
  - Complete and Save Capital Request(s)
  - Complete and **Save** TA Forms
  - Submit Application
- Mail Signed Forms

b. Required TA Forms

- 5333(b) Labor Warranty
- Contract Clauses Certification
- Coordination Plan for Local Bus Operating Assistance
- FTA Certifications and Assurances (required only for TAs applying for Section 5311 funds)
- Resolution of Intent
- State Certifications and Assurances
- Title VI and EEO Compliance Application (required for new applicant and/or applicant that has changed their legal name)
- Title VI Info
- Vehicle Accessibility Plan Update

c. Other Requirements

- Signed Local Advisory Council (LAC) Minutes
- Public Notice

A sample public notice is provided in PTMS and can be accessed through the FY 2013 application module as well as on OPT's website at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

- TIP (for both urban and nonurban agencies in UZAs only)
  - Include in PTMS capital requests as they appear in your local TIP. While Section 5311 operating funds need to be included in the TIP, contact your MPO regarding TIP inclusion for state operating requests. Submit to your OPT project manager the TIP page(s) in which the requested projects are included. If you are an urban agency and receive STP funds, you will also be required to submit to your OPT project manager a flex request letter, a copy of the current TIP page(s), and the federal grant application. The dollar amount and project description in your flex request letter should be consistent with the TIP page(s) and federal grant application.
  - Submit in PTMS both operating and capital requests included in the TIP.
- Include in PTMS any flex capital projects as they appear in the RTF list.

#### 4. Review Criteria

Capital requests will be reviewed using the following criteria:

- a. All requests for replacement items must meet the replacement criteria identified on the "Replacement Schedule for Capital Items" (Appendix C) by October 1, 2013.
- b. The item is needed to maintain or improve the efficiency, effectiveness, and/or safety of the transit service provided to the general public.
- c. The number of spare vehicles in the active fleet should not exceed 20 percent of the number of vehicles operated in maximum service.

\*Spare ratio is defined as the number of spare vehicles divided by the vehicles required for annual maximum service. This is the revenue vehicle count during the peak season of the year, and on the week and day that maximum service is provided. It excludes atypical days and one-time special events. Spare ratio is usually expressed as a percentage (100 vehicles required and 20 spare vehicles results in a 20 percent spare ratio).

- d. Facility requests must be commensurate with the current level of service plus a reasonable factor for future expansion. Portions of the project not related to public transit services cannot be funded with CTF funds and federal funds applied through this application.
- e. Items under \$300 are not eligible.

## **B. SPECIALIZED SERVICES OPERATING ASSISTANCE PROGRAM (DUE MARCH 1)**

This program is state funded. One coordinating entity per county or multicounty region that represents the transit interests of elderly individuals and individuals with disabilities is eligible to receive funding. The agency shall be the applicant for all specialized services funding requests in that county or region, regardless of who actually provides the specialized transit services. In order of priority, the coordinating entity must be one of the following:

- A public TA
- A governmental agency
- An existing Section 5310 agency
- A non-profit corporation representing specialized services interest

If more than one public TA exists in the county or multicounty region (as approved by MDOT), selection of the applicant will be decided by the parties involved.

Transportation providers are currently reimbursed \$1.20 per mile or \$4.07 per one-way passenger trip up to the contract amount.

The Specialized Services Program also provides reimbursement to volunteer drivers using their personal vehicles to transport passengers for nonemergency medical trips provided it does not duplicate other available service. This service is reimbursed at \$0.29 per mile up to the contract amount.

For further information regarding the Specialized Services Program, refer to the Specialized Services Manual, which can be found at OPT's web page [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Audit/Accounting Information."

The funding between the current and new sub-applicants can be adjusted by the local coordination committee. **The amount of funding you received in 2012 is the amount you should expect to receive in 2013.** If funds become available for expansion of services or implementation of new specialized services, applications will be requested at that time.

### **1. Application Requirements**

#### **a. Required Actions in PTMS**

- Update Profile Screen
- Update Vehicle, Facility, and Equipment Inventories\*
- Create and Complete the FY 2013 Application Module
  - Submit Budget
  - Complete and **Save** TA Forms
  - Submit Application

- Mail Signed Forms

\*Note: Not applicable if you do not have vehicles, equipment, or facilities funded with federal and/or state funds.

b. Required TA Forms

- Budget Data
- Coordination Plan Update
- Service Description
- Title VI and EEO Compliance Application (required only for new applicants and/or applicants that have changed their legal name)

c. Local Coordination Committee

Act 51 requires proposals for coordinated Specialized Services assistance funding be developed jointly between existing eligible authorities or eligible governmental agencies that provide public transportation services and the area agencies on aging or any other organization representing specialized services interests. Local participants may include:

- Community Aging Organizations (Area Agency on Aging, Council on Aging, etc.)
- Community Disability Organizations (Community Mental Health, the Association for Retarded Citizens, Department of Career Development - Rehabilitation Services, Michigan Commission for the Blind/Michigan Department of Human Services, etc.)
- Community Action Agencies
- Michigan Department of Human Services
- Intermediate School Districts
- Labor Community
- LAC
- Local Governments
- Michigan Works! Agency
- Regional Interagency Coordination Committees
- Private Transportation Companies
- Public Transit Providers
- Regional Planning Agency
- Transit Users

At a minimum, elderly individuals, individuals with disabilities, public transit, and the LAC must be represented. When transportation to work issues are discussed the Michigan Department of Human Services and the Michigan Works! Agency must be represented where applicable. Each individual can represent only one agency.

#### d. Other Requirements

- Public Notice

A sample public notice is provided in PTMS and can be accessed through the FY 2013 application module as well as on OPT's page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

- TIP (for both urban and nonurban agencies in UZAs only)

Contact your MPO regarding TIP requirement.

## 2. Eligible/Ineligible Applications

**Eligible** - Applications must be for transit services primarily for elderly individuals and individuals with disabilities within the applicant's service area. Local coordination committee and local TA must support the proposed service. Service must be available to all elderly individuals and individuals with disabilities in the service area.

Volunteer drivers are also eligible if the following requirements are met:

- a. Rides are provided for nonemergency medical trips and are available to any elderly individuals or individuals with disabilities.
- b. The applicant must ensure that the private car is in safe, operating condition, and is owned by the volunteer driver.
- c. The driver has had a valid driver's license for the past five consecutive years with no moving violations within the last two years.
- d. The driver has notified their insurance company that their vehicle will be used for this service.

**Ineligible** - The following will cause an application or segment of an application to be ineligible:

- a. Service or method of providing service is not identified.
- b. Using personal cars (except for volunteer drivers).
- c. Service is primarily for "Meals-on-Wheels."
- d. Requesting funds to purchase capital equipment.
- e. Replacing existing services funded from other sources.

## **C. ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PROGRAM (SECTION 5310) (DUE MARCH 1)**

MDOT is the designated recipient for Section 5310 funds allocated to Michigan. MDOT's OPT staff will review and evaluate all applications based on the criteria as described under Item No. 3 of this section.

Note: New applicants who do not have access to PTMS should contact the OPT project manager for instructions regarding the submittal of this application.

### **1. Application Requirements**

#### **a. Required Actions in PTMS**

- Update Profile Screen
- Update Vehicle, Facility, and Equipment Inventories
- Create and Complete the FY 2013 Application Module
  - Complete and Save Capital Request(s)
  - Complete and Save TA Forms
  - Submit Application
- Mail Signed Forms

#### **b. Required TA Forms**

- Budget Data Form
- Contract Clauses Certification
- FTA Certifications and Assurances
- General Info
- Section 5310 Coordinated Plan Info
- State Certifications and Assurances
- Title VI and EEO Compliance Application (required only for new applicant and/or applicant that has changed their legal name )
- Title VI Info
- Vehicle Accessibility Plan Update

#### **c. Other Requirements**

- Coordinated Public Transit-Human Services Transportation Plan and Updates
- Signed LAC Minutes
- Sign-offs/Public Notice

Obtain individual sign-offs from each public and private transit and paratransit operator in your service area, stating that the services they are providing or are prepared to provide are not designed to meet the special needs of elderly individuals and individuals with disabilities within your service area, or proof of

a good faith effort made in obtaining letters of support if an operator will not respond.

OR

Issue a public notice describing the capital equipment you are applying for, and the services you intend to offer in meeting the special needs of elderly individuals and individuals with disabilities within the area. This notice must be shown in major area newspapers and must invite any interested public or private transit or paratransit operators within the service area to comment on the proposed service by sending a written response to your agency. A minimum of 30 days' response time must be provided. A sample public notice is provided in PTMS and can be accessed through the FY 2013 application module as well as on OPT's page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

- TIP (for both urban and nonurban agencies in UZAs only)

For organizations serving UZAs, Section 5310 request(s) must be included in an approved TIP for that UZA. A copy of the TIP page(s) in which the project(s) are listed must be provided to your OPT project manager. Capital requests in PTMS must appear as they are in your local TIP. Ensure that the dollar amount and project description are consistent between the capital requests and your TIP.

- Include in PTMS any flex capital projects as they appear in the RTF list.

## 2. Eligible/Ineligible Use of Vehicles

**Eligible** - Vehicles acquired under the Section 5310 program must be used primarily for elderly individuals and individuals with disabilities. **Services are to be provided only within the legal jurisdiction of the applicant.** Revenue vehicles are only to be used to provide services to transit passengers and **such services must be open to the general public.**

Vehicles acquired by non-profit agencies may be leased to private for-profit companies and public agencies where such companies could not otherwise provide required services and where such arrangements result in more efficient and effective service for elderly individuals and individuals with disabilities.

When vehicles or other equipment are operated by any agency other than the private, non-profit organization/public agency in the grant application, control and responsibility for the operation of the vehicles or other equipment must remain with the private, non-profit organization/public agency that was the original recipient unless transfer of the control and responsibility is to another eligible private, non-profit organization/public agency and is authorized by the state.

**Ineligible** - Section 5310 funds may not be used to purchase special vehicles to be used solely for meals delivery or to purchase specialized equipment such as racks, heating, or refrigeration units related to meal delivery.

### 3. Review Criteria

MDOT will review and evaluate all applications utilizing the following criteria:

- a. Vehicles and equipment must meet the replacement schedule in Appendix C by October 1, 2013.
- b. Financial commitments to assure operating funds are available.
- c. Degree to which the organization is meeting the transportation needs of elderly individuals and individuals with disabilities.
- d. Appropriateness of the quantity and type of vehicles for meeting the special transportation needs of client population.
- e. Projected 5310 ridership for the application year and previous years.
- f. Endorsements provided by local units of government, transit operators, and social service agencies.
- g. The degree to which the applicant documents coordination with present and long-range plans for public transportation and other social services in the service area. This should be presented in your locally developed Coordinated Public Transit-Human Service Transportation Plan.
- h. Documentation of local initiative, organization, fiscal resources and management capability, equipment inventory, and overall technical capacity.
- i. Items under \$300 are not eligible.
- j. Capital equipment and construction items should be budgeted at anticipated market prices as of October 1, 2012 (Appendix D).
- k. All other state and federal funding sources must be exhausted before a Section 5310 request is considered. Priority shall be placed on the funding of replacement vehicles prior to expansion vehicles. If funding is not available for all state-wide requests, vehicles<sup>1</sup> shall be funded in the FTA Section 5310 program in the following order of priority:

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<sup>1</sup> Includes communication equipment necessary to operate the vehicle.

### Section 5310 Funding Priority List:

- 1) Agencies replacing vehicles previously awarded to them under the FTA Section 5310 program that have met **both** age **and** mileage criteria. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 2) Private, non-profit agencies operating public transportation systems funded under the State Operating Assistance Program [Sec. 10e(4)(a)] financed from other funding sources and used for transportation of the elderly and/or individuals with disabilities requesting replacement vehicles that have met **both** age **and** mileage criteria. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 3) Agencies funded under the existing Specialized Services Operating Assistance Program replacing vehicles that have met **both** age **and** mileage criteria and were financed from other funding sources and used for transportation of the elderly and/or individuals with disabilities. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 4) Agencies not currently participating in the Specialized Services Operating Assistance Program requesting replacement vehicles that have met **both** age **and** mileage criteria and were financed from other funding sources and used for transportation of the elderly and/or individuals with disabilities. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 5) Agencies replacing vehicles previously awarded to them under the FTA Section 5310 program that have met age **or** mileage criteria. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 6) Private, non-profit agencies operating public transportation systems funded under the State Operating Assistance Program [Sec. 10e(4)(a)] financed from other funding sources and used for transportation of the elderly and/or individuals with disabilities requesting replacement of vehicles that have met age **or** mileage criteria. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.

- 7) Agencies funded under the existing Specialized Services Operating Assistance Program replacing vehicles that have met age **or** mileage criteria and were financed from other funding sources and used for transportation of the elderly and/or individuals with disabilities. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 8) Agencies not currently participating in the Specialized Services Program requesting replacement of vehicles that have met age **or** mileage criteria and were financed from other funding sources and used for transportation of the elderly and/or individuals with disabilities. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 9) Agencies requesting expansion vehicles to provide new specialized transportation services in areas where no existing transportation services are available. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 10) Agencies participating in the FTA Section 5310 program, requesting expansion vehicles. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 11) Agencies operating specialized services and currently participating in the Specialized Services Operating Assistance Program requesting expansion vehicles. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 12) Agencies not currently participating in the Specialized Services Operating Assistance Program requesting expansion vehicles, who provide specialized transportation services in areas where transportation services are available. Two vehicles, but not more than one large bus, per agency until all approved requests for vehicles under this priority have been funded before proceeding to the next level of priority.
- 13) After all the above vehicle priorities have been met, any remaining funds may be used to purchase other approved capital equipment.

#### **4. Matching Requirements**

You may submit all your capital requests under this application using 80 percent federal funds and 20 percent state match. Toll credits are no longer available for transit projects.

## **D. JOB ACCESS AND REVERSE COMMUTE PROGRAM (JARC) (SECTION 5316) (DUE MARCH 1)**

MDOT is the designated recipient for nonurban and small urban JARC funds allocated to Michigan. Agencies in large urban areas that are interested in applying for large urban JARC funds will need to contact their designated funding recipients and submit their projects through the local process. They will also need to include the submitted projects (both capital and budgeted OAR) in the MDOT application via PTMS. After the projects are selected, the designated recipient will submit the application directly to FTA to include the selected projects on behalf of the agencies that are not Section 5307 Formula recipients.

Nonurbanized and small urban applicants whose proposed service is within a large UZA must apply for funding to the large urban TA that covers that UZA.

To ensure equitable distribution, an agency cannot receive more than 50 percent of the federal funds in the nonurban or small urban allocation.

### **1. Application Requirements**

#### **a. Required Actions in PTMS**

- Update Profile Screen
- Update Vehicle, Facility, and Equipment Inventories
- Create and Complete the FY 2013 Application Module
  - Submit Budget(s)
  - Complete and Save Capital Request(s)
  - Complete and **Save** TA Forms
  - Submit Application
- Mail Signed Forms

#### **b. Required TA Forms**

- 5333(b) Labor Warranty
- Contract Clauses Certification
- FTA Certifications and Assurances
- Project Summary for Each Project Funding Request
- State Certifications and Assurances
- Title VI and EEO Compliance Application (required only for new applicant and/or applicant that has changed their legal name )
- Title VI Info
- Vehicle Accessibility Plan Update

#### **c. Other Requirements**

- Coordinated Public Transit-Human Services Transportation Plan and Updates

- Public Notice

A sample public notice is provided in PTMS and can be accessed through the FY 2013 application module as well as on OPT's page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

- TIP (for both urban and nonurban agencies in UZAs only)
  - Capital and/or operating projects must be included in the **2012** TIP and the TIP page(s) in which the projects are listed must be provided to your OPT project manager.
  - Submit in PTMS both operating and capital requests included in the TIP and ensure that the dollar amount and project descriptions are consistent between PTMS submittal and the TIP.

## 2. Eligible/Ineligible Use of Program Funds

**Eligible** - JARC funds are intended to fund innovative and flexible programs addressing the transportation to employment needs of individuals with limited incomes as well as providing transportation to employment opportunities from urban and nonurban areas to suburban areas for individuals of all income levels.

JARC funds are available for capital, planning, operating, mobility management, and stand-alone marketing expenses that support the development and maintenance of transportation services which transport individuals to and from jobs and activities related to their employment.

Applicants are encouraged to submit projects that meet the transportation needs to and from employment and also advance the principles of human services-transit coordination.

Examples include:

- Late-night and weekend service.
- Transit-related aspects of bicycling (i.e., adding bicycle racks to vehicles to support individuals that may use this mode for a portion of their commute).
- Intelligent Transportation System (ITS) and other forms of technology to help plan and operate coordinated systems i.e., Geographic Information Systems mapping, Global Position System technology, coordinated vehicle scheduling, dispatching, and systems to help track costs and billing.
- Supporting new mobility management and coordination programs among public transportation providers and other human service agencies. Mobility

management activities may include:

- 1) 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.
- 2) Support for short term management activities to plan and implement coordinated services.
- 3) The support of state and local coordination policy bodies and councils.
- 4) The operation of transportation brokerages to coordinate providers, funding agencies and customers.
- 5) The provision of coordinated services, including the customer-oriented travel navigator systems and neighborhood travel coordination activities of the employer-oriented transportation management organizations and human service organizations.
- 6) 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 support programs.

**Ineligible** - Ineligible activities include, but are not limited to, gasoline vouchers.

### **3. Application Review**

OPT will review applications for nonurban and small urban JARC funds individually to ensure the applicant has met all application criteria, including the completion of all required forms.

### **4. Project Selection**

Projects applied for through nonurban and small urban JARC will be selected through a statewide competitive review process. If there are insufficient funds in FY 2013 for all eligible projects, contracts will be awarded based on the review and ranking by OPT staff.

Priority of the projects meeting all of the criteria is as follows:

- A. Job Access operating for continuation of existing Section 5316 JARC funded service
- B. Job Access replacement capital to support continuation of existing transportation services funded with Section 5316 JARC funds

- C. Reverse Commute operating for continuation service
- D. Reverse Commute replacement capital to support continuation of service
- E. Mobility management (capital expense) – continuation projects then expansion projects
- F. Job Access marketing of existing Job Access services (capital expense)
- G. Reverse Commute marketing to support continuation of service (capital expense)
- H. Job Access operating for new or expansion service
- I. Job Access capital to support new or expansion service
- J. Job Access marketing of new service (capital expense)
- K. Job Access planning for new service (capital expense)
- L. Reverse Commute new or expansion service (operating expenses)
- M. Reverse Commute capital to support new service
- N. Reverse Commute marketing to support new service (capital expense)
- O. Reverse Commute planning for new service (capital expense)

Projects will be funded starting with the highest ranking project. Although each applicant may apply for funding in more than one category, it is possible an award could be made for one proposed activity and not another. Projects may not be fully funded up to the dollar amount requested in the application.

Projects will be ranked based on:

- Priority of the project category (see above).
- Thoroughness of the application and how well each given topic in the application is addressed.
- How well the project meets the needs identified in the Coordinated Plan.

## 5. Matching Requirements

MDOT will continue to provide 20 percent match for capital projects and 50 percent match for operating subject to availability of funds. **Farebox cannot be used as local match, and must be backed out as ineligible under expense code 57099 in your OAR. Since MDOT provides the 20 percent match, contract fares also must be backed out as ineligible under expense code 57099 in your OAR.**

## E. NEW FREEDOM PROGRAM (NF) (SECTION 5317) (DUE MARCH 1)

MDOT is the designated recipient for nonurban and small urban NF funds allocated to Michigan. Agencies that wish to apply for nonurban and small urban NF funds need to apply through MDOT using PTMS in accordance to the following application requirements.

Agencies in large urban areas that are interested in applying for large urban NF funds will need to contact their designated funding recipients and submit their projects through the local process. They will also need to include the submitted capital projects (not budgeted OAR) in the MDOT application via PTMS. After the projects are selected, the designated recipient will submit the application directly to FTA to include the selected projects on behalf of the agencies that are not Section 5307 Formula recipients.

Nonurbanized and small urban applicants whose proposed service is within a large UZA must apply for funding to the large urban TA that covers that UZA.

To ensure equitable distribution, an agency cannot receive more than 50 percent of the federal funds in the nonurban or small urban allocation.

### 1. Application Requirements

#### a. Required Actions in PTMS

- Update Profile Screen
- Update Vehicle, Facility, and Equipment Inventories
- Create and Complete the FY 2013 Application Module
  - Submit Budget(s) – for agencies applying for small urban and nonurban NF funds for operating assistance only\*
  - Complete and Save Capital Request(s)
  - Complete and **Save** TA Forms
  - Submit Application
- Mail Signed Forms

\*Note: Agencies applying for large urban NF funds for operating assistance do not need to submit budgets in PTMS.

#### b. Required TA Forms

- Certification of Local Match
- Contract Clauses Certification
- FTA Certifications and Assurances
- Project Summary for Each Project Funding Request
- State Certifications and Assurances

- Title VI and EEO Compliance Application (for new applicant and/or applicant that has changed their legal name)
- Title VI Info
- Vehicle Accessibility Plan Update

c. Other Requirements

- Coordinated Public Transit-Human Services Transportation Plan and Updates
- Public Notice

A sample public notice is provided in PTMS and can be accessed through the FY 2013 application module as well as on OPT's page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

- TIP (for both urban and nonurban agencies in UZAs only)
  - Capital and/or operating projects must be included in the **2012** TIP and the TIP page(s) in which the projects are listed must be provided to your OPT project manager.
  - Submit in PTMS both operating and capital requests included in your TIP and ensure that the dollar amount and project descriptions are consistent between the PTMS submittal and your TIP.

## 2. Eligible Use of Program Funds

NF funds are available for capital and operating expenses that support **new** public transportation services beyond those required by ADA and **new** public transportation alternatives (beyond those required by the ADA) designed to assist individuals with disabilities with accessing transportation services, including transportation to and from jobs and employment support services. FY 2012 projects are also eligible. **For the purpose of the NF, "new" service is any service or activity that was not operational on or after August 10, 2005, and did not have an identified funding source as of August 10, 2005, as evidenced by inclusion TIP or the STIP. NF funds cannot be used to replace existing or exhausted funding from other sources.**

See Appendix E for examples of eligible projects.

## 3. Application Review

OPT will review applications for nonurban and small urban NF funds individually to ensure the applicant has met all application criteria, including the completion of all required forms.

#### **4. Project Selection**

Projects applied for through nonurban and small urban NF will be selected through a statewide competitive review process. If there are insufficient funds in FY 2013 for all eligible projects, contracts will be awarded based on the review and ranking by OPT staff.

Priority of the projects meeting all of the criteria is as follows:

- A. NF operating for continuation of existing Section 5317 NF funded service
- B. NF replacement capital to support continuation of existing transportation services funded with Section 5317 NF funds
- C. Mobility management (capital expense) – continuation projects then expansion projects
- D. NF marketing of existing NF services (capital expense)
- E. NF operating for new or expansion service
- F. NF capital to support new or expansion service
- G. NF marketing of new service (capital expense)
- H. NF planning for new service (capital expense)

Projects will be funded starting with the highest ranking project. Although each applicant may apply for funding in more than one category, it is possible an award could be made for one proposed activity and not another. Projects may not be fully funded up to the dollar amount requested in the application.

Projects will be ranked based on:

- Priority of the project category (see above).
- Thoroughness of the application and how well each given topic in the application is addressed.
- How well the project meets the needs identified in the Coordinated Plan.

#### **5. Matching Requirements**

You may submit all your capital requests under this application using 80 percent federal funds and 20 percent state match. Toll credits are no longer available for transit projects.

MDOT does not plan to provide match for operating requests. The 50 percent match for all operating requests must be provided locally and a Certification of Local Match must be submitted to OPT. Acceptable sources of local matching funds are local appropriations, other non-Department of Transportation federal funds, dedicated tax revenues, private donations, revenue from human service contracts, and net income generated from advertising and concessions. Non-cash local share such as donations, volunteer services, or in-kind contributions is eligible to be counted toward the local match as long as the value of each is documented and supported, and is based on a OPT approved cost allocation plan, represents a cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget. **Farebox cannot be used as local match, and must be backed out as ineligible under expense code 57099 in your OAR. If contract fares are not used to provide the local match, the contract fares also must be backed out as ineligible under expense code 57099 in your OAR.**

For details regarding contributed services, refer to the FY 2013 R&E Manual, under "Other Revenue," "43000 Contributed Services," and under "Ineligible Expenses," "55008 Other Ineligible Expenses." This manual can be accessed via OPT's web page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Audit/Accounting Information."

## F. SERVICE DEVELOPMENT AND NEW TECHNOLOGY PROGRAM (SDNT) (DUE MARCH 1)

### 1. Application Requirements

#### a. Required Actions in PTMS

- Update Profile Screen
- Update Vehicle, Facility, and Equipment Inventories\*
- Create and Complete the FY 2013 Application Module
  - Complete and **Save** TA Forms
  - Submit Application
- Mail Signed Forms

\*Note: Not applicable if you are not a public TA and do not have vehicles, equipment, or facilities funded with federal and state funds.

#### b. Required TA Forms

- Contract Clauses Certification
- FTA Certifications and Assurances
- SDNT Application Form
- Title VI and EEO Compliance Application (required for new applicant and/or applicant that has changed their legal name)
- Title VI Info

#### c. Other Requirements

- Public Notice

A sample public notice is provided in PTMS and can be accessed through the FY 2013 application module as well as on OPT's page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

- TIP (for both urban and nonurban agencies in UZAs only)

For organizations serving UZAs, the project must be included in the TIP for that UZA and a copy of the TIP page(s) listing the project must be provided to OPT project manager. The dollar amount and project description must be consistent between the PTMS submittal and your TIP.

## **2. Eligible Projects**

Eligible projects include activities that support the following program goals:

- support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- increase the safety of the transportation system for motorized and nonmotorized users;
- increase the security of the transportation system for motorized and nonmotorized users;
- increase the accessibility and mobility of people and for freight;
- protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- promote efficient system management and operation, including training; ~~and~~
- emphasize the preservation of the existing transportation system; ~~and~~
- provide evidence of local support, which may include local funding.

## **3. Selection Criteria**

Grants will be awarded based on the criteria above and on available funding.

## **4. Matching Requirements**

Up to 80 percent of federal funding assistance is provided with the balance coming from state, local, and/or private sources. A letter of financial commitment must be provided if local/private funding sources are used.

## **G. MARINE PASSENGER PROGRAM (DUE MARCH 1)**

Service funded under the Marine Passenger Program must be the primary means of transportation for passengers and vehicles for employment, medical, school, shopping, food, and fuel supplies. Under this program, eligible agencies receive state operating assistance to reimburse 50 percent of their eligible expenses.

### **1. Application Requirements**

#### **a. Required Actions in PTMS**

- Update Profile Screen
- Update Facility and Equipment Inventories
- Create and Complete the FY 2013 Application Module
  - Submit Budget(s)
  - Complete and Save Capital Request(s)
  - Complete and **Save** TA Forms
  - Submit Application
- Mail Signed Forms

#### **b. Required TA Forms**

- Resolution of Intent
- Title VI and EEO Compliance Application (required only for new applicants and/or applicants that have changed their legal name)

If applying for Section 5309 funds, the following TA forms will also be required:

- 5333(b) Labor Warranty
- Contract Clauses Certification
- FTA Certifications and Assurances
- Title VI Info

#### **c. Other Requirement**

- Public Notice

A sample public notice is provided in PTMS and can be accessed through the FY 2013 application module as well as on OPT's page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

### **2. Review Criteria**

Capital requests will be reviewed using the following criteria:

- a. As appropriate, all requests for replacement items must meet the replacement criteria identified on the "Replacement Schedule for Capital Items" (Appendix C) by October 1, 2013.
- b. The item is needed to maintain or improve the efficiency, effectiveness, and/or safety of the transit service provided to the general public.
- c. Facility requests must be commensurate with the current level of service plus a reasonable factor for future expansion. Portions of the project not related to public transit services cannot be funded with CTF funds.
- d. Items under \$300 are not eligible.

### **3. Matching Requirements**

Under Act 51, marine capital is funded based on a line item legislative appropriation. Capital projects are funded by 90 percent state funds and 10 percent local funds.

## IV. INSTRUCTIONS FOR TA FORMS AND RELATED REQUIREMENTS

For information that clarifies and expands upon the Instructions, refer to the Frequently Asked Question (Appendix G).

### a. 5333(b) Labor Warranty

Required by: Section 5309, Section 5311, Section 5311 (f), and Section 5316

Description: The 5333(b) Labor Warranty is a certification required by Federal Transit Law which protects transit employees who may be affected by Federal transit funding. The law requires employee protections be in place and certified by the Department of Labor before Federal transit funds may be released to a transit provider.

Action Requested: Those agencies applying for Section 5309, Section 5311, Section 5311 (f), and Section 5316 funds must complete the 5333(b) Labor Warranty form in PTMS. Completion of the form requires a list of the unions representing your employees, the third party transportation provider that you hire to perform public transportation services and their union representation, and a list of other surface transportation providers serving the general public, which include, but are not limited to, Specialized Services and Section 5310 agencies and their union representation within your jurisdictional service area. You may need to use resources such as the Yellow Pages to locate other providers and contact those providers for union information. Complete and save the form in PTMS, and return the signed form to MDOT.

Note: Please do not include school bus transportation providers and their unions on the 5333(b) Labor Warranty form.

### b. Annual Budgeted OAR

Required by: All programs with operating request(s)

Description: For each operating request, you will need to submit an annual budgeted OAR in PTMS when applying for federal and state operating assistance. All annual budgeted OARs, except for the Specialized Services Operating Assistance Program, consist of revenue schedule, expense schedule, and non-financial schedule. You will need to complete all three schedules. The R&E Manual provides guidance on how to develop your budgeted OAR. For instructions on how to create and submit an annual budgeted OAR, see the PTMS help guide at both the OPT website and within PTMS.

The annual budgeted OAR for the Specialized Services Operating Assistance Program contains only the non-financial schedule, which must be completed in accordance with the Specialized Services Manual.

Both the R&E Manual and the Specialized Services Manual can be accessed via OPT's web page at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Audit/Accounting Information."

If you are applying for new program(s) which are not available to you in PTMS, contact your OPT project manager.

Action Requested: Create and submit the annual budgeted OAR in PTMS.

**c. Budget Data**

Required by: Section 5310 and Specialized Services

Description: This form lists the anticipated expense and revenue schedules. The information provided in the form must be related to your transportation program and the budget should be balanced. The completed form will help MDOT to determine if you have the financial capacity to implement the Section 5310 and/or Specialized Services programs. A separate form is required for each program.

Action Requested: Complete and save the form in PTMS.

**d. Capital Request(s)**

Required by: All programs with capital request(s) except for SDNT

Description: Submit each capital request from all funding sources in PTMS when applying for federal and state capital assistance - even if you are applying directly to the FTA for the federal portion of funds. A complete capital request requires information for all the applicable fields on the Capital Request Detail screen in PTMS. For detailed instructions on how to create a capital request, refer to the PTMS help guide at both the OPT website and within PTMS. For agencies in UZAs, the current year's requests in PTMS should match the capital items listed in your TIP.

Action Requested: Complete and save each capital request in PTMS.

**e. Certification of Local Match for Section 5317 Grant Application**

Required by: Section 5317

Description: This form identifies and certifies that local match is guaranteed for operating projects.

Action Requested: Complete and save the form in PTMS and mail the signed form to MDOT.

Note: Farebox cannot be used as local match, and must be backed out as ineligible under expense code 57099 in your OAR.

**f. Contract Clauses Certification**

Required by: All federal programs

Description: Contract clauses certify compliance with federal requirements. It is an annual certification process, and the clauses are referenced in the MDOT project authorizations but not attached.

Action Requested: Obtain and review the set of clauses from OPT's website at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms," or via the link in the Contract Clauses Certification form in PTMS, under 2013 Application, TA Forms. Complete and save the form in PTMS and return the signed copy to MDOT.

Note: If your agency has a master agreement with MDOT, the form must be signed by an authorized signer of your Master Agreement or an individual with legal authority to sign a project authorization for the organization. If the organization has a master agreement with MDOT, the organization name must match the name as it appears on the master agreement. Organizations with multiple master agreements will need multiple contract clauses certifications. You do not need to complete the certification if you are applying only for the Specialized Services Operating Assistance Program or Marine Passenger Program.

**g. Coordinated Public Transit-Human Services Transportation Plan and Updates**

Required by: Section 5310, Section 5316, and Section 5317

Description: Federal transit law, as amended by SAFETEA-LU, requires that projects selected for funding under the Elderly and Individuals with Disabilities (Section 5310), JARC (Section 5316), and NF (Section 5317) programs be "derived from a locally developed, coordinated public transit-human services transportation plan" and that the plan be "developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public." The Coordinated Public Transit-Human Services Transportation Plan Guidance is available on OPT's website at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

Action Requested: Submit to MDOT the Coordinated Public Transit-Human

Services Transportation Plan and any updates if it is not already on file with OPT.

#### **h. Coordination Plan for Specialized Services Applicants**

Required by: Specialized Services

Description: The Coordination Plan Update form in PTMS requires a brief description of major accomplishments made during the previous fiscal year and planned activities for the upcoming year. The descriptions should identify basic responsibilities of the Coordination Committee, any monitoring activities, and any special projects. Refer to the coordination plan TA form in PTMS for examples of the type of activities you may want to include in the description. The coordination plan should list the committee participants and the groups they represent.

Organizations must ensure that the level and quality of service will be provided without regard to race, color or national origin and that there is not a disparate impact on groups protected by Title VI of the Civil Rights Act of 1964. This is especially important if the same service has been provided for several years and demographic changes may have occurred in your community or if service changes have been made. You will need to describe your efforts to comply with this requirement.

Action Requested: Complete and save the form in PTMS.

Note: If you have submitted a Coordinated Public Transit-Human Services Transportation Plan to OPT, you will still need to fill out the Coordination Plan for Specialized Services in PTMS. Submit only one Coordination Plan Update per county or multi-county region.

#### **i. Coordination Plan for Local Bus Operating Assistance**

Required by: Regular Services

Description: All agencies applying for Local Bus Operating Assistance must submit a coordination plan. **If an agency is also applying for Specialized Services Operating Assistance, only the Specialized Services coordination plan is required.** The plan should list all transit providers/purchasers in your area and describe efforts for coordinating transit services with each of these agencies.

OPT encourages local TAs to involve the private sector in providing public transit services. The goal is to improve service while containing costs. There may be areas of your service that the private sector could provide more cost effectively.

Action Requested: Survey your service area to determine if there are private sector providers available. When feasible, contact private sector providers to evaluate possible areas where they could assist with the provision of public

transit service. Coordinate with all transit providers/purchasers in your area to maximize the efficiency of services. Complete and save the form in PTMS.

Note: If you have submitted to MDOT a Coordinated Public Transit-Human Services Transportation Plan, you will still need to submit a Local Bus Operating Assistance Coordination Plan or a Specialized Services Coordination Plan, whichever is applicable.

**j. FTA Certifications and Assurances**

Required by: All agencies applying for FTA funds, except for urban agencies that receive all their FTA funds directly from FTA.

Description: A list of the certifications and assurances is available in Appendix F. This information details the requirements of FTA programs.

Action Requested: Complete and save the form in PTMS, and return the signed form to MDOT. All applicable items must be checked off for the program(s) you are applying for.

**k. General Information**

Required by: Section 5310

Description: This form provides specific information on the applicant as well as identifies the type of services to be provided, statistics on the clients that receive the service, service area, intended use of vehicles, days and hours of operation, and reservation requirements. Information from the US Census Bureau may assist in the completion of the information for the ethnic groups. You are also required to provide projected Section 5310 ridership for the application year.

Action Requested: Complete and save the form in PTMS.

**l. Project Summary**

Required by: Section 5316 and Section 5317

Description: This form requires specific information on the individual project that the applicant is requesting the funds for. A separate form is required for each capital and operating project being requested.

Action Requested: Complete and save forms for each project in PTMS.

Note: If extra space is required, please use the “ADDITIONAL INFORMATION” section on P. 3 or provide additional page(s) to your OPT project manager. You must also submit your capital and operating requests in PTMS (agencies

applying for large urban NF funds for operating assistance do not need to submit budgets in PTMS).

**m. Public Notice**

Required by: All programs

Description: The application(s) must be made available to the public for review and comment. Multiple programs may be combined into one public notice as long as the public notice requirements are met for each program. The public notice must be shown in major area newspapers and must invite comment. A minimum of 30 days' response time must be provided.

A sample public notice is provided in PTMS and can be accessed through the application TA Forms as well as on OPT's website at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

Complete the following list to ensure that the information requested is included in the public notice:

- 1) Applicant name.  
Provide the name of the eligible authority or governmental entity making application to MDOT.
- 2) Program name.  
Identify the program(s) for which the applicant is submitting the application.
- 3) Funding amount.  
Identify *by program* the amount (both capital and operating) for which the applicant is submitting the application.
- 4) Capital description  
Identify *by program* the specific capital items being requested.
- 5) Public review and comment  
Indicate where the application(s) can be reviewed or how a copy may be obtained. Include the period of time the document(s) will be available for review and how comments may be submitted to the applicant. If requested, a public hearing must be scheduled.

6) Title VI Information

Indicate applicant's compliance with the Title VI requirement.

Action Requested: Mail to MDOT a copy of the **published** public notice and all comments received.

Note: While you may use a different format than the sample we provide, you must ensure that all the six elements as stated above are included in the public notice.

**n. Resolution of Intent**

Required by: Regular Services and Marine Passenger

Description: An eligible public TA and/or governmental agency or authority applying for state formula operating assistance is required to annually enact a resolution of intent.

Action Requested: The resolution shall provide for all of the following: (a) Indicate that the budget for the local transportation program is balanced (surplus) and specify the sources and amount of estimated revenues that support the proposed expenditures; (b) Name an official representative of the applicant for all public transportation matters who is authorized to provide such information as deemed necessary by the commission or department for its administration of the act and; (c) Certify that changes in eligibility documentation have not occurred during the past state FY.

Complete and save the form in PTMS, and mail original with stamped seal and/or authorized signature to MDOT.

**o. Section 5310 Coordinated Plan Information**

Required by: Section 5310

Description: This form requires information on the individual project that the applicant is requesting the funds for and the project's relationship to the Coordinated Public Transit-Human Services Transportation Plan. A separate form is required for each type of capital project being requested.

Action Requested: Complete and save forms for each project in PTMS.

Note: You must also submit your capital requests in PTMS.

**p. Service Description**

Required by: Specialized Services

Description: The Service Description form requests information regarding the service area, schedule, type of service, MDOT continuation funds, and method of reimbursement for the Regular Service/Paid Driver and/or Volunteer Driver Program, as well as training efforts.

Action Requested: Complete and save the form in PTMS, and return the signed form to MDOT. If the applicant is a funding pass-through agency, the form should reflect the information of the funding sub-applicant(s). An applicant with more than one funding sub-applicant should provide the form to each sub-applicant for completion, compile the sub-applicants' information into one form, save the form in PTMS, and return the signed form to MDOT.

**q. SDNT Application**

Required by: SDNT

Description: The form is used to apply for the SDNT Program which provides funds for research, training/education, planning and coordination, and special operational and technical projects.

Action Requested: Complete and save the application form in PTMS. The following format must be used to submit projects for consideration:

Applicant: Provide the name of the agency that is submitting the application.

Project Title: Give a concise title for the project.

Contact Information: List name of agency project manager, telephone number and email.

Problem Statement: Describe the project background, the scope of the effort, the relationship of the project to operations or policy, if it is mandated by law, and the importance of the project to your agency or the public transit industry.

Project Objective: State the objectives of the project.

Project Description: Give a brief summary of the project including benefits such as safety, methods, efficiency, coordination, and potential for statewide application. Describe how the project relates to the statewide planning and/or other statewide benefits contained in Part III, F, 2 of the Instructions. Indicate if the project would be conducted in-house or by a private consultant.

Products and Deliverables: Describe the end-products of the project, such as reports, manuals, models and operating procedures, and how they will resolve the problem. Provide information on how the deliverables would be implemented. **Note: A final report summarizing the project must be submitted to MDOT. The report should include the project objectives, methodology, and results, including potential statewide application.** The report will be posted on the OPT website.

Time Frame: State duration of the project and the date in which the project would be initiated. A project may be multiple years.

Project Support: List all TAs, local governmental units and/or coordination committee support provided within the geographical area affected by this project. Written verifications such as letters or committee/board meeting minutes supporting this project should be included with this request. **Support from local TAs and local coordination committees within the geographical area affected is required.**

Budget: List the major activities; identify estimated costs and federal, state, local, and private funding amounts. Identify the local and private sources of funds. If local/private funding sources are used, provide a letter of financial commitment.

**r. State Certifications and Assurances**

Required by: Regular Services, Section 5310, Section 5316, and/or Section 5317

Description: The State Certifications and Assurances form certifies and assures the state that: a) the organization has the necessary operational lifts on its vehicles and; b) the organization has proof of vehicle insurance on file.

Action Requested: Complete and save the form in PTMS, and return the signed form to MDOT.

Note: Complete the applicable items for each program as indicated in the form.

**s. Title VI and Equal Employment Opportunity Compliance Application**

Required by: All programs (only for new applicant and/or applicant that has changed their legal name)

Description: The Title VI and Equal Employment Opportunity (EEO) Compliance Application can be accessed through PTMS and is provided on OPT's website at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd). This form assures the state that your agency is in compliance with Title VI and EEO requirements. If you have any questions concerning Title VI and EEO Compliance, call MDOT's EEO Officer at (517) 373-0980.

Action Requested: Submit the complete application to MDOT's EEO Officer at the address shown in the form and provide a copy to your project manager.

Note: The Title VI and EEO Compliance Application is required only for new applicant and/or applicant that has changed their legal name. All agencies applying for FTA funds, except for urban agencies that receive all their FTA funds directly from FTA, will also need to complete annually the federal Title VI information form included in the program application. For details, see instructions for Title VI Information form below.

**t. Title VI Information**

Required by: All agencies applying for FTA funds, except for urban agencies that receive all their FTA funds directly from FTA.

Description: Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive Federal financial assistance.

There are many forms of illegal discrimination based on race, color, or national origin that can limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, on the basis of race, color, or national origin, either directly or through contractual means:

- Deny program services, aids, or benefits;
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

Organizations must ensure that the level and quality of service will be provided without regard to race, color or national origin and that there is not a disparate impact on groups protected by Title VI of the Civil Rights Act of 1964 and the related statutes and regulations. This is especially important if the same service has been provided for several years and demographic changes may have occurred in your community or if service changes have been made.

Action Requested: Provide response to the following:

1. A list of any active lawsuits or complaints naming the applicant that allege discrimination based on race, color or national origin with respect to service or other transit benefits.
2. A summary of all civil rights compliance review activities conducted with regard to your transportation program.

3. Has your Title VI Coordinator/EEO Officer changed during the reporting period or since your last Title VI Plan was approved? If yes, please list the name and contact information for the new coordinator/EEO Officer.
4. Has your organization had any projects and/or service change that have Title VI, Limited English Proficiency (LEP), or Environmental Justice (EJ) impacts? If yes, please complete the following items:
  - a. Provide brief description of these projects/service changes.
  - b. What did you do to ensure that those populations affected by the project and or service change had meaningful access to and involvement in the development process?
  - c. What is the number or percentage of LEP or EJ populations who were affected by the project or service change?
5. During this reporting period, how many of your employees have been educated about Title VI and their responsibility to ensure non-discrimination in any of your programs, services, or activities?

Note: For information regarding Limited English Proficiency, see Executive Order 12898 and FTA Circular 4702.1A, Chapter IV.7.A(2), at [http://www.fta.dot.gov/laws/circulars/leg\\_reg\\_5956.html](http://www.fta.dot.gov/laws/circulars/leg_reg_5956.html)

For details regarding Environmental Justice, see Executive Order 13166 and FTA Circular 4702.1A, Chapter 4 (IV.7.A(1)), at [http://www.fta.dot.gov/laws/circulars/leg\\_reg\\_5956.html](http://www.fta.dot.gov/laws/circulars/leg_reg_5956.html)

**u. TIP Requirements (for both urban and nonurban agencies in UZAs only)**

All capital and/or operating requests under this application must be included in both your local TIP and PTMS, as appropriate. A copy of the TIP page(s) in which the requested projects are listed must be provided to your OPT project manager. You need to ensure that the dollar amount and project description are consistent between PTMS and your TIP. If you are an urban agency and receive STP funds, you will also be required to submit a flex request letter, a copy of the current TIP page(s), and the federal grant application to your OPT project manager. The dollar amount and project description in your flex request letter must be consistent with the TIP page(s) and the federal grant application. Contact your local MPO (Appendix B) for TIP requirements.

The nonurbanized requests will be included in the STIP after the annual application is submitted to OPT and an approved program is developed.

## v. Vehicle Accessibility Plan Update

Required by: Regular Services, Section 5310, JARC, and NF

Description: Section 10e(18) of Act 51 states: "A vehicle shall not be purchased, leased, or rented by an eligible authority or eligible governmental agency, after October 1, 1978, with funds made available under this act, which vehicle is used to provide demand actuated services unless the eligible authority or eligible governmental agency has submitted a plan to the state transportation department describing the service to be provided by the demand actuated service to persons 65 years of age or older and handicappers." MDOT's administrative rules allow the eligible authority or eligible governmental agency to submit an amendment to the plan on the Vehicle Accessibility Plan Update form in PTMS.

Act 51 requires each eligible entity requesting vehicles to establish an LAC with not less than fifty percent of its membership representing individuals 65 years of age or older and individuals with disabilities within the service area subject to the plan. Many of you might have formed the LAC based upon your local Coordination Committee. While the Coordination Committee serves as an advisory body for the coordination and improvement of transportation services and should include all the interested stakeholders, the LAC, however, may be a subset of the Coordination Committee. The MDOT Administrative Rules state: "Local advisory council members shall not be employees of the applicant and shall not be members of the applicant's executive committee or governing board."

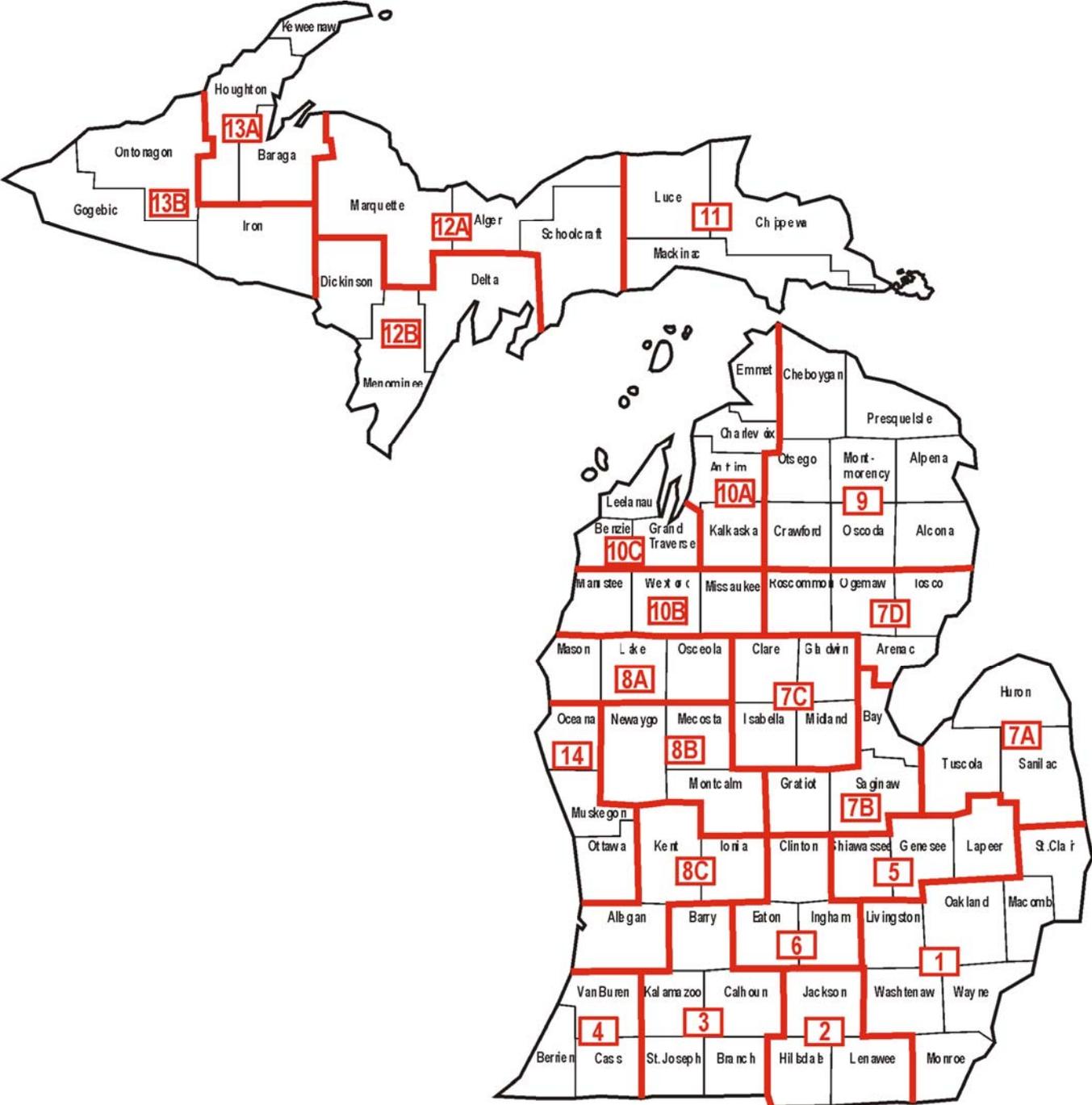
Action Requested: Each eligible entity jointly with the Area Agency on Aging shall approve at least one (1) or the equivalent of 12 percent of the membership of the LAC. The LAC must have an opportunity to review and comment upon the plan or amendment/update before its submission to the department. A copy of the minutes from the meeting at which the plan or amendment/update was reviewed and discussed by the LAC should be signed by the LAC chairperson or an authorized substitute and mailed to MDOT. The minutes should indicate that the LAC has reviewed and commented upon the plan or amendment/update. The minutes should also include comments received, if any, and the response to said comments from the applicant.

Complete and save the Vehicle Accessibility Plan Update form in PTMS.

Note: You are not required to complete the update if your agency has no FTA/MDOT funded vehicle(s) or does not request revenue vehicles to be funded under the application and there are no changes in the current plan. The entire demand response fleet must be reported in the form, including locally funded vehicles.

V. APPENDIXES

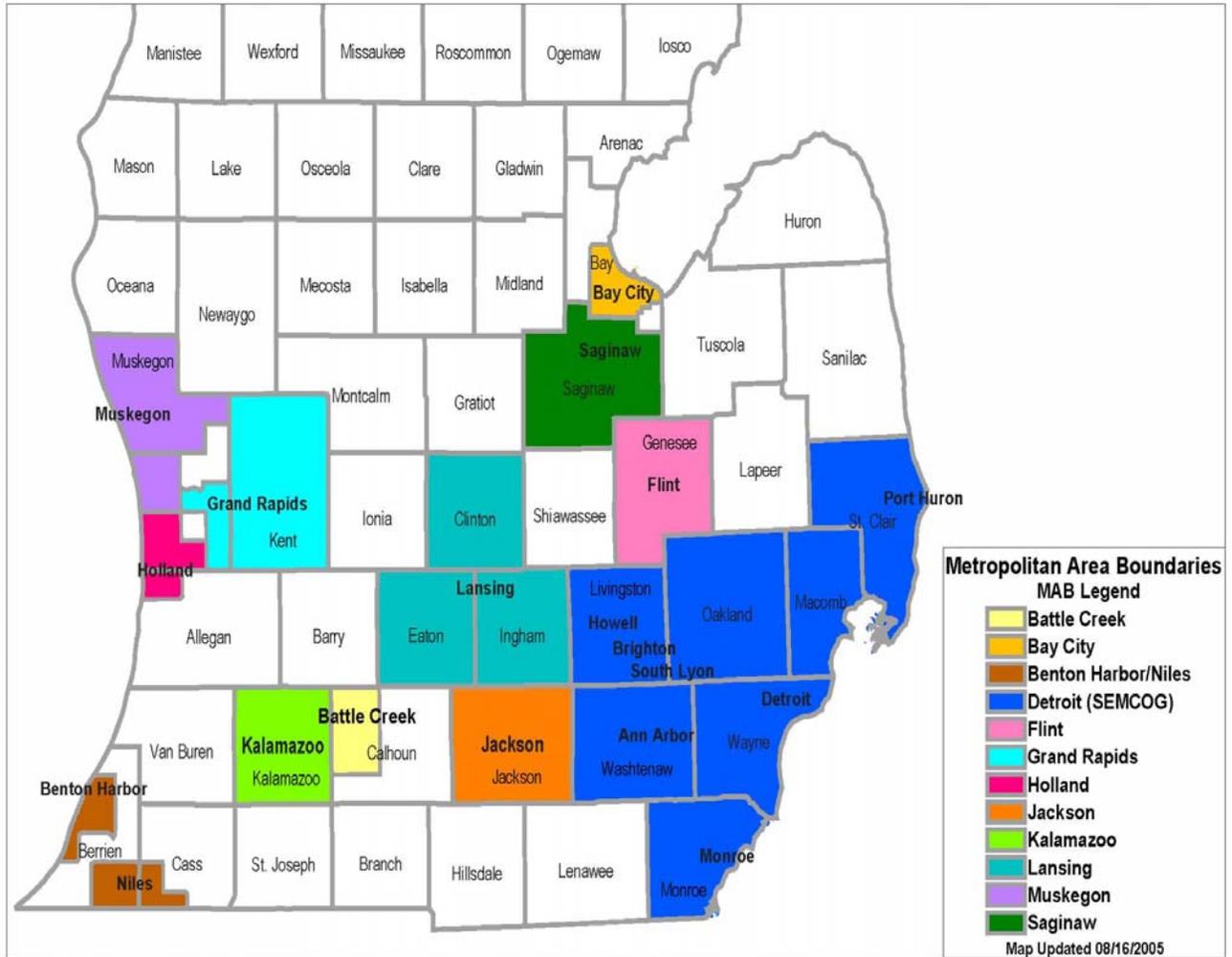
A. MICHIGAN'S RURAL TASK FORCE MAP AND CONTACTS



### RURAL TASK FORCE CHAIRS

<b>RTF #</b>	<b>Name</b>	<b>County</b>	<b>Telephone</b>	<b>E-Mail</b>
1	Jeff Tumidanski	SEMCOG	517/324-3320	<a href="mailto:jtumidanski@semcog.org">jtumidanski@semcog.org</a>
2	Joe Michalsky	Jackson	517/788-4230	<a href="mailto:jmm@jcrc-roads.org">jmm@jcrc-roads.org</a>
3	Brad Lamberg	Barry	269/945-3449	<a href="mailto:bcrc@barrycounty.org">bcrc@barrycounty.org</a>
4	Larry Hummel	Van Buren	269/674-8011	<a href="mailto:vbrchummel@comcast.net">vbrchummel@comcast.net</a>
5	Bill Mainz	Lapeer	810/664-6272	<a href="mailto:wmeinz@lcrconline.com">wmeinz@lcrconline.com</a>
6	Bob Peterson	Ingham	517/543-1630	<a href="mailto:rpeterson@inghamcrc.org">rpeterson@inghamcrc.org</a>
7A	Michele Zawerucha	Tuscola	989/673-2128	<a href="mailto:mzawerucha@tuscolaroad.org">mzawerucha@tuscolaroad.org</a>
7B	Mark Craft	Gratiot	989/875-3811	<a href="mailto:markcraft@gratiotroads.org">markcraft@gratiotroads.org</a>
7C	Deepak Gupta	Midland	989/687-9060	<a href="mailto:gupta@midlandroads.com">gupta@midlandroads.com</a>
7D	Blair Dyer	Arenac	989/653-2411	<a href="mailto:jga@centurytel.net">jga@centurytel.net</a>
8A	Cliff Young	Osceola	231/832-5171	<a href="mailto:cliffyoungs@hotmail.com">cliffyoungs@hotmail.com</a>
8B	Randy Stearns	Montcalm	989/831-5285	<a href="mailto:randy@montcalmroads.com">randy@montcalmroads.com</a>
8C	Wayne Schoonover	Ionia	616/527-1700	<a href="mailto:wayne@ioniacountyroads.org">wayne@ioniacountyroads.org</a>
9	Larry Orcutt	Alpena	989/354-3252	<a href="mailto:roads@alconacrc.com">roads@alconacrc.com</a>
10A	Brian Gutowski	Emmet	231/347-8142	<a href="mailto:emmetcrc@chartermi.net">emmetcrc@chartermi.net</a>
10B	Kelly Bekken	Missaukee	231/839-4361	<a href="mailto:kelly@merc-roads.com">kelly@merc-roads.com</a>
10C	Mary Gillis	Gd Traverse	231/922-4848	<a href="mailto:mgillis@gtrc.org">mgillis@gtrc.org</a>
11	Stanley Ronquist	Luce	906/293-5741	<a href="mailto:lucecyrd@lighthouse.net">lucecyrd@lighthouse.net</a>
12A	Rochelle Cotey	Alger	906/387-4845	<a href="mailto:altranco@jamadots.com">altranco@jamadots.com</a>
12B	Rob VanEffen	Delta	906/786-3200	<a href="mailto:rob.deltacrc@chartermi.net">rob.deltacrc@chartermi.net</a>
13A	Douglas Mills	Baraga	906/524-7270	<a href="mailto:bcrdj@up.net">bcrdj@up.net</a>
13B	Darren Pionk	Gogebic	906/667-0233	<a href="mailto:dpionk@gogebic.org">dpionk@gogebic.org</a>
14	Paul Bouman	Muskegon	231/788-2381	<a href="mailto:pbouman@muskegoncountyroads.org">pbouman@muskegoncountyroads.org</a>

## B. METROPOLITAN PLANNING ORGANIZATIONS (MPO) MAP AND CONTACTS



## MPO CONTACTS

### **BATTLE CREEK AREA TRANSPORTATION STUDY (BCATS) (Battle Creek and six surrounding townships)**

Ms. Pat Karr, Executive Director  
Battle Creek Area Transportation Study  
Springfield Municipal Building  
601 Avenue A  
Springfield, MI 49037-7799  
Phone: 269-963-1158  
Fax: 269-963-4951  
e-mail: [bcatsmpo@aol.com](mailto:bcatsmpo@aol.com)  
Web site: <http://www.liaa.org/bcats/>  
MDOT's MPO Program Manager:\*  
Rick Fowler, 517-335-2641

### **BAY CITY AREA TRANSPORTATION STUDY (BCATS) (Bay City and six surrounding townships)**

Mr. Dave Engelhardt, Director  
Bay County Transportation Planning  
Department  
515 Center Avenue, Suite 504  
Bay City, MI 48708-5126  
Phone: 989-895-4064  
Fax: 989-895-4068  
e-mail: [engelhardtd@baycounty.net](mailto:engelhardtd@baycounty.net)  
Web site: <http://www.baycounty-mi.gov/transportation/>  
MDOT's MPO Program Manager:\*  
Brandon Wilcox, 517-335-2948

### **GENESEE COUNTY METROPOLITAN PLANNING COMMISSION (GCMPC) (Flint and Genesee County)**

Mr. Derek Bradshaw, Principal Planner  
Genesee County Metropolitan Planning  
Commission  
1101 Beach Street, Room 223  
Flint, MI 48502-1470  
Phone: 810-257-3010  
Fax: 810-257-3185  
e-mail: [dbradshaw@co.genesee.mi.us](mailto:dbradshaw@co.genesee.mi.us)  
Web site: <http://www.gcmpc.org>  
MDOT's MPO Program Manager:\*  
Olatunbosun (Ola) Williams 517-241-1237

### **GRAND VALLEY METROPOLITAN COUNCIL (GVMC) (Grand Rapids, Kent County and southeast Ottawa County)**

Mr. Abed Itani, Transportation Director  
Grand Valley Metro Council  
678 Front Avenue, NW, Suite 200  
Grand Rapids, Michigan 49504  
Phone: 616-776-3876  
Fax: 616-774-9292  
e-mail: [itania@gvmc.org](mailto:itania@gvmc.org)  
Web site: <http://www.gvmc.org/> TIP:  
<http://www.gvmc.org/transportation/tip.shtml>  
MDOT's MPO Program Manager:\*  
Ray Lenze, 517-335-4166

### **KALAMAZOO AREA TRANSPORTATION STUDY (KATS) (Kalamazoo and Kalamazoo County)**

Mr. Jonathan Start, Director  
Kalamazoo Area Transportation Study  
3801 East Kilgore Road  
Kalamazoo, MI 49001-5534  
Phone: 269-343-0766  
Fax: 269-381-1760  
e-mail: [info@katsmpo.org](mailto:info@katsmpo.org)  
Web site: <http://www.katsmpo.org/>  
MDOT's MPO Program Manager:\*  
Rick Fowler, 517-335-2641

### **MACATAWA AREA COORDINATING COUNCIL (MACC) (Holland and seven surrounding townships)**

Mr. Steve Bulthuis, Executive Director  
Macatawa Area Coordinating Council  
301 Douglas Avenue  
Holland, MI 49424  
Phone: 616-395-2688  
Fax: 616-395-9411  
e-mail: [sbulthuis@the-macc.org](mailto:sbulthuis@the-macc.org)  
Web site: <http://www.the-macc.org/transportation/overview/>  
MDOT's MPO Program Manager:\*  
Ray Lenze, 517-335-4166

**REGION 2 PLANNING COMMISSION (R2PC)**  
**(Jackson and Jackson County)**

Mr. Steve Duke, Executive Director  
Region 2 Planning Commission  
Jackson County Tower Building  
120 W. Michigan Avenue, 9<sup>th</sup> Floor  
Jackson, MI 49201  
Phone: 517-788-4426  
Fax: 517-788-4635  
e-mail: [sduke@co.jackson.mi.us](mailto:sduke@co.jackson.mi.us)  
Web site: <http://www.region2planning.com/>  
MDOT's MPO Program Manager:\*  
Rick Fowler, 517-335-2641

**TRI-COUNTY REGIONAL PLANNING**  
**COMMISSION (TCRPC) (Lansing and**  
**Clinton, Eaton and Ingham Counties)**

Ms. Susan M. C. Pigg, Executive Director  
Tri-County Regional Planning Commission  
913 W. Holmes Road, Suite 201  
Lansing, MI 48910  
Phone: 517-393-0342  
Fax: 517-393-4424  
e-mail: [spigg@mitcrpc.org](mailto:spigg@mitcrpc.org) or  
[phamilton@mitcrpc.org](mailto:phamilton@mitcrpc.org)  
Web site: <http://www.tri-co.org/>  
MDOT's MPO Program Manager:\*  
Rick Fowler, 517-335-2641

**SAGINAW METROPOLITAN AREA**  
**TRANSPORTATION STUDY (SMATS)**  
**(Saginaw and Saginaw County)**

Mr. Doug Bell, Director  
Saginaw Metropolitan Area Transportation  
Study  
111 South Michigan Avenue, Lower Level  
Saginaw, MI 48602  
Phone: 989-797-6800  
Fax: 989-797-6809  
e-mail: [dbell@saginawcounty.com](mailto:dbell@saginawcounty.com)  
Web site:  
<http://www.saginawcounty.com/Planning/SMATS.aspx>  
MDOT's MPO Program Manager:\*  
Brandon Wilcox, 517-335-2948

**SOUTHEAST MI COUNCIL OF GOVERNMENTS**  
**DETROIT/ANN ARBOR/PORT HURON**  
**(Livingston, Macomb, Monroe, Oakland,**  
**St. Clair, Washtenaw and Wayne**  
**Counties)**

Mr. Paul Tait, Executive Director  
535 Griswold Street, Suite 300  
Detroit, MI 48226-3602  
Phone: 313-961-4266  
Fax: 313-961-4869  
e-mail: [tait@semcog.org](mailto:tait@semcog.org) or  
[infoservices@semcog.org](mailto:infoservices@semcog.org)  
Web site:  
<http://www.semcog.org/Transportation.aspx>

**WASHTENAW AREA TRANSPORTATION STUDY**  
**(Ann Arbor/Ypsilanti)**

Web site: <http://www.miwats.org/>  
**ST. CLAIR COUNTY METROPOLITAN**  
**PLANNING COMMISSION (Port Huron)**  
Web site:  
<http://www.stclaircounty.org/offices/metro/tranSPORTATION.aspx>  
MDOT's MPO Program Manager:\*  
Pam Boyd, 517-335-2803

**SOUTHWEST MI PLANNING COMMISSION**

**NILES-BUCHANAN-CASS AREA**  
**TRANSPORTATION STUDY (NATS)**  
**(Niles and six surrounding townships)**  
Web site: <http://www.swmpc.org/nats.asp>  
**Twin Cities Area Transportation Study**  
**(TwinCATS) (Benton Harbor, St. Joseph**  
**and five surrounding townships)**

Web site:  
<http://www.swmpc.org/twincats.asp>  
Mr. K. John Egelhaaf, AICP, Executive  
Director  
Southwest Michigan Planning Commission  
185 East Main Street, Suite 701  
Benton Harbor, MI 49022  
Phone: 269-925-1137  
Fax: 269-925-0288  
e-mail: [egelhaafj@swmpc.org](mailto:egelhaafj@swmpc.org)  
Web site: <http://www.swmpc.org/>  
MDOT's MPO Program Manager:\*  
Ray Lenze, 517-335-4166

**WEST MICHIGAN METROPOLITAN**  
**TRANSPORTATION PLANNING PROGRAM**  
**(WESTPLAN)**

**(Muskegon County and northwest**  
**Ottawa County)**  
Mr. Sandeep Dey, Executive Director  
West Michigan Shoreline  
Regional Development Commission  
316 Morris Avenue, Suite 340, P.O. Box  
387  
Muskegon, MI 49443-0387  
Phone: 231-722-7878  
Fax: 231-722-9362  
e-mail: [wmsrdc@wmsrdc.org](mailto:wmsrdc@wmsrdc.org) or  
[sdey@wmsrdc.org](mailto:sdey@wmsrdc.org)  
Web site: <http://www.wmsrdc.org/>  
MDOT's MPO Program Manager:\*  
Ray Lenze, 517-335-4166

## C. REPLACEMENT SCHEDULE FOR CAPITAL ITEMS (Effective October 1, 2012)

### 1. New Assets:

The following schedule should be used to determine the depreciable/useful life of a new asset. This schedule is not intended to be all inclusive. Depreciable/Use Life is obtained from Class Life (in years) from IRS Publication 946.

Asset Class:	Description:	Depreciable/Useful Life:
Bus: Small Body on van cut-away	Light duty chassis - less than 30 feet	Delivered Prior to 1/1/08: 5 years or 150,000 miles. Delivered on or after 1/1/08: Altoona testing
Bus: Medium Body on truck chassis/Trolleys	Medium Duty chassis - less than 30 feet	Delivered Prior to 1/1/08: 7 years or 200,000 miles. Delivered on or after 1/1/08: Altoona testing
Bus: Medium Body on truck chassis/Trolleys	Heavy duty chassis - 30 feet to 34 feet	Delivered Prior to 1/1/08: 10 years or 350,000 miles. Delivered on or after 1/1/08: Altoona testing
Bus: Large	Heavy duty chassis - 35 feet to 60 feet	Delivered Prior to 1/1/08: 12 years or 500,000 miles. Delivered on or after 1/1/08: Altoona testing
Cars, Minivans, Standard van, Van Conversion:	under 13,000 lbs. g.v.w.	4 years or 100,000 miles
Trucks	Light duty (under 13,000 lbs. g.v.w.),	4 years
Trucks	Heavy Duty (over 13,000 lbs. g.v.w.)	6 years
Office furniture and Fixtures	Desks, files, safes	10 years
Office Equipment	Copiers, Radios (digital/analog, 911, Repeater, Voice antenna, Automatic vehicle locators), fax, phones	5 years

## REPLACEMENT SCHEDULE FOR CAPITAL ITEMS (cont.)

Computers and peripheral equipment:	Computers, card readers, card punches, high speed printers, mass storage units, data entry devices	6 years
Software	Costs related to the purchase of the software should be capitalized. Costs of upgrades and enhancements that enable the software to perform tasks that it was previously incapable of performing should be capitalized. Fees paid for training, conversion costs and software maintenance are to be expensed.	3 years
Maintenance Tools, Equipment	Power/hand tools, lawn mowers, snow blowers	5 years
Maintenance Equipment and Fixtures	Vehicle Hoist/Lift (four/six post life, in-ground, drive-on, scissor lift-electric or hydraulic, Transmission flush and exchange unit, Floor Sweeper/Scrubber, Pressure washer/Steam Cleaner (Hot/Cold)/Parts Cleaner/Steamer - Upholstery Cleaner, Portable/Vehicle Installed Generator, Brake Lathes/Milling Machines/Drill press/Grinders, Lubrication and Fuel Dispensing Equipment, Carbon monoxide detectors/fuel leak detectors, Roller cabinets, portable tool stands, compressors, diagnostic equipment, Tractors - Utility, Lawn & Attachments (e.g. back blades, snow blowers, mower decks.	12 years

## REPLACEMENT SCHEDULE FOR CAPITAL ITEMS (cont.)

Passenger Bus Shelter		10 - 15 years
Buildings	Administration, Maintenance Garages, Cold storage building/bus shelter	40 years
Land	cannot be depreciated	0 years

### 2. Used Assets:

If a used asset is purchased, the transit agency must determine a useful life based on such factors as: type of construction, nature of the equipment, past usage patterns, age, mileage, and technological developments. The asset class will remain the same as listed above under new assets. Acceptable methods to determine useful life include, but are not limited to:

- i: Transit agency's independent auditor to recommend a useful life,
- ii: Manufacturer's estimated useful life,
- iii: Internal Revenue Service guidelines (IRS Publication 946),
- iv: Industry standards.

## D. ESTIMATED VEHICLE PRICES (Effective October 1, 2012)

### Minivan

(Minimum 4 years or 100,000 miles)

- 6-passenger minivan \$22,000
- 6-passenger accessible minivan with ramp 36,000

### Standard Van

(Minimum 4 years or 100,000 miles)

- 8-passenger van 19,000
- 12-passenger van 22,000
- 15-passenger van 23,000
- 12-passenger van with raised roof 33,000
- Accessible van with raised roof & Lift 37,000

### Light-Duty, Small Bus

(Minimum 7 years or 200,000 miles)

- Bus, 138" wheelbase, without lift, gas engine 49,000
- Bus, 139" wheelbase, without lift, diesel engine 64,000
- Bus, 138" wheelbase, with lift, gas engine 52,000
- Bus, 139" wheelbase, with lift, diesel engine 68,000

### Small Bus

(Minimum 7 years or 200,000 miles)

- Bus, 158" wheelbase, without lift, gas engine 54,000
- Bus, 159" wheelbase, without lift, diesel engine 70,000
- Bus, 158" wheelbase, with lift, gas engine 58,000
- Bus, 159" wheelbase, with lift, diesel engine 74,000
- Bus, 176" wheelbase, without lift, gas engine 56,000
- Bus, 177" wheelbase, without lift, diesel engine 72,000
- Bus, 176" wheelbase, with lift, gas engine 61,000
- Bus, 177" wheelbase, with lift, diesel engine 76,000

### Hybrid Small Bus

(Minimum 7 years or 200,000 miles)

- Bus, 158" wheelbase, without lift, gas engine 106,000
- Bus, 158" wheelbase, with lift, gas engine 111,000

### 26-Foot Medium Duty Bus (Diesel Only)

(Minimum 7 years or 200,000 miles)

- Medium Duty bus without lift 113,000
- Medium Duty bus with lift 116,000

**29-Foot Medium Duty Bus (Diesel Only)**

(Minimum 7 years or 200,000 miles)

- Medium Duty bus without lift 114,000
- Medium Duty bus with lift 117,000

**32-Foot Medium Duty Bus (Diesel Only)**

(Minimum 7 years or 200,000 miles)

- Medium Duty bus without lift 120,000
- Medium Duty bus with lift 123,000

**Medium Heavy Duty Bus (Less than 35-foot)**

(Minimum 10 years or 350,000 miles)

- Medium Heavy Duty bus with lift 327,000

**Heavy Duty Bus (Over 35-foot)**

(Minimum 12 years or 500,000 miles)

- Heavy duty bus with lift 373,000
- Hybrid heavy duty bus with lift 541,000

**Heavy Duty Articulated Bus**

(Minimum 12 years or 500,000 miles)

- Heavy duty articulated bus with lift 466,000
- Hybrid heavy duty articulated bus with lift 730,000

Note: Estimated bus prices are for base vehicles and do not include manufacturer options like air conditioning, auxiliary air heater systems, etc. For further information on manufacturer optional prices, they can be found on OPT's web page, at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Procurement," "State Vehicle Contracts and Procurement" and then review each vehicle order packet.

## E. ELIGIBLE PROJECTS UNDER NEW FREEDOM PROGRAM

Applicants are encouraged to submit projects that meet the transportation needs of people with disabilities for transportation to and from employment and also advance the principles of human services-transit coordination. Applicants are encouraged to develop innovative solutions to meet the needs of individuals with disabilities in their communities. Examples are:

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 over-sized 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 curb cuts, 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 way finding technology, or
  - (d) Implementation of other technology improvements that enhance accessibility for people with disabilities including 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 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).

FTA has published a notice of policy statement for eligible New Freedom projects in the Federal Register (see 74 FR 19624, April 29, 2009). Under this statement, new or expanded fixed route service and new or expanded demand response service constitute new public transportation services beyond those required by the ADA that assist individuals with disabilities with transportation, and are therefore eligible for funding under the New Freedom program, provided that these services meet the other criteria listed.

Examples of such services would be a fixed route service that is open to the general public but that is extended to serve a congregate living facility or a workplace serving large numbers of individuals with disabilities, or demand response service that is available to the general public but whose service coverage or span of service is designed in response to mobility needs expressed by individuals with disabilities. FTA notes that expanded fixed route service may result in expanded ADA complementary paratransit service; since the ADA complementary paratransit service is required under the ADA, it would not be eligible for New Freedom funding. All new or expanded fixed route and demand responsive services funded under the New Freedom program will be subject to the requirements of the ADA and DOT ADA implementing regulations.

## **F. CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE**

### **01. ASSURANCES REQUIRED FOR EACH APPLICANT**

#### **A. Assurance of Authority of the Applicant and Its Representative**

The authorized representative of the Applicant and the attorney who sign these certifications, assurances, and agreements affirm that both the Applicant and its authorized representative have adequate authority under applicable State, local, or Indian Tribal law and regulations, and the Applicant's by-laws or internal rules to:

- (1) Execute and file the application for Federal assistance on behalf of the Applicant;
- (2) Execute and file the required certifications, assurances, and agreements on behalf of the Applicant binding the Applicant; and
- (3) Execute grant agreements and cooperative agreements with FTA on behalf of the Applicant.

#### **B. Standard Assurances**

The Applicant assures that it will comply with all applicable Federal statutes and regulations in carrying out any project supported by an FTA grant or cooperative agreement. The Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the FTA grant agreement or cooperative agreement, including the FTA Master Agreement that is incorporated by reference and made part of the latest amendment to its grant agreement or cooperative agreement with FTA issued for its project. The Applicant recognizes that Federal laws and regulations may be modified from time to time and those modifications may affect project implementation. The Applicant understands that Presidential executive orders and Federal directives, including Federal policies and program guidance may be issued concerning matters affecting the Applicant or its project. The Applicant agrees that the most recent Federal laws, regulations, and directives will apply to the project, unless FTA issues a written determination otherwise.

#### **C. Nondiscrimination Assurance**

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity), by Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and by U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation--Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21 at 21.7, the Applicant assures that it will comply with all requirements imposed by or issued pursuant to 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21, so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity

(particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FTA. Specifically, during the period in which Federal assistance is extended to the project, or project property is used for a purpose for which the Federal assistance is extended or for another purpose involving the provision of similar services or benefits, or as long as the Applicant retains ownership or possession of the project property, whichever is longer, the Applicant assures that:

(1) Each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements of 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project;

(2) It will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be filed with U.S. DOT or FTA. Upon request by U.S. DOT or FTA, the Applicant assures that it will submit the required information pertaining to its compliance with these provisions;

(3) It will include in each subagreement, property transfer agreement, third party contract, third party subcontract, or participation agreement adequate provisions to extend the requirements imposed by or issued pursuant to 49 U.S.C. 5332, 42 U.S.C. 2000d and 49 CFR part 21 to other parties involved therein including any subrecipient, transferee, third party contractor, third party subcontractor at any level, successor in interest, or any other participant in the project;

(4) Should it transfer real property, structures, or improvements financed with Federal assistance provided by FTA to another party, any deeds and instruments recording the transfer of that property shall contain a covenant running with the land assuring nondiscrimination for the period during which the property is used for a purpose for which the Federal assistance is extended or for another purpose involving the provision of similar services or benefits;

(5) The United States has a right to seek judicial enforcement with regard to any matter arising under Title VI of the Civil Rights Act, U.S. DOT implementing regulations, and this assurance; and

(6) It will make any changes in its Title VI implementing procedures as U.S. DOT or FTA may request to achieve compliance with the requirements imposed by or issued pursuant to 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21.

#### D. Assurance of Nondiscrimination on the Basis of Disability

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR 27.9, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FTA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FTA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any

program or activity receiving or benefiting from Federal assistance administered by the FTA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, et seq., and the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 et seq., and implementing U.S. DOT regulations at 49 CFR parts 27, 37, and 38, and any other applicable Federal laws that may be enacted or Federal regulations that may be promulgated.

#### E. Suspension and Debarment

In accordance with the terms of U.S. DOT regulations, "Nonprocurement Suspension and Debarment," 2 CFR Part 1200, which adopts and supplements the provisions of U.S. Office of Management and Budget (U.S. OMB) "Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," 2 CFR Part 180:

(1) The Applicant (Primary Participant) certifies to the best of its knowledge and belief, that it and its principals, including its first tier subrecipients:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded or disqualified from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction; violation of any Federal or State antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in subparagraph (1)(b) of this certification;

(d) Have not within a three-year period preceding this certification had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) The Applicant (Primary Participant) certifies that it and its principals, including its first tier subrecipients, will treat each lower tier contract or lower tier subcontract under the Project that (a) equals or exceeds \$25,000, (b) is for audit services, or (3) requires the consent of a Federal official, as a covered contract for purposes of 2 CFR Part 1200 and 2 CFR Part 180, and will otherwise comply with the Federal requirements of 2 CFR Part 1200 and 2 CFR Part 180, and will assure that each lower tier participant involved in the Project is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded or disqualified from participation in this transaction by any Federal department or agency;

(3) The Applicant (Primary Participant) certifies that if, later, it or its principals, including any of its first tier subrecipients, become aware of any information contradicting the statements of subparagraphs (1)(a) through (d) above, it will promptly provide any necessary information to FTA;

(4) If the Applicant (Primary Participant) or any of its principals, including any of its first tier subrecipients or lower tier participants, is unable to certify to the statements within paragraphs (1), (2), and (3) above, the Applicant shall indicate so on its Signature Page or a Page attached in FTA's TEAM system providing a written explanation to FTA.

#### F. U.S. OMB Assurances

Consistent with U.S. OMB assurances set forth in SF-424B and SF-424D, the Applicant assures that, with respect to itself or its project, the Applicant:

(1) Has the legal authority to apply for Federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay the non-Federal share of project cost) to assure proper planning, management, and completion of the project described in its application;

(2) Will give FTA, the Comptroller General of the United States, and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives;

(3) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain;

(4) Will initiate and complete the work within the applicable project time periods following receipt of FTA approval;

(5) Will comply with all applicable Federal statutes relating to nondiscrimination including, but not limited to:

(a) Title VI of the Civil Rights Act, 42 U.S.C. 2000d, which prohibits discrimination on the basis of race, color, or national origin;

(b) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 through 1683, and 1685 through 1687, and U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 CFR part 25, which prohibit discrimination on the basis of sex;

(c) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability;

(d) The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 through 6107, which prohibits discrimination on the basis of age;

(e) The Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. 1101 et seq., relating to nondiscrimination on the basis of drug abuse;

(f) The Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, as amended, 42 U.S.C. 4541 et seq. relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

(g) The Public Health Service Act of 1912, as amended, 42 U.S.C. 290dd through 290dd-2., relating to confidentiality of alcohol and drug abuse patient records;

(h) Title VIII of the Civil Rights Act, 42 U.S.C. 3601 et seq., relating to nondiscrimination in the sale, rental, or financing of housing; and

(i) Any other nondiscrimination statute(s) that may apply to the project;

(6) To the extent applicable, will comply with, or has complied with, the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Relocation Act) 42 U.S.C. 4601 et seq., which, among other things, provide for fair and equitable treatment of persons displaced or persons whose property is acquired as a result of Federally assisted programs. These requirements apply to all interests in real property acquired for project purposes and displacement caused by the project regardless of Federal participation in any purchase. As required by sections 210 and 305 of the Uniform Relocation Act, 42 U.S.C. 4630 and 4655, and by U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR 24.4, the Applicant assures that it has the requisite authority under applicable State and local law to comply with the requirements of the Uniform Relocation Act, 42 U.S.C. 4601 et seq., and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR part 24, and will comply with that Act or has complied with that Act and those implementing regulations, including but not limited to the following:

(a) The Applicant will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24;

(b) The Applicant will provide fair and reasonable relocation payments and assistance as required by 42 U.S.C. 4622, 4623, and 4624; 49 CFR part 24; and any applicable FTA procedures, to or for families, individuals, partnerships, corporations, or associations displaced as a result of any project financed with FTA assistance;

(c) The Applicant will provide relocation assistance programs offering the services described in 42 U.S.C. 4625 to such displaced families, individuals, partnerships, corporations, or associations in the manner provided in 49 CFR part 24;

(d) Within a reasonable time before displacement, the Applicant will make available comparable replacement dwellings to displaced families and individuals as required by 42 U.S.C. 4625(c)(3);

(e) The Applicant will carry out the relocation process in such manner as to provide displaced persons with uniform and consistent services, and will make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin;

(f) In acquiring real property, the Applicant will be guided to the greatest extent practicable under State law, by the real property acquisition policies of 42 U.S.C. 4651 and 4652;

(g) The Applicant will pay or reimburse property owners for their necessary expenses as specified in 42 U.S.C. 4653 and 4654, with the understanding that FTA will provide Federal financial assistance for the Applicant's eligible costs of providing payments for those expenses, as required by 42 U.S.C. 4631;

(h) The Applicant will execute such amendments to third party contracts and subagreements financed with FTA assistance and execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement the assurances provided herein; and

(i) The Applicant agrees to make these assurances part of or incorporate them by reference into any third party contract or subagreement, or any amendments thereto, relating to any project financed by FTA involving relocation or land acquisition and

provide in any affected document that these relocation and land acquisition provisions shall supersede any conflicting provisions;

(7) To the extent applicable, will comply with the Davis-Bacon Act, as amended, 40 U.S.C. 3141 et seq., the Copeland "Anti-Kickback" Act, as amended, at 18 U.S.C. 874, and at 40 U.S.C. 3145, and the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701 et seq., regarding labor standards for Federally assisted projects;

(8) To the extent applicable, will comply with the flood insurance purchase requirements of section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), requiring the Applicant and its subrecipients in a special flood hazard area to participate in the program and purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;

(9) To the extent applicable, will comply with the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4831(b), which prohibits the use of lead-based paint in the construction or rehabilitation of residence structures;

(10) To the extent applicable, will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities on which a construction project supported with FTA assistance takes place without permission and instructions from FTA;

(11) To the extent required by FTA, will record the Federal interest in the title of real property, and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project;

(12) To the extent applicable, will comply with FTA provisions concerning the drafting, review, and approval of construction plans and specifications of any construction project supported with FTA assistance. As required by U.S. DOT regulations, "Seismic Safety," 49 CFR 41.117(d), before accepting delivery of any building financed with FTA assistance, it will obtain a certificate of compliance with the seismic design and construction requirements of 49 CFR part 41;

(13) To the extent applicable, will provide and maintain competent and adequate engineering supervision at the construction site of any project supported with FTA assistance to assure that the complete work conforms with the approved plans and specifications, and will furnish progress reports and such other information as may be required by FTA or the State;

(14) To the extent applicable, will comply with any applicable environmental standards that may be prescribed to implement the following Federal laws and executive orders:

(a) Institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 through 4335 and Executive Order No. 11514, as amended, 42 U.S.C. 4321 note;

(b) Notification of violating facilities pursuant to Executive Order No. 11738, 42 U.S.C. 7606 note;

(c) Protection of wetlands pursuant to Executive Order No. 11990, 42 U.S.C. 4321 note;

(d) Evaluation of flood hazards in floodplains in accordance with Executive Order No. 11988, 42 U.S.C. 4321 note;

(e) Assurance of project consistency with the approved State management program developed pursuant to the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 through 1465;

(f) Conformity of Federal actions to State (Clean Air) Implementation Plans under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401 through 7671q;

(g) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300f through 300j-6;

(h) Protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 through 1544; and

(i) Environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, State, or local significance or any land from a historic site of national, State, or local significance to be used in a transportation project as required by 49 U.S.C. 303(b) and 303(c);

(j) Protection of the components of the national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271 through 1287; and

(k) Provision of assistance to FTA in complying with section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f; with the Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469 through 469c; and with Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note;

(15) To the extent applicable, will comply with the requirements of the Hatch Act, 5 U.S.C. 1501 through 1508 and 7324 through 7326, which limit the political activities of State and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds including a Federal loan, grant agreement, or cooperative agreement except, in accordance with 49 U.S.C. 5307(k)(2) and 23 U.S.C. 142(g), the Hatch Act does not apply to a nonsupervisory employee of a public transportation system (or of any other agency or entity performing related functions) receiving FTA assistance to whom that Act does not otherwise apply;

(16) To the extent applicable, will comply with the National Research Act, Pub. L. 93-348, July 12, 1974, as amended, 42 U.S.C. 289 et seq., and U.S. DOT regulations, "Protection of Human Subjects," 49 CFR part 11, regarding the protection of human subjects involved in research, development, and related activities supported by Federal assistance;

(17) To the extent applicable, will comply with the Animal Welfare Act, as amended, 7 U.S.C. 2131 et seq., and U.S. Department of Agriculture regulations, "Animal Welfare," 9 CFR subchapter A, parts 1, 2, 3, and 4, regarding the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities supported by Federal assistance;

(18) Will have performed the financial and compliance audits as required by the Single Audit Act Amendments of 1996, 31 U.S.C. 7501 et seq., U.S. OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," Revised, and the most recent applicable U.S. OMB A-133 Compliance Supplement provisions for the U.S. DOT; and

(19) To the extent applicable, will comply with all applicable provisions of all other Federal laws or regulations, and follow Federal directives governing the project, except to the extent that FTA has expressly approved otherwise in writing.

## **02. LOBBYING CERTIFICATION**

A. As required by 31 U.S.C. 1352 and U.S. DOT regulations, "New Restrictions on Lobbying," at 49 CFR 20.110, the Applicant's authorized representative certifies to the best of his or her knowledge and belief that for each application to U.S. DOT or FTA for a Federal grant, loan (including a line of credit), cooperative agreement, or a commitment that the Federal Government to guarantee or insure a loan exceeding \$100,000:

(1) No Federal appropriated funds have been or will be paid by or on behalf of the Applicant to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance, or the extension, continuation, renewal, amendment, or modification of any Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance;

(2) If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any application for a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance, the Applicant assures that it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

(3) The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, subagreements, and contracts under grants, loans (including a line of credit), cooperative agreements, loan guarantees, and loan insurance).

B. The Applicant understands that this certification is a material representation of fact upon which reliance is placed by the Federal government and that submission of this certification is a prerequisite for providing a Federal grant, loan (including a line of credit), cooperative agreement, loan guarantee, or loan insurance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

## **03. PROCUREMENT COMPLIANCE**

The Applicant certifies that its procurements and procurement system will comply with all applicable Federal laws and regulations in accordance with applicable Federal directives, except to the extent FTA has expressly approved otherwise in writing.

#### **04. PROTECTIONS FOR PRIVATE TRANSPORTATION PROVIDERS**

As required by 49 U.S.C. 5323(a)(1), the Applicant certifies that before it acquires the property or an interest in the property of a private provider of public transportation or operates public transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing public transportation company, it has or will have:

A. Determined that the assistance is essential to carrying out a program of projects as required by 49 U.S.C. 5303, 5304, and 5306;

B. Provided for the participation of private companies engaged in public transportation to the maximum extent feasible; and

C. Paid just compensation under State or local law to the company for any franchise or property acquired.

#### **05. PUBLIC HEARING**

As required by 49 U.S.C. 5323(b), for a proposed capital project that will substantially affect a community, or the public transportation service of a community, the Applicant certifies that it has, or before submitting its application, it will have:

A. Provided an adequate opportunity for public review and comment on the proposed project;

B. After providing notice, including a concise description of the proposed project, published in a newspaper of general circulation in the geographic area to be served, held a public hearing on the project if the project affects significant economic, social, or environmental interests;

C. Considered the economic, social, and environmental effects of the proposed project; and

D. Determined that the proposed project is consistent with official plans for developing the community.

#### **06. ACQUISITION OF ROLLING STOCK FOR USE IN REVENUE SERVICE**

As required by 49 U.S.C. 5323(m) and implementing FTA regulations, "Pre-Award and Post-Delivery Audits of Rolling Stock Purchases," 49 CFR part 663, at 49 CFR 663.7, the Applicant certifies that it will comply with the requirements of 49 CFR part 663 as modified by amendments authorized by section 3023(k) of SAFETEA-LU when procuring revenue service rolling stock. Among other things, the Applicant agrees to conduct or cause to be conducted the requisite pre-award and post delivery reviews, and maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

#### **07. ACQUISITION OF CAPITAL ASSETS BY LEASE**

As required by FTA regulations, "Capital Leases," 49 CFR part 639, at 49 CFR 639.15(b)(1) and 49 CFR 639.21, if the Applicant acquires any capital asset by lease

financed with Federal assistance authorized under 49 U.S.C. chapter 53, the Applicant certifies as follows:

(1) It will not use Federal assistance authorized under 49 U.S.C. chapter 53 to finance the cost of leasing any capital asset until it performs calculations demonstrating that leasing the capital asset would be more cost-effective than purchasing or constructing a similar asset; and it will complete these calculations before entering into the lease or before receiving a capital grant for the asset, whichever is later; and

(2) It will not enter into a capital lease for which FTA can provide only incremental Federal assistance unless it has adequate financial resources to meet its future obligations under the lease if Federal assistance is not available for capital projects in the subsequent years.

## **08. BUS TESTING**

As required by 49 U.S.C. 5318 and FTA regulations, "Bus Testing," at 49 CFR 665.7, the Applicant certifies that, before expending any Federal assistance to acquire the first bus of any new bus model or any bus model with a new major change in configuration or components, or before authorizing final acceptance of that bus (as described in 49 CFR part 665):

A. The bus model will have been tested at FTA's bus testing facility; and

B. The Applicant will have received a copy of the test report prepared on the bus model.

## **09. CHARTER SERVICE AGREEMENT**

A. As required by 49 U.S.C. 5323(d) and (g) and FTA regulations at 49 CFR 604.4, the Applicant understands and agrees that it and each subrecipient, lessee, third party contractor, or other participant in the project at any tier may provide charter service for transportation projects that uses equipment or facilities acquired with Federal assistance authorized under the Federal transit laws (except as permitted by 49 CFR 604.2), or under 23 U.S.C. 133 or 142, only in compliance with those laws and FTA regulations, "Charter Service," 49 CFR part 604, the terms and conditions of which are incorporated herein by reference.

B. The Applicant understands and agrees that:

(1) The requirements of FTA regulations, "Charter Service," 49 CFR part 604, will apply to any charter service it or its subrecipients, lessees, third party contractors, or other participants in the project provide;

(2) The definitions of FTA regulations, "Charter Service," 49 CFR part 604, will apply to this Charter Service Agreement; and

(3) A pattern of violations of this Charter Service Agreement may require corrective measures and imposition of remedies, including barring the Applicant, subrecipient, lessee, third party contractor, or other participant in the project that has engaged in that pattern of violations from receiving FTA financial assistance, or withholding an amount of Federal assistance as set forth in FTA regulations, "Charter Service," 49 CFR part 604, Appendix D.

## **10. SCHOOL TRANSPORTATION AGREEMENT**

A. As required by 49 U.S.C. 5323(f) and (g) and FTA regulations at 49 CFR 605.14, the Applicant understands and agrees that it and each subrecipient, lessee, third party contractor, or other participant in the project at any tier may engage in school transportation operations in competition with private school transportation operators that uses equipment or facilities acquired with Federal assistance authorized under the Federal transit laws or under 23 U.S.C. 133 or 142, only in compliance with those laws and FTA regulations, "School Bus Operations," 49 CFR part 605, to the extent consistent with 49 U.S.C. 5323(f) or (g), the terms and conditions of which are incorporated herein by reference.

B. The Applicant understands and agrees that:

(1) The requirements of FTA regulations, "School Bus Operations," 49 CFR part 605, to the extent consistent with 49 U.S.C. 5323(f) or (g), will apply to any school transportation service it or its subrecipients, lessees, third party contractors, or other participants in the project provide;

(2) The definitions of FTA regulations, "School Bus Operations," 49 CFR part 605 will apply to this School Transportation Agreement; and

(3) If there is a violation of this School Transportation Agreement, FTA will bar the Applicant, subrecipient, lessee, third party contractor, or other participant in the project that has violated this School Transportation Agreement from receiving Federal transit assistance in an amount FTA considers appropriate.

## **11. DEMAND RESPONSIVE SERVICE**

As required by U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," at 49 CFR 37.77(d), the Applicant certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Viewed in its entirety, the Applicant's service for individuals with disabilities is provided in the most integrated setting feasible and is equivalent with respect to: (1) response time, (2) fares, (3) geographic service area, (4) hours and days of service, (5) restrictions on trip purpose, (6) availability of information and reservation capability, and (7) constraints on capacity or service availability.

## **12. ALCOHOL MISUSE AND PROHIBITED DRUG USE**

As required by FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," at 49 CFR part 655, subpart I, the Applicant certifies that it has established and implemented an alcohol misuse and anti-drug program, and has complied with or will comply with all applicable requirements of FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," 49 CFR part 655.

### **13. INTEREST AND OTHER FINANCING COSTS**

As required by 49 U.S.C. 5307(g)(3), 5309(g)(2)(B)(iii), 5309(g)(3)(B)(iii), 5309(i)(2)(C), and 5320(h)(2)(C), the Applicant certifies that it will not seek reimbursement for interest or other financing costs unless it is eligible to receive Federal assistance for those costs and its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

### **14. INTELLIGENT TRANSPORTATION SYSTEMS**

As used in this assurance, the term Intelligent Transportation Systems (ITS) project is defined to include any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the "National ITS Architecture."

A. As provided in subsection 5307(c) of SAFETEA-LU, 23 U.S.C. 512 note, apart from certain exceptions, "intelligent transportation system projects carried out using funds made available from the Highway Trust Fund, including funds made available under this subtitle to deploy intelligent transportation system technologies, [shall] conform to the national architecture, applicable standards or provisional standards, and protocols developed under subsection (a) [of section 5307 of SAFETEA-LU]." To facilitate compliance with subsection 5307(c) of SAFETEA-LU, 23 U.S.C. 512 note, the Applicant assures it will comply with all applicable provisions of Section V (Regional ITS Architecture) and Section VI (Project Implementation) of FTA Notice, "FTA National ITS Architecture Policy on Transit Projects," at 66 FR 1455 et seq., January 8, 2001, and other FTA policies that may be issued in connection with any ITS project it undertakes financed with funds authorized under Title 49 or Title 23, United States Code, except to the extent that FTA expressly determines otherwise in writing; and

B. With respect to any ITS project financed with Federal assistance derived from a source other than Title 49 or Title 23, United States Code, the Applicant assures that it will use its best efforts to assure that any ITS project it undertakes will not preclude interface with other intelligent transportation systems in the Region.

### **15. ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES FORMULA GRANT PROGRAM AND PILOT PROGRAM**

A. As required by 49 U.S.C. 5310(d), which makes the requirements of 49 U.S.C. 5307 applicable to the Elderly Individuals and Individuals with Disabilities Formula Grant Program to the extent that the Federal Transit Administrator or his or her designee determines appropriate, and 49 U.S.C. 5307(d)(1), the applicant certifies and assures as follows:

(1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including the safety and security aspects of that program;

(2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;

(3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;

(4) In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5310 or subsection 3012(b) of SAFETEA-LU: (1) will use competitive procurement (as defined or approved by FTA), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;

(5) In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: (1) 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); (2) 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and (3) 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements);

B. The applicant assures it is recognized under State law as a private nonprofit organization with the legal capability to contract with the State to carry out the proposed project, or is a public body that has met the statutory requirements to receive Federal assistance authorized for 49 U.S.C. 5310;

C. The applicant assures that the transit service provided or offered to be provided by existing public or private transit operators is unavailable, insufficient, or inappropriate to meet the special needs of the elderly and persons with disabilities;

D. In compliance with 49 U.S.C. 5310(d)(2)(B) and subsection 3012(b)(2) of SAFETEA-LU, the applicant certifies that: (1) projects it has selected or will select for assistance under that program were derived from a locally developed, coordinated public transit-human services transportation plan; and (2) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public.

## **16. NONURBANIZED AREA FORMULA PROGRAM**

Applicants in the nonurbanized Area Formula Program certify and assure as follows:

A. The applicant has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5311; and to carry out each project, including the safety and security aspects of that project;

B. The applicant has or will have satisfactory continuing control over the use of project equipment and facilities;

C. The applicant assures that the project equipment and facilities will be adequately maintained;

D. The applicant's projects in the nonurbanized Area Formula Program are included, to the extent applicable, in a metropolitan Transportation Improvement Program;

E. The applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5311(g) for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law.

## **17. JOB ACCESS AND REVERSE COMMUTE FORMULA GRANT PROGRAM**

A. As required by 49 U.S.C. 5316(f)(1), which makes the requirements of 49 U.S.C. 5307 applicable to Job Access and Reverse Commute (JARC) formula grants, and 49 U.S.C. 5307(d)(1), the Applicant for JARC Formula Program assistance authorized under 49 U.S.C. 5316, certifies as follows:

(1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including the safety and security aspects of that program;

(2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;

(3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;

(4) In compliance with 49 U.S.C. 5307(d)(1)(D), the Applicant will assure that any elderly individual, any individual with disabilities, or any person presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 et seq. or 42 U.S.C. 1395 et seq.), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized under 49 U.S.C. 5316 not more than fifty (50) percent of the peak hour fare;

(5) In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5316: (1) will use competitive procurement (as defined or approved by FTA), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;

(6) The Applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5316(h) for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law; and

(7) In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: (1) 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); and (2) 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and (3) 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements);

B. In compliance with 49 U.S.C. 5316(g)(3), the Applicant certifies that: (1) the projects it has selected or will select for assistance under that program were derived from a locally developed, coordinated public transit-human services transportation plan; and (2) the plan was developed through a process that included representatives of

public, private, and nonprofit transportation and human services providers and participation by the public.

## **18. NEW FREEDOM PROGRAM**

A. As required by 49 U.S.C. 5317(e)(1), which makes the requirements of 49 U.S.C. 5310 applicable to New Freedom grants to the extent the Federal Transit Administrator or his or her designee determines appropriate, by 49 U.S.C. 5310(d)(1), which makes the requirements of 49 U.S.C. 5307 applicable to Elderly Individuals and Individuals with Disabilities Formula grants to the extent the Federal Transit Administrator or his or her designee determines appropriate, and by 49 U.S.C. 5307(d)(1), the Applicant for New Freedom Program assistance authorized under 49 U.S.C. 5317 certifies and assures as follows:

(1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including the safety and security aspects of that program;

(2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;

(3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;

(4) In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5317: (1) will use competitive procurement (as defined or approved by FTA), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;

(5) The Applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5317(g) for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law; and

(6) In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: (1) 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); (2) 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and (3) 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements);

B. In compliance with 49 U.S.C. 5317(f)(3), the Applicant certifies that: (1) the projects it has selected or will select for assistance under that program were derived from a locally developed, coordinated public transit-human services transportation plan; and (2) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and through participation by the public.

## G. FREQUENTLY ASKED QUESTIONS

1. When can I start working on my application in PTMS?

Instructions will be mailed by December 1 of each year. You can start your electronic application as soon as you are notified that the new application is available in PTMS, which should be December 1.

2. How do I make a change to vehicles in a capital request?

The process to make changes to capital request depends on the status of the request.

- a. If the capital request is in submitted/Eligible/ineligible status:  
Open the capital request detail screen and click on "Edit/Modify Request", make any necessary changes, and save the changes.
- b. If capital request is still in pre-submit:  
Just enter changes in the capital request detail screen - and save them.
- c. To delete a vehicle in pre-submit status:  
Open the Capital Request List screen, check the request, then click the Delete button.
- d. To delete a vehicle in an already submitted status:  
Contact your OPT project manager.
- e. To add more vehicles in pre-submit status:  
Select a quantity from the additional vehicle forms dropdown and click the Add Vehicle Forms button, save changes.
- f. To change local purchase vehicle type or price in pre-submit status:  
Delete all vehicle requests, add new forms, and save changes.

(See Annual Application Help Guide for further instructions)

3. How do I fill out a capital request for annual lease payments on buses?

Under the Vehicle Request Form List, you may put the base price as \$0 and the additional price as the amount of the annual lease payment; in the Justification field you will need to indicate the number of leased vehicles and which year the lease payment is for, such as "Fifth year of 12-year lease for 121 buses."

4. I'm trying to do an operating budget for NF (or JARC), and the program isn't showing up under the Service Type. What should I do?

Contact your project manager and ask them to have the Service Type added.

5. Can I update my vehicle inventory with different mileage-as-of dates for different vehicles?

When you update the inventory for the annual application, please use the same date for all vehicles. This date should be within one month of January 1 of the current fiscal year.

6. Do I need to include in the Public Notice both capital and operating requests for all funding programs that I apply for?

Yes. The public notice needs to include all federal and state funds being applied for. A sample can be found in the TA Forms portion of the application on PTMS and at OPT website at [www.michigan.gov/mdotptd](http://www.michigan.gov/mdotptd), under "Resources," "Applications & Forms."

7. When would I need to publish a revised public notice?

If there are significant changes to the amount and programs being applied for, you will need to publish another public notice. You will need to contact your local newspaper for assistance.

8. Do we need to set up a meeting for a public hearing if we don't receive any comments or request for a public hearing within a 30-day comment period?

No.

9. What's the difference between a Coordination Committee in the "Coordination Plan for Specialized Services" and a Local Advisory Council (LAC) in the "Vehicle Accessibility Plan Update?"

The Coordination Committee serves as an advisory body for the coordination and improvement of transportation services; it should include all the interested stakeholders. The LAC may be a subset of the Coordination Committee.

The LAC is defined in Act 51. The legal function of the LAC is to review and comment upon the applicant agency's Vehicle Accessibility Plan and updates, as required by Act 51 and MDOT Administrative Rules. The applicant agency shall not be a member of the LAC in this process to avoid a conflict of interest, but it can provide administrative support. The Vehicle Accessibility Plan Update form in PTMS outlines the requirement of the composition of the LAC membership.

10. Should I list my agency as a member of the Coordination Committee in the “Coordination Plan for Specialized Services” while I exclude my agency as an LAC member?

Yes. The agency is and should list themselves as a member of the Coordination Committee. The MDOT Administrative Rules state: “Local advisory council members shall not be employees of the applicant and shall not be members of the applicant's executive committee or governing board.” Therefore, the agency shall not be a member of the LAC; however, it can provide administrative support to the LAC.

11. Should I check Lobbying Certification, in the “FTA Certifications and Assurances” form if my agency’s Section 5311 operating budget is below \$100,000?

\$100,000 refers to the total amount of all federal applications being applied for. Therefore, you should check this item if the total amount exceeds \$100,000.

12. Should I check Charter Bus Agreement in the “FTA Certifications and Assurances” form if my agency does not provide any charter service?

Yes. The Certification and Assurances documents that your agency complies with federal regulations; therefore, you should check ALL items your agency is in compliance with, which should include Charter Bus Agreement.

13. Should I check School Transportation Agreement in the “FTA Certifications and Assurances” form if my agency does not provide School transportation service?

Yes. The Certification and Assurances form documents that your agency complies with federal regulations; therefore, you should check ALL items your agency is in compliance with, which should include School Transportation Agreement.

14. What funding program should be included in the Resolution of Intent?

The Resolution of Intent needs to be filled out only by the agencies that receive state formula operating assistance (bus and marine services). The funds shown on the Resolution of Intent should be all operating funds and show a balanced budget.

15. Who should sign the Resolution of Intent?

It depends on the formation of the agency. If the agency is an Act 196, the secretary or the chair of the board can sign. If the agency is a department of a city or county, the clerk needs to sign and the document needs to be notarized and stamped with the city/county official seal.

16. On my 5310 General Information TA form, how do I know what the nearest urbanized area is?

Appendix B of the Instructions provides directions on how to access your MPO information and Urban Area Maps.