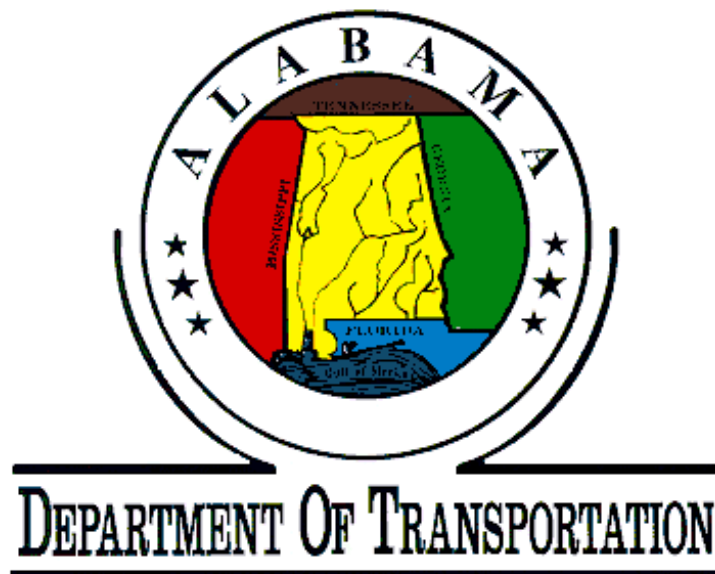


**ALABAMA DEPARTMENT OF TRANSPORTATION
LOCAL TRANSPORTATION BUREAU
Public Transit Section**

**FEDERAL TRANSIT ADMINISTRATION
FEDERAL FISCAL YEAR 2019
SECTION 5311 APPLICATION AND GUIDELINES
*(Includes Job Access and Reverse Commute)***



Dissemination Date: May 4, 2018

Due Date: June 15, 2018

INSTRUCTIONS

1 GENERAL INFORMATION

This application package contains information and application forms for the **Federal Transit Administration (FTA) Section 5311 Program**. The Alabama Department of Transportation (ALDOT) administers Alabama's Rural Transit Program (49 USC Section 5311) for the Federal Transit Administration (FTA). Federal rural area transit funds are provided to eligible applicants following submission and approval of a grant application.

According to **FTA Circular 9040.1G**, the purpose of the Section 5311 program is to support public transportation for people living in any area outside of an urbanized area (UZA) as designated by the Bureau of the Census. A UZA consists of a core area and the surrounding densely populated area with a total population of 50,000 or more, with boundaries fixed by the Bureau of the Census. Areas not within a UZA as of the 2010 Census are eligible for Section 5311 funding even if they are included within the metropolitan area planning boundary (which includes the surrounding area expected to be urbanized within 20 years and/or the air quality nonattainment boundary). A rural area is defined as “an area encompassing a population of less than fifty thousand people that has not been designated in the most recent decennial census as an ‘urbanized area’ by the secretary of Commerce”.

1.1 Required Exhibits

The Section 5311 program application comprises several narrative exhibits. These exhibits are described in detail in the following pages. The required exhibits in the application must appear in the order listed on the [Checklist](#) (see **Section 1.10** for details). Examples of several of the required exhibits are found in the application package. You may use the blank forms included with this application to aid in developing the required exhibits.

1.2 General Program Information and Requirements

Applicants are encouraged to review the most current **State Management Plan** at <https://www.dot.state.al.us/ltweb/transit/index.html> and visit the FTA Website at <https://www.transit.dot.gov/> to access current circulars and review the most current Master Agreement and other pertinent documents relating to the Section 5311 public transportation program before proceeding.

Applications must be for eligible services, eligible service areas, eligible recipients, and eligible expenses, and must be properly matched. Applicants must also assure compliance with conditions placed on recipients of federal funds. These include, but are not limited to, transit service coordination, civil rights, private enterprise participation, compliance with safety and drug free workplace regulations, and competitive procurement of goods and services paid for with federal grant funds.

1.3 Job Access and Reverse Commute (JARC) Activities

MAP-21 created a new eligible project category for “job access and reverse commute projects” under Section 5311. This category includes all types of projects that were formerly eligible under the Section 5316 Job Access and Reverse Commute (JARC) Program. Examples of eligible projects are listed below. There is no requirement or limit to the amount of Section 5311 funds that can be used for these projects. As a result of the passage of MAP-21, activities formerly listed as eligible under the JARC Program will now be listed in the expanded list of eligible activities under Section 5311 and also under Section 5307.

Unexpended JARC Section 5316 Funds: ALDOT will continue to sub-allocate unexpended JARC funds authorized under SAFETEA-LU for eligible projects until they are exhausted.

A job access and reverse commute project is defined as:

“a transportation project to finance the planning, capital and operating costs that support the development and maintenance of transportation services designed to transport welfare recipients and eligible low income individuals to and from jobs and activities related to their employment, including transportation projects that facilitate the provision of public transportation services from urbanized areas and rural areas to suburban employment locations.”

Requests by eligible subrecipients for Section 5311 program funds to support JARC activities as administered by ALDOT will be considered on a case-by-case basis. In order for a job access and reverse commute proposal to be considered, projects must document that they meet the following requirements:

- Existing Services. Eligible job access and reverse commute projects must provide for the maintenance of eligible job access and reverse commute services. Recipients may not reclassify existing public transportation services that have not received funding under the former Section 5316 program as job access and reverse commute services in order to qualify for operating assistance. In order to be eligible as a job access and reverse commute project, a proposed project must qualify as a “maintenance project” as follows:
 - (a) Maintenance Projects: “Maintenance of transportation services” means projects that continue and maintain job access and reverse commute projects and services that received funding under the former Section 5316 program.
- Existing Reverse Commute Projects. Reverse commute projects are a category of job access and reverse commute projects that provide transportation services from urbanized and rural areas to suburban employment locations. Generally, these services increase the capacity of public transportation services operating in the reverse direction of existing peak services. Reverse commute projects may only qualify as job access and reverse commute projects under Section 5311 if they meet all other requirements, including having been designed to transport welfare recipients and eligible low-income individuals to and from jobs and employment related activities.

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 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.

FAST Act Eligible existing JARC activities will be considered on a case-by-case basis during the annual application process. The advertised Program of Projects (POP) must separately identify all JARC projects. The budget submitted by the subrecipient through the application process shall define the JARC category and amount of funds the subrecipient wishes to receive. Any variation shall require prior approval from ALDOT.

1.3.1 JARC BUDGET

Budget: Eligible existing JARC activities will be considered on a case-by-case basis during the annual application process. The budget submitted by the subrecipient through the application process shall define the category and amount of funds the subrecipient wishes to receive.

1.3.2 JARC PUBLIC NOTICE

The advertised Program of Projects (POP) must separately identify all JARC projects. **The Public Hearing Notice will include a brief description of any Job Access and Reverse Commute (JARC) activities included in the Section 5311 Application.**

1.4 Section 5311 Program Threshold Requirements

Section 5311 funds must be used for the provision of public transit in non-urbanized (rural) areas on a regular and continuing basis.

Services may be designed to maximize usage of the service by transportation disadvantaged persons as long as there is no restriction on public use of the service. Transportation services may not be designed exclusively to serve the transportation requirements of social service agencies or other specific agencies without regard for the mobility needs of the community as a whole.

Ineligible Services: Charter, sightseeing, and exclusive school bus services are not eligible services under the Section 5311 Program.

1.5 Charter Service

FTA grantees are prohibited from using federally funded equipment and facilities to provide charter service except on an incidental basis and when one or more of applicable exceptions as set forth in the charter service regulation at 49 CFR 604.9 (b) applies. Charter service is an allowable activity on an incidental basis if the applicant successfully completes the charter public notice requirements and no “willing and able” private charter providers are available. Applicants must reference Federal Transit Act, as amended 49 CFR 604.11(c). Please refer to the **Appendix** for more details on Charter Service.

1.6 Funding Ratios for Capital Projects

✳ **Capital Projects:** All capital projects are funded at the 80/20 Federal to local match ratio unless otherwise specified (please see “Bicycle Racks and Access” below).

✳ **Clean Air Act (CAA) or Americans with Disabilities Act (ADA) Equipment and/or Facilities:** The federal share for vehicle-related equipment and/or facilities required by the Clean Air Act (CAA) or the ADA is 80%.

✳ **Bicycle Racks and Access:** The Federal share may be 90 percent for those capital projects used to provide access for bicycles to transit facilities, or to install racks or other equipment for transporting bicycles on transit vehicles.

1.7 Capacity and Legal Authority

All grant recipients must demonstrate that they have the requisite fiscal and managerial capability, and legal authority, to receive the federal funds applied for and to carry out the project for which funds are sought.

1.8 Match

An acceptable combination of local funding (private or public) should be identified and committed to provide the required non-federal share. Applicants are not authorized to place liens on federally funded capital equipment in order to borrow funds to be used as local match.

The Section 5311 Program permits required match to be derived from other unrestricted federal funds. Contract revenues from social service agencies may also be used as local match in the Section 5311 Program. Non-cash items such as donations of goods and services, volunteered services or in-kind contributions are eligible as local match for operating funds only if the value of each is formally documented and supported. Recipients may use funds from other Federal agencies (non-DOT) for the entire local match if the other agency makes the funds available to the recipient for the purposes of the project. The only DOT funds that States can use as local match for Section 5311 projects are from the Federal Lands Highway Program cited in 49 U.S.C. 5311(g)(3). Section 5310 or other FTA funds cannot be used as match for Section 5311 program funds. Even though funds are made available to the rural transit provider through a service agreement with a State or local social service agency or private social service organization, FTA funds may not be used as match because they are derived from a DOT program. Such funds may, however, be treated as farebox revenue.

1.9 Technical Assistance

Technical Assistance is available to any Applicant for Section 5311 funds through ALDOT. Request Technical Assistance by calling or sending an email using the Contact Information listed below.

Alabama Department of Transportation
Local Transportation Bureau
Transit Section
1100 John Overton Drive
Montgomery, AL 36110
Telephone: (334) 353-6417
Fax: (334) 353-6451
E-mail: brookswi@dot.state.al.us
Website: <https://www.dot.state.al.us/ltweb/transit/index.html>

1.10 General Instructions and Format of the Application

The forms and required exhibits included in this package provide the Alabama Department of Transportation with the information necessary to ensure compliance with State and Federal requirements. The required submissions must be complete and correct. Applicants should be aware that there are severe penalties and sanctions for furnishing false information in order to obtain federal grants.

* **Only One (1) Application per Agency:** Submit only one (1) application per agency, even if the agency will be applying for assistance at multiple locations. If there are multiple locations, it will be necessary to submit multiple originals of some Exhibits (one for each location).

* **Completed Checklist Is Required:** The completed application package must be submitted in the order listed on the **Checklist**. One original application must be securely clipped (**no binders or dividers, please**) and submitted to the Alabama Department of Transportation's Local Transportation Bureau. On the **Checklist**, enter the page number corresponding to each Exhibit and return the **Checklist** with your application to ensure all Exhibits are included in the correct order. The completed **Checklist** will be placed at the front of the Application (before **Exhibit 1**).

* **Application Format:** Do not staple or insert into a hard-bound notebook. Use a clip or rubber band to attach pages together. The reviewer must be able to easily copy and use each Exhibit as needed.

* **Pagination / Text on One Side of Paper Only:** All pages should be on 8.5" x 11" inch paper. Number all pages consecutively in whole numbers (example: 1, 2, 3, etc.). Text on one side of the paper is the only acceptable format. The reviewer must be able to easily copy and use each Exhibit as needed.

* **Public Hearing:** A Public Hearing is required (see **Exhibit 8** for details).

* **Signatures:** Information should be typed and signed in the appropriate areas. All signatures must be the originals of the authorized official for the applicant organization or agency (for example, mayor, county commission chairman, or executive director).

1.11 Application Due Date

Applications must be received at the ALDOT Local Transportation Bureau no later than **5:00 PM** on **June 15, 2018**.

Fiscal Year 2019 Section 5311 Application Checklist

Application Deadline: **June 15, 2018**

Agency: _____

Exhibits	Required Application Package	Page No.
1	Section 5311 Current Data Sheet	
2	Application Letter	
3	Designated Agency Letter	
4	Current System and Project Description Form <ol style="list-style-type: none"> 1. General description of service area including delineated boundaries <ol style="list-style-type: none"> (a) Service Area Population (b) Service Area Square Miles (c) System Start-up Date (d) Brief History of System (e) Mission Statement (f) Current Year Goals and Objectives 2. General description of applicant and subcontractors and copy of organizational chart(s) 3. General Description of proposed transportation service <ol style="list-style-type: none"> (a) Specific route information and highlighted map (8½" x 11") of service area(s) (b) General description of proposed services to be provided outside of service area and support documentation (c) Hours and days of operation (d) Number of project vehicles in operation (e) Number of back-up vehicles (f) Eligible users of service (g) Service changes from previous year (h) Planned system changes for next year 4. Current fare structure <ol style="list-style-type: none"> (a) Description of fare eligibility process and support documentation, if applicable (b) Date of last fare increase (c) Planned fare increases (d) Operating recovery ratio 5. Copy of system brochure 6. Describe efforts to market or promote system 7. Describe your method of implementing and announcing service changes and fare Increases 8. Describe coordination efforts <ol style="list-style-type: none"> (a) Attachment - directory of local Transportation Steering Committee (b) Attachment - schedule of Transportation Steering Committee meetings for FY-2019 9. System Safety, Security and Emergency Preparedness Plan (SSEPP) updates as applicable 	

Fiscal Year 2019 Section 5311 Application Checklist (continued)

Agency: _____

Place completed "Checklist" in front of Exhibit 1

Exhibits	Required Application Package	Page No.
5	Capital Equipment <ol style="list-style-type: none"> 1. Vehicle Inventory Form 2. Fleet Replacement Form 3. Vehicle Profile Sheet 4. Non-Expendable Equipment Inventory Form 	
6	Project Budget Worksheet <ol style="list-style-type: none"> 1. FY-2019 Line Item Budget Sheet 2. Source of Budget Funds Sheet 3. Section 5311 Vehicle Request Budget Form 4. Local Match Documentation (Letter or Certification <u>and</u> required Resolution) 5. Approved Indirect Cost Rate proposal, if applicable 	
7	Cost Allocation and Vehicle Depreciation Schedule <ol style="list-style-type: none"> 1. Chart of Accounts 2. Cost Allocation Matrix 3. Vehicle Depreciation Schedule 	
8	Public Participation Process <ol style="list-style-type: none"> 1. Copy of the Public Hearing Notice as it appeared in the newspaper 2. Notarized statement verifying publication (publisher's affidavit) 3. Summary or transcript of the Public Hearing signed by an official of the transit system 	
9	Complaint and Bid Protest Procedures <ol style="list-style-type: none"> 1. Copy of written procedures addressing complaints within and without the organization (excluding Title VI) 2. Copy of Bid Protest Procedures 	
10	Authorizing Resolution	
11	Job Access and Reverse Commute (JARC) <ol style="list-style-type: none"> 1. JARC Applicant Overview 	
	2. JARC Project Narrative	
	3. JARC Project Budget for FY-2019	
	Operating Budget	
	Planning and Capital Budget	
	Section 5316 / 5311 Vehicle Request Budget Form	
	Mobility Management Budget	
Appendix	Charter Service (Provided for Information Only)	

EXHIBIT DESCRIPTIONS

EXHIBIT 1 – Section 5311 Current Data Sheet

The current data sheet provides agency contact and general project information. Complete instructions and the required form follow:

INSTRUCTIONS

- 1: Fill in grant applicant name and address
- 2: Fill in date of application and agency profile information
- 3: Indicate any providers or subcontractors, other than applicant, that will receive funds from this application
- 4: List the area(s) and congressional district(s) to be served by the project
- 5: List service area population and square miles (numbers only)
- 6: List hours and days of operation
- 7: Complete the Funding Summary (round to whole dollars)
- 8: List the agency project number and county/counties to be served by the project
- 9: List service contract(s) and amount(s) for FY-2019 (Attach additional sheets if necessary)

Exhibit 1: Section 5311 Current Data Sheet
(Do Not Include JARC Information on This Exhibit)

ALABAMA RURAL PUBLIC TRANSPORTATION PROGRAM
FISCAL YEAR 2019

1. Name and Address of Applicant	2. Date: Contact Person: Telephone : Fax : E-Mail Address:
3. Names of Subcontractors	4. Area(s) To Be Served By Project and Congressional District(s)
5. Service Area Population and Square Miles (numbers only)	6. Hours and Days of Operation

7. Funding Summary:

Budget Category	A. Section 5311 Funds	B. Local Funds	C. Contract Revenue ¹	D. Farebox	E. Total
1. Operating					
2. Administration					
3. Capital					
4. Planning					
5. Total					

¹ Contract revenue (non-DOT Federal only) may be applied to operating or administration costs as local match once 10% farebox recovery has been accomplished.

8. Project Number: RPT- _____ County(ies) Served: _____

9. List Service Contract(s) and Estimated Amount(s) for FY- 2019
(Use additional sheets, if necessary)

EXHIBIT 2 – Section 5311 Application Letter

This letter must state that the grant applicant is applying for public transportation operating, administration, capital, *and/or* planning assistance in accordance with Federal Transit Laws (as codified, 49 USC Section 5311, Financial Assistance for rural areas). This Exhibit must be on **Applicant's Letterhead** and must include the following information:

- * State amount of rural transit (Federal) funds requested
- * [Sample Letter's Paragraph 2, Sentence 1](#), will state the amount of Local Assistance ([including Farebox](#)) to be used as Non-Federal match.
- * Include applicant's statement that to the best of its knowledge, all the information contained within the application is true and correct
- * State name of principal contact person and telephone number.
- * Include signature of the person designated by the applicant's governing body to be responsible for administration of the grant.

This letter (on applicant's letterhead) must be addressed to:

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1100 John Overton Drive
Montgomery, Alabama 36110

A sample application letter follows.

Sample Section 5311 Application Letter

(Place on Agency's Letterhead)

Date

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1100 John Overton Drive
Montgomery, Alabama 36110

Dear Mr. Phillips:

FY-2019 SECTION 5311 (RURAL) TRANSIT PROGRAM APPLICATION

The **(Applicant)** is hereby applying for a Section 5311 **(administration / operating / capital / planning)** grant under 49 USC Section 5311, to assist in the operation of the **(Name)** Public Transit System for the period covering October 1, 2018 to September 30, 2019. The project application has been reviewed and approved by the **(Applicant's Governing Authority)**. The requested amount of Federal assistance is as follows:

Federal Administration Assistance:	\$ _____
Federal Operating Assistance:	\$ _____
Federal Capital Assistance:	\$ _____
Federal Planning Assistance:	\$ _____

Local assistance in the amount of \$ _____ will be used as the non-federal match. The applicant attests that all information contained within this application is true and correct and that the applicant has the legal, financial and technical capacity to carry out the proposed project. If you have questions or need further information, please contact **(principal contact)** at (____) **(telephone number)**.

Respectfully,

Signature of Designated Official
Title

EXHIBIT 3 - Designated Agency Letter

This letter is required in cases where the governing authority designates a third party as the implementing agency for its Section 5311 Program.

A sample letter of designation follows:

Sample Designated Agency Letter

(Place on County Commission Letterhead)

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1100 John Overton Drive
Montgomery, Alabama 36110

Dear Mr. Phillips:

Subject: **Letter of Designation**

The **(County Commission)** has carefully considered the selection of an implementing agency for its Section 5311 project. We designate **(Designated Agency)** as our local implementing agency. The principal contact person for this project is **(principal contact)**.

If you have any questions on this designation, please contact **(principal contact)** at **(telephone number)**.

Sincerely,

Signature of Designated Official
Title

EXHIBIT 4 - Current System and Project Description Form

Complete the **Current System and Project Description Form**. Each section must reflect complete and accurate information for your transit system. The required **Current System and Project Description Form** follows.

Current System and Project Description Form

4.1. General description of the service area, including the geographic location, and delineating the geographic boundaries:

- (a) Service Area Population (numbers only):
- (b) Service Area Square Miles (numbers only):
- (c) System Start-up Date (date the transit system began receiving Rural Transit [Section 5311] funds):
- (d) Brief History of System:
- (e) Mission Statement:
- (f) Current Year Goals and Objectives (provide at least one goal and at least one objective):

4.2. General description of the eligible applicant and any subcontractors. Include organizational chart(s) from upper level downward (for example, Executive Director at top, Management in middle, and Drivers at the bottom).

4.3. General description of proposed transportation service such as “contract, subscription, commuter express, demand response”, etc.

- (a) Specific route information including 8½" x 11" map(s) of service area(s) highlighting area(s) served. Such maps may be accessed, downloaded, and printed in PDF format via the link included below:

<http://alabamamaps.ua.edu/contemporarymaps/alabama/counties/>

- (b) **General description of service(s) to be provided outside of service area, including frequency of such service(s). For services that are provided outside of your service area, Letter(s) of Concurrence from each affected transit agency will be included in this section of the application.** Documentation certifying compliance with requirements of other States must be provided for services crossing state lines.

*** Multiple Maps-can be sent by CDs.**

- (c) Hours and days of operation:
- (d) Number of project vehicles in operation **(numbers only)**:
- (e) Number of back-up vehicles **(numbers only)**:
- (f) Eligible users of service:
- (g) Service changes from previous year (if any):
- (h) Planned system changes for next year (if any):

4.4. Current fare structure, including Elderly and Disabled (E&D) and/or Americans with Disabilities Act (ADA) fares, if applicable:

- (a) Description of fare eligibility process (attach copy of fare application form for elderly and disabled and/or Americans with Disabilities Act [ADA] and identification card, if applicable):
- (b) Date of last fare increase:
- (c) Planned fare increases (if any):
- (d) Operating recovery ratio (farebox + contract revenues divided by total operating costs):

4.5. Attach a copy of your system brochure.

4.6. Describe your efforts to market or promote the system (list type, number, and cost of promotional items distributed; describe any newspaper and/or Internet advertisements; and clearly describe the type and frequency of other efforts).

4.7. Describe your method of implementing and announcing service changes and fare increases.

4.8. Describe your efforts to coordinate with and involve the area transportation providers and human service agencies in the rural transit service including any involvement in the regional human service coordinated transportation planning process.

- (a) Attach directory of local Transportation Steering Committee.
- (b) Attach a schedule of Transportation Steering Committee meetings for FY-2019. At a minimum, the Transportation Steering Committee must meet once during the fiscal year.

4.9. Provide updates to your system's Safety, Security and Emergency Preparedness Plan (SSEPP) since the latest submission as applicable. If there are no updates to your SSEPP, a statement must be submitted stating such.

EXHIBIT 5 - Capital Equipment

This Exhibit requires the Applicant to provide information on federally funded capital equipment.

*****This Exhibit will include all vehicles that have been approved by ALDOT for the purpose of being used in the delivery of the general public services.*****

Complete the accompanying forms as indicated below:

Vehicle Inventory Form: The completed Vehicle Inventory Form includes the vehicle description, vehicle identification number, grant number (5307, 5309, 5339, 5311, etc.), cost, etc. Condition will be listed as new, excellent, good, fair, or poor. List recent vehicle disposals and vehicles planned for disposal along with estimated disposal dates. List the number and type of wheelchair accessible vehicles, and whether or not such vehicles meet ADA accessibility requirements.

Fleet Replacement Form: The completed Fleet Replacement Form includes a list of vehicles to be replaced (make/model, year of manufacture, vehicle identification number, month/year placed in revenue service, accumulated mileage, and estimated month/year to be removed from revenue service).

Vehicle Profile Sheet: The Vehicle Profile Sheet includes the vehicle identification number, vehicle type, mileage accumulation through **date to be provided by applicant agency**, seating capacity, tag number, model year, accessibility information, service utilization information, and service description.

Non-Expendable Equipment Inventory Form: The Non-Expendable Equipment Inventory Form shall include a list of all items other than vehicles that are not readily exhaustible (e.g., gasoline is exhaustible; a computer is not readily exhaustible, and is thus non-expendable). Please note that source grant refers to the FTA Section the Equipment was purchased with (5307, 5309, 5339, 5311, etc.). Condition will be listed as new, excellent, good, fair, or poor.

FY-2019 Vehicle Inventory Form

Transit System _____

Vehicle Description	Vehicle ID Number	Grant Number	Acquisition Date	Cost	% Federal Participation	Title Holder	Location, Condition (New, Excellent, Good, Fair, or Poor), and Use	Disposal Date

FY-2019 Fleet Replacement Form
List of Vehicles to be Replaced

Make/Model	Year of Manufacture	Vehicle ID Number (VIN)	Mo./Yr. Placed in Revenue Service	Accumulated Mileage	Estimated Mo./Yr. to be taken Out of Revenue Service

Vehicle Profile Sheet

INSTRUCTIONS

The following instructions are provided to assist in completing the Vehicle Profile Sheet. The required Form is provided on the next page and is also attached in an Excel version.

VIN Number:	Ensure that this number is correct. The Vehicle Identification Number (VIN) is necessary to link your information to the ALDOT inventory. Remember there is no letter "O" in a VIN number only zeros.
Funding:	Section 5311, Section 5307, ARRA, etc.
Vehicle Type:	Minivan; SV= Standard Van; CV= Commuter Van; MV= Modified Van; CCB= Cut-A-Way Chassis Bus and RCB= Rail Chassis Bus.
Mileage as of (Insert date):	ALDOT will use this mileage as a baseline for future comparisons.
Seating Capacity:	Enter the actual number of seats available.
Tag:	Vehicle's License Plate Number
Model Year:	Year of Chassis Manufacture
Lift:	Is the vehicle lift equipped? Answer Yes or No only.
Stations:	Enter the number of wheelchair stations (0, 1, 2, etc.)
Start Time of the Service:	This is the first time of the day that this vehicle is available for revenue service. Use military time (the 24-hour clock). This will allow for calculations later. The clock starts at 0100, which is 1:00 O'clock in the morning. You will type 01 then a colon then 00. (01:00). It will appear in the cell as 1:00. Likewise for 1:30 in the afternoon you will type 13 then a colon then 30 (13:30) and it will appear in the cell as 13:30.
End Time of the Service:	This is the last time of the day this vehicle is available for revenue service. The rest is the same as above.
Duration:	This field will be calculated in Excel; there is no need for an entry unless the Word version is used.
Usage:	C = Contract Service; DR = Demand Response; FR = Fixed Route or any combination; WR = Work Route; S = Subscription; O = Other (Specify).
Days of the Week:	Indicate the days of the week that the vehicle is available for revenue service.
Description:	Is this a dialysis route? Is it general public/demand response transportation? Is it a scheduled fixed route? Briefly describe the service being provided during the time period.

FY-2019 Vehicle Profile Sheet

VIN Number	Funding	Vehicle Type	Mileage as of (Insert Date)	Seating Capacity	Tag	Model Year	Lift (Yes/No)	Stations	Start Time	End Time	Duration	Usage	Sun	M	T	W	T	F	Sat	Description of Service

FY-2019 Non-Expendable Equipment Inventory Form

Transit System _____

Equipment Description	Equipment ID Number	Source Grant	Acquisition Date	Cost	% Federal Participation	Title Holder	Location / Condition (New, Excellent, Good, Fair, or Poor) and Use	Disposal Date

EXHIBIT 6 - Project Budget Worksheet

All applicants must submit project budget data showing detailed Administration and Operational expenses and revenue. This information demonstrates the availability of adequate funding to operate and maintain project equipment or vehicles. The budget line items identify specific operational and administration expenses eligible for Section 5311 funding. Please follow the format of the Samples provided.

✳ **Indirect Costs:** Title 2 CFR 200 Subpart E-Cost Principles (Super Circular) establishes Federal guidelines for identifying costs that can be reimbursed using Federal funds. According to these guidelines, an approved Cost Allocation Plan (CAP) and/or Indirect Cost Rate (ICR) is required when requesting reimbursement for indirect costs using Federal funds.

Approved Indirect Cost Rate (ICR) proposals must accompany budget submissions. Applicants awaiting cognizant agency approval of indirect cost rate proposals must submit copies of correspondence requesting such approval in lieu of the actual approval correspondence. If instances exist in which cognizant agencies no longer require annual indirect cost rate plan submissions, such plans must be submitted to ALDOT for review and/or evaluation. The proposal and related supporting documentation must be maintained for audit.

Please note that the Super Circular consolidates and eliminates the duplicative guidance found in eight (8) OMB circulars. Additional information may be accessed via the following links:

<https://www.fhwa.dot.gov/cfo/2cfr200guidance.cfm>

<https://www.transit.dot.gov/regulations-and-guidance/regulations-and-guidance>

✳ **Recovery:** Adequate funds must be allocated to the recovery portion of the operating budget to equate to **10%** of the total operating cost.

✳ **Match and Other Requirements:** All applicants must provide documentation of local matching funds including written commitments from each local funding source (indicating amount of funds authorized and committed as local match for the project). Documentation should be in the form of letters, certifications, or resolutions signed by authorized officials. *(See also Exhibit Description below).*

✳ **In-Kind Match:** In-kind contributions (donation of equipment, supplies, property, and/or services that are beneficial and used by the applicant) must have a documented cash value. In-kind match can include the services of volunteers. Such non-cash sources of local match are eligible only if the value of each is formally documented and supported in accordance with 49 CFR Part 18. ALDOT reserves the right to reject or disallow in-kind contributions as local share if the estimated cash value cannot be determined independently.

✳ **Exhibit Description:** This Exhibit comprises a Line Item Budget Sheet, Source of Budget Funds Sheet, Section 5311 Vehicle Request Budget Form, and Sources of Local Match documentation. Local Match is documented by either a Local Match Commitment Letter or a Local Match Certification and the required “Resolution Authorizing Local Matching Funds”. The approved Cost Allocation Plan or Indirect Cost Rate Proposal is included (if applicable).

SAMPLE LINE ITEM BUDGET SHEET

PROJECT COUNTY: [\[List County\]](#)
FISCAL YEAR 2019

PROJECT NUMBER: RPT-[\[List Number\]](#)

ORIGINAL: X

OPERATIONS

Drivers	\$173,400.00
Maintenance Supervisor	\$10,064.00
Fringes	\$43,836.00
Maintenance/Repairs	\$5,500.00
Uniforms	\$2,000.00
Tires	\$2,500.00
Fuel/Oil	<u>\$44,000.00</u>
TOTAL	\$281,300.00

SAMPLE LINE ITEM BUDGET SHEET (Continued)

PROJECT COUNTY: [\[List County\]](#)

FISCAL YEAR 2019

PROJECT NUMBER: RPT-[\[List Number\]](#)

ORIGINAL: X

ADMINISTRATION

Director	\$27,130.00
Coordinator	\$17,190.00
Bookkeeper	\$5,000.00
Fringes	\$7,300.00
Supplies	\$1,000.00
Telephone	\$1,000.00
Postage	\$500.00
Advertising	\$300.00
Mileage	\$1,500.00
Travel	\$500.00
Room/Meals	\$1,500.00
Registration/Fees	\$250.00
Dues	\$300.00
Professional Services	\$500.00
Office Equipment	\$1,000.00
Repair (Office)	\$500.00
Vehicle Insurance	<u>\$10,000.00</u>
Total	\$75,470.00

SAMPLE SOURCE OF BUDGET FUNDS SHEET

PROJECT COUNTY: [List County]
FISCAL YEAR 2019

PROJECT NUMBER: RPT-[List Number]

ORIGINAL: X

OPERATING BUDGET

Total Operating Cost	\$281,300.00
Less Direct Operating Revenues (10%)	
Farebox:	\$18,130.00
Other Revenue:	\$10,000.00
Net Operating Cost	\$253,170.00
Less Section 5311 Grant (50%)	\$126,585.00
Total Local Share (50%)	\$126,585.00

Contracts:	\$36,307.00
County Commission:	\$90,278.00

ADMINISTRATION BUDGET

Total Administration Cost	\$ 75,470.00
Less Section 5311 Grant (80%)	\$ 60,376.00
Total Local Share (20%)	\$ 15,094.00

County Commission:	\$15,094.00
---------------------------	--------------------

FY-2019 SECTION 5311 VEHICLE REQUEST BUDGET FORM (Form To Be Completed If Requesting Vehicles)

Agency Name: _____

Vehicle Type <i>Price ranges are estimates and subject to change. Prices include wheel-chair stations only. Other options are not included.</i>	Designed Seating Capacity	Number of Wheelchair Stations Per Vehicle	Engine Type G-Gas or D-Diesel	Number of Each Type Vehicle Needed	Intended Use R-Replacement E-Expansion N-New Service
Mini Van \$38,500	6	1 Station Available	Gas only		
Modified Van \$51,100-\$58,200	15		Gas only		
Cut-A-Way Chassis Bus \$51,000-\$55,600	17		Gas only		
Cut-A-Way Chassis Bus \$51,900-\$56,500	21		Gas only		
Cut-A-Way Chassis Bus \$53,300-\$58,000	25		Gas only		
Cut-A-Way Chassis Bus \$80,000-\$85,000	25		Diesel only		
Cut-A-Way Chassis, HD \$83,600-\$90,000	28-30		Gas only		
Cut-A-Way Chassis, HD \$90,000-\$96,000	28-30		Diesel only		
TOTALS					

Note: All vehicle capital requests will be evaluated by ALDOT. The number and types of vehicles awarded are contingent upon available funding.
 Replacement – an agency requesting to replace vehicles funded through ALDOT. Expansion – an agency currently has vehicles funded by ALDOT and desires to purchase new vehicles to meet service needs. New Service – an agency that has not purchased vehicles through ALDOT.

Prices are estimates only and are rounded to the nearest \$100.

Diesel-Powered 25 passenger Cut-A-Way Chassis Bus and the 28-30 passenger vehicles are currently pending contract renewal.

*****This page will not include JARC information, if applicable. The JARC Vehicle Request Budget Form is located in Exhibit 11.*****

Sample Local Match Commitment Letter
(Place on Agency's Letterhead)

Date

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1100 John Overton Drive
Montgomery, Alabama 36110

Dear Mr. Phillips:

Subject: Local Match Commitment

The **(Applicant)** is applying for a Section 5311 **(administration / operating / planning / capital)** grant to aid in the operation of the **(transit agency)**. The administration, operating, planning, and/or capital expenses requested in this project have been reviewed and approved by the **(Applicant)** of **([Applicant's] County/Counties)**. We are requesting federal assistance in the amount of \$_____ for administration assistance, \$_____ for operating assistance, \$_____ for planning assistance, and \$_____ for capital expenses. Local assistance in the amount of \$_____ will be used as the non-federal match.

The **(Local Funding Source)** hereby acknowledges the local matching requirements for the referenced project and affirms assistance in the amount set forth above.

If you have any questions on this request, please contact **(principal contact)** at **(phone number)**.

Sincerely,

Signature of Designated Official
Title

Sample Local Match Certification

*(Include Farebox Revenue as part of General Fund or in an Appropriate Line Item,
Because Farebox Revenue Makes the Project "Whole".*

We, the undersigned representing _____,
(Applicant)

do hereby certify to the Alabama Department of Transportation that the required local funds for
the _____ Public Transportation Program are available from the following
source(s):

General Fund: \$ _____

Contracts: \$ _____

Advertising: \$ _____

Other: \$ _____

These funds will be available as of _____.
(Date)

Applicant _____
(Date)

(Title)

Sample Resolution Authorizing Local Matching Funds

RESOLUTION NO. _____

"SECTION 5311 RURAL AREA PUBLIC TRANSPORTATION"

WHEREAS, the **(Provider of Matching Funds)** recognizes the need for a public transportation program; and

WHEREAS, the **(Provider of Matching Funds)** is recognized as a member of the **(Any County)** Transportation Steering Committee; and

WHEREAS, the **(Provider of Matching Funds)** recognizes that the requirements to obtain Section 5311 funds from the Alabama Department of Transportation include a local match of 50% for operating expenses and 20% for administration, planning, and capital expenses; and

WHEREAS, the **(Provider of Matching Funds)** recognizes that the local match will be a shared cost with other participating municipalities being responsible for providing an appropriate allocation of local non-federal funds to secure the operating of the Section 5311 Rural Area Public Transportation Program.

NOW, THEREFORE, BE IT RESOLVED, that the **(Provider of Matching Funds)** hereby commits the amount of **\$XXXXXXXXXX** as local non-federal match for operations, administration, planning, and capital expenditures under the Section 5311 Rural Area Public Transportation Program during Fiscal Year 2019.

Passed and adopted this the _____ day of _____, 20 ____.

Elected Official

ATTEST:

Clerk

Exhibit 6 (continued)

Approved Indirect Cost Rate Proposal, if applicable
(No Sample Provided)

EXHIBIT 7 - Cost Allocation and Vehicle Depreciation Schedule

All Section 5311 operators must have an approved cost allocation plan. Cost allocation is the agency's total expenditures divided among three categories: hours, miles and overhead. The hours and miles categories include all budget items that are attributable to vehicle operations and are used to calculate, in part, the "actual cost" to be recovered from all third party contract and allowable incidental charter services.

Vehicle depreciation is attributable to vehicle operations and must be included in full cost recovery calculations. Vehicle depreciation may be derived through straight-line depreciation methodology (i.e., Total Cost of Vehicle Divided by Service Life of Vehicle = Rate Per Mile) satisfying requirements of the Federal Transit Administration.

Vehicle depreciation costs must be included in the computation of third party transportation service rates and incidental charter service rates. Service contracts and incidental charter services must accomplish full cost recovery.

The overhead category includes all of the administration items. It is not necessary to include these overhead costs in third party contracting or incidental charter service rates. Compute fixed cost percentage as described in this Exhibit.

Samples of the following items follow:

- * Sample Chart of Accounts for "Any County"
- * Sample Cost Allocation Matrix for "Any County"
- * Sample Vehicle Depreciation Schedule for "XYZ Transit Agency"

Use the Excel worksheets provided with the Application to develop the following items:

- * Exhibit 7. Item 1. Chart of Accounts
- * Exhibit 7. Item 2. Cost Allocation Matrix
- * Exhibit 7. Item 3. Vehicle Depreciation Schedule

SAMPLE CHART OF ACCOUNTS

PROJECT COUNTY: Any County
FISCAL YEAR 2019

PROJECT NUMBER: RPT-00

ORIGINAL: X

AGENCY CHART OF ACCOUNTS

<u>Account</u>	<u>Amount</u>	<u>Assigned Category</u>
Director	\$27,130.00	Overhead
Coordinator	\$17,190.00	Hours
Bookkeeper	\$5,000.00	Overhead
Fringes (Coordinator)	\$7,300.00	Hours
Supplies (Office)	\$1,000.00	½ Miles, ½ Overhead
Telephone	\$1,000.00	Overhead
Postage	\$500.00	Overhead
Advertising	\$300.00	Overhead
Mileage	\$1,500.00	Overhead
Travel	\$500.00	Overhead
Room/Meals	\$1,500.00	Overhead
Registration/Fees	\$250.00	Overhead
Dues	\$300.00	Overhead
Professional Services	\$500.00	Overhead
Office Equipment	\$1,000.00	Overhead
Repair-office	\$500.00	Overhead
Vehicle Insurance	\$10,000.00	Miles
Drivers	\$173,400.00	Hours
Maintenance Supervisor	\$10,064.00	Hours
Fringes (Driver)	\$43,836.00	Hours
Uniforms	\$2,000.00	Hours
Maintenance/Repairs-Vehicles	\$5,500.00	Miles
Tires	\$2,500.00	Miles
Fuel/Oil	\$44,000.00	Miles
Depreciation	<u>\$76,183.00</u>	Miles
Total	\$432,953.00	

Other Common Items (Not Included in Our Example)

Dispatch Radio	Miles
Drug Screen/Physicals	Hours
Indirect	Overhead
Utilities	Overhead

Sample Cost Allocation Matrix

Sample Cost Allocation Matrix

Project County: Sample County

Project Number: RPT-00

Fiscal Year 2019

Original: X

<u>EXPENSE ACCOUNT</u>	<u>HOURS</u>	<u>MILES</u>	<u>OVERHEAD</u>	<u>ANNUAL COST</u>
<u>Labor</u>				
Drivers	\$ 173,400.00	\$	\$	\$ 173,400.00
Director	\$ -		\$ 27,130.00	\$ 27,130.00
Coordinator	\$ 17,190.00		\$ -	\$ 17,190.00
Bookkeeper	\$ 5,000.00			\$ 5,000.00
Maint Supervisor	\$ 10,064.00			\$ 10,064.00
				\$ -
<u>Fringe Benefits</u>				
Drivers	\$ 43,836.00			\$ 43,836.00
Director			\$ -	\$ -
Coordinator	\$ 7,300.00			\$ 7,300.00
Bookkeeper			\$ -	\$ -
Maint Supervisor	\$ -			\$ -
				\$ -
<u>Services</u>				
Vehicle Maint./Repair		\$ 5,500.00	\$ -	\$ 5,500.00
Office Equip. Maint/Repair			\$ 500.00	\$ 500.00
Mileage			\$ 1,500.00	\$ 1,500.00
Travel			\$ 500.00	\$ 500.00
Room/Meals			\$ 1,500.00	\$ 1,500.00
Fees/Registration			\$ 250.00	\$ 250.00
Dues		\$ -	\$ 300.00	\$ 300.00
Telephone			\$ 1,000.00	\$ 1,000.00
Postage			\$ 500.00	\$ 500.00
<u>Liability</u>				
Vehicle Ins.		\$ 10,000.00		\$ 10,000.00
<u>Material/Supplies</u>				
Tires		\$ 2,500.00		\$ 2,500.00
Fuel/Oil		\$ 44,000.00		\$ 44,000.00
Office Equipment			\$ 1,000.00	\$ 1,000.00
Professional Services			\$ 500.00	\$ 500.00
Office Supplies		\$ 500.00	\$ 500.00	\$ 1,000.00
Advertising			\$ 300.00	\$ 300.00
Uniforms	\$ 2,000.00			\$ 2,000.00
Repair-Office			\$ -	\$ -
<u>Vehicle Depreciation</u>				
Depreciation	\$ -	\$ 76,183.00		\$ 76,183.00
Total	\$ 258,790.00	\$ 138,683.00	\$ 35,480.00	\$ 432,953.00
Basis of Assignment/ Resource Variable	Percentage of Total Cost	Total Assigned Expenses	Average Unit Cost	
Hours= 17,800	60%	\$ 258,790.00	\$	14.54
Miles= 213,822	32%	\$ 138,683.00	\$	0.65
Fixed=OVH/Total Cost	8%			
Dispatch Radio-Miles		Utilities-Overhead		
Drugscreen/Physicals-Hours		Indirect-Overhead		

*****Note: The Total Vehicle Depreciation Amount in this “Sample” (\$56,851) does not agree with the amount shown in the Cost Allocation Matrix (\$76,183) on page 38*****

SAMPLE VEHICLE DEPRECIATION SCHEDULE

XYZ Transit Agency
FY-2019

Vehicle Description	Aggregate Cost of Vehicle	Mileage	Seating Capacity	Useful Life Years	Single Year Value
2017 Ford Pacer II LTD CV	\$ 35,800.00	1,203	15	4	\$ 8,950.00
2017 Ford Pacer II LTD CV	\$ 35,800.00	906	15	4	\$ 8,950.00
2017 Ford Pacer II LT CV	\$ 31,732.00	33,254	15	4	\$ 7,933.00
2017 Ford Pacer II LT CV	\$ 31,372.00	64,000	15	4	\$ 7,843.00
2016 Ford Pacer II MV	\$ 30,700.00	50,537	15	4	\$ 7,675.00
2016 Ford Pacer II MV	\$ 31,000.00	47,121	10	4	\$ 7,750.00
2016 Ford Pacer II MV	\$ 31,000.00	52,016	10	4	\$ 7,750.00
2014 Ford Pacer II MV	\$ 28,000.00	84,013	10	4	\$ -
2014 Ford Pacer II MV	\$ 28,000.00	88,000	10	4	\$ -
2014 Ford Pacer II MV	\$ 28,000.00	72,119	10	4	\$ -
2013 Ford Pacer II MV	\$ 25,000.00	100,870	8	4	\$ -
2013 Ford Pacer II MV	\$ 22,000.00	101,000	10	4	\$ -
2010 Ford Pioneer	\$ 18,000.00	170,742	6	4	\$ -
2009 Dodge Ram SV	\$ 15,000.00	204,141	15	4	\$ -
	\$ 355,604.00				\$ 56,851.00

ALDOT has established the following useful life standards for rolling stock purchases:

Vans (standard, raised roof, modified)- 4 years or 100,000 miles.

Small Buses (cut-a-way, 16 - 21 passengers)- 5 years or 150,000 miles.

Small Buses (body-on -chassis, 24 - 27 passengers)- 7 years or 200,000 miles.

Full size (Transit coaches, 28+ passengers)- 10 years or 300,000 miles.

***The above example reflects useful life standards for vans only.
Adjustments are required for other vehicle types.***

EXHIBIT 8 - Public Participation Process

GUIDANCE ON PROMOTING INCLUSIVE PUBLIC PARTICIPATION. ALDOT subrecipients should seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities In order to comply with the DOT Order on Environmental Justice and the DOT Limited English Proficiency (LEP) Guidance.

An agency's public participation strategy shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

*** Effective Practices for Fulfilling the Inclusive Public Participation Requirement.**

Subrecipients have wide latitude in determining how, when, and how often specific public involvement measures should take place, and what specific measures are most appropriate. Subrecipients should make these determinations based on the composition of the population affected by the recipient's action, the type of public involvement process planned by the recipient, and the resources available to the agency. Efforts to involve minority and low-income people in public involvement activities can include both comprehensive measures, such as placing public notices at all stations and in all vehicles, and measures targeted to overcome linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and low-income people from effectively participating in a subrecipient's decision-making process. Effective practices include:

- Coordinating with individuals, institutions, or organizations and implementing community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities
- Providing opportunities for public participation through means other than written communication, such as personal interviews or the use of audio or video recording devices to capture oral comments
- Using locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities
- Using different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities, so that communications are tailored to the particular community or population
- Implementing DOT's policy guidance concerning subrecipients' responsibilities to LEP persons to overcome barriers to public participation

Further guidance in this regard may be accessed via the following link to **FTA Circular 4702.1 (series)**: http://www.fta.dot.gov/legislation_law/12349_14792.html.

Eligible applicants must ensure that the public is aware of the Rural Transit project and has adequate input into the project. Eligible applicants must, therefore, initiate a public participation process as part of their Rural Transit Program application requirements.

*** Public Hearing Required:** The public participation process must comprise, at a minimum, conducting a public hearing. The public hearing must be advertised at least seven (7) days prior to the hearing. A public hearing must be held to allow all persons, including private transportation providers and new business entrants, equal opportunity to comment on the proposed transportation service. For operating applications, the service description must clearly indicate all service to be provided including open door contract service and any proposed service or fare changes. For capital applications, the capital items to be purchased and a short description of construction projects must be included. **The Public Hearing Notice will also include a brief description of any Job Access and Reverse Commute (JARC) activities included in the application, if applicable.**

The hearing must be advertised by public notice once in the local newspaper of widest circulation at least seven (7) days prior to the hearing.

****Please note: A copy of the Public Hearing Notice must be placed in the reception desk area, meeting rooms, transit facilities, and on the vehicles to allow all individuals including Limited English Proficiency (LEP) individuals an opportunity to participate in this hearing.**

Translation services must be provided free of charge to limited English speaking individuals.

**If provider meets the safe harbor threshold: At a minimum the statement: "If information is needed in another language, then contact [telephone number]"—should be stated in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor threshold.*

A sample Public Hearing Notice is included in this section. Include the following as **Exhibit 8:**

- * Copy of the Public Hearing Notice as it appeared in the newspaper**
- * Notarized statement verifying publication (publisher's affidavit)**
- * Summary or transcript of the public hearing signed by an official of the transit system**

**The public hearing notice and the application preparations
require immediate and simultaneous attention**

The Public Hearing Notice must be prepared so it can be published **at least 7 days** prior to the public hearing (see next page for a Sample Public Hearing Notice).

Application Due Date: Applications for current and prospective subrecipients must be received on or before **5:00 PM** on **June 15, 2018**.

Any questions concerning these instructions should be directed to:

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1100 John Overton Drive
Montgomery, Alabama 36110
(334) 353-6400 Telephone
(334) 353-6451 Fax

Sample

Public Notice

The **[Applicant]** is applying to the Alabama Department of Transportation for an **[administration, operating, planning, and capital]** assistance grant under 49 U.S.C. Section 5311 of the Federal Transit Laws, as codified. The operating grant will provide financial assistance for public transportation service for the residents of **[XYZ County, ABC County, Any County, etc.]** during **FY-2019**. The service currently operates **[Monday through Friday, 6 a.m. to 6 p.m.]**. All residents, including wheelchair users, must schedule service 24 hours in advance. Fares are **[\$1.00]** per one-way trip; elderly and disabled persons ride for **[\$0.50]** per one-way trip; children under **[age 5]** ride free. Planned service changes include **{[an increase in service hours from 6 a.m. - 6 p.m. to 5 a.m. - 7 p.m.] [Alternate wording for no changes is: "No service changes are planned."]}**

The capital grant will also provide financial assistance to purchase **[three (3) wheelchair lift-equipped mini-vans]** for the **[Name of Transit System]** public transportation service during **FY-2019**. **[Add statement about Job Access and Reverse Commute activities, if applicable]**.

Copies of the detailed service description, **[proposed changes]**, and project budget may be obtained at the transit system office, **[Applicant Agency Address]** between **[8 a.m. - 5 p.m., Monday through Friday]**.

A public hearing will be held on **[date]** at **[time]** in the **[meeting room]** at the **[facility]** for public comment.

If there are questions or comments or if information is needed in another language or alternative format, contact:

John Doe
Transit Director
XYZ County Transit System
Telephone Number
Email Address

[Name of Transit System] *does not discriminate against any individual on the basis of race, color, or national origin.*

Exhibit 9 – Complaint and Bid Protest Procedures

Applicants must have written procedures describing the local mechanism for resolving private operator and passenger complaints as well as procedures addressing questions dealing with the fairness of local procurement procedures and decisions.

The Complaint Procedures must include all of the following:

- ◆ Provide a step-by-step time frame for responding to and resolving the complaint
- ◆ Identify the responsible parties at the local level to ensure a fair and independent review of the complaint
- ◆ Include a requirement for documenting in writing the complaint and its resolution

Sample “Complaint Policy and Procedures” and “Bid Protest Procedures” follow.

Note: The final step of both procedures must include the following statement: ***All complaints unresolved at the local level will be submitted to ALDOT for final resolution, to the attention of:***

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1100 John Overton Drive
Montgomery, Alabama 36110
(334) 353-6400 Telephone
(334) 353-6451 Fax

XYZ TRANSIT SYSTEM SAMPLE

COMPLAINT POLICY AND PROCEDURES

It is the policy of the XYZ Transit System to operate the public transportation program in an open and fair manner for employees, passengers, other transit providers, and the general public. No employee, passenger, other transit provider, or the general public will be discriminated against or suffer any reprisals from making a complaint. Complaints must be in writing and specific. Vague or general charges of unfairness that are not substantiated by facts will not be processed. When an allegation is made that a specific violation, misinterpretation, or inappropriate act has occurred, the following steps should be taken to resolve the issue. XYZ TRANSIT will resolve the complaint within fifteen (15) business days of the date of receipt of the written complaint.

1. Sample Employee Complaint Policy

If an employee has issue with another employee, passenger, or other member of the general public, he or she should bring the matter to the attention of the Operations Coordinator (OC) or similar authority within 3 days of the occurrence. *Complaints must be specific and in writing.* If the complaint involves the Operations Coordinator or similar authority, the employee should address the issue with the Transit System Director. The OC or similar authority will listen to all parties involved in the situation, investigate with outside sources if necessary, and resolve the matter within fifteen (15) business days of the receipt of the written complaint. If the OC or similar authority cannot resolve the matter, it will be brought to the Transit System Director for resolution. If the matter is not satisfactorily resolved at this point, the Department Head or next higher authority will be consulted. If the employee does not feel the matter has been resolved at this point, the Personnel Director or similar authority should be consulted and the matter brought before the Personnel Board or similar authority if necessary.

2. Sample Passenger Complaint Policy

If a passenger has issue with a XYZ TRANSIT employee, another passenger, or other member of the general public, he or she should bring the matter to the attention of the Operations Coordinator (OC) or similar authority within 3 days of the occurrence. Complaints must be specific and in writing. If the complaint involves the Operations Coordinator or similar authority, the passenger should address the issue with the Transit System Director. The OC or similar authority will listen to all parties involved in the situation, investigate with outside sources if necessary, and resolve the matter within fifteen (15) business days of the receipt of the written complaint. If the OC or similar authority cannot resolve the matter, it will be brought to the

Transit System Director for resolution. If the matter is not satisfactorily resolved at this point, the Department Head or next higher authority will be consulted. If the passenger does not feel the matter has been resolved at this point, the XYZ Transit System Liaison or similar authority should be consulted and the matter brought before the entire (Governing Authority) if necessary.

3. Sample Private Transit Operator Complaint Policy

If a private transit operator has issue with XYZ TRANSIT, he or she should address the matter with the Transit System Director within 3 days of the occurrence. *Complaints must be specific and in writing.* The Transit System Director will investigate and resolve the matter within fifteen (15) business days of the receipt of the written complaint. If the matter is not satisfactorily resolved at this point, the (next higher authority) will be consulted. If the private operator does not feel the matter has been resolved at this point, the XYZ Transit System Liaison should be consulted and the matter brought before the entire (governing authority) if necessary.

4. Sample General Complaint Policy

If a member of the general public has a complaint with a XYZ TRANSIT employee, policy, or other issue, he or she should bring the matter to the attention of the Operations Coordinator (OC) or similar authority within 3 days of the occurrence. *Complaints must be specific and in writing.* If the complaint involves the Operations Coordinator or similar authority, the member of the general public should address the issue with the Transit System Director. The OC or similar authority will listen to all parties involved in the situation, investigate with outside sources if necessary, and resolve the matter within fifteen (15) business days of the receipt of the written complaint. If the OC or similar authority cannot resolve the matter, it will be brought to the Transit System Director for resolution. If the matter is not satisfactorily resolved at this point, the Department Head will be consulted. If the member of the general public does not feel the matter has been resolved at this point, the XYZ Transit System Liaison or similar authority should be consulted and the matter brought before the entire (governing authority) if necessary.

ALL complaints unresolved at the local level will be submitted to the Alabama Department of Transportation for final resolution, to the attention of:

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1100 John Overton Drive
Montgomery, Alabama 36110
(334) 353-6400 Telephone
(334) 353-6451 Fax

Sample Bid Protest Procedures for XYZ Transit System

The following bid protest procedures have been written in compliance with the Federal Transit Administration (FTA) Third Party Contracting Guidelines (FTA Circular 4220.1F). Parties that wish to file a bid protest should review these procedures in conjunction with FTA's Circular 4220.1F. These procedures also address complaints or appeals regarding the funding of unsolicited proposals and other protests unrelated to the solicitation process and contract award decisions. XYZ TRANSIT SYSTEM's protest procedures will be referenced in the bid documents in order that interested parties will know their rights under these protest procedures.

1. Protests Pertaining to the Contract Solicitation Process or Contract Award Decision

The following procedures and time requirements shall be applied uniformly in processing all protests. Protests may be made by active or prospective bidders whose direct economic interest would be affected by a solicitation, proposed award, or award of a contract. Protests must be submitted in writing to:

Jane/John Doe, Director
XYZ Transit System
0000 Your Choice Parkway
Anywhere, AL 00000

XYZ TRANSIT SYSTEM will consider all written protests made within the timelines stated in this document. Protest submissions should be concise, logically arranged, clearly state the grounds for the protest, and must include at least the following information:

1. Name, address, and telephone number of protestor
2. Solicitation or contract name and/or number
3. A detailed statement of the legal and factual grounds for the protest, including copies of all relevant documents or information
4. A statement of relief requested

Only written protests received within the timelines stated in these procedures will be considered. Upon receipt of a protest, XYZ TRANSIT SYSTEM will notify the protestor that the protest has been received by mail within five (5) working days. XYZ TRANSIT SYSTEM may request additional information from the protesting party, which must be submitted in writing to XYZ TRANSIT SYSTEM within five (5) working days from the date of XYZ TRANSIT SYSTEM's request.

Within twenty (20) working days of receipt of a written protest, XYZ TRANSIT SYSTEM shall either:

1. Issue a final written decision which responds in detail to each issue raised in the protest and includes a rationale for the decision rendered, or
2. Conduct, at XYZ TRANSIT SYSTEM's discretion, an informal hearing to allow the interested participating parties an opportunity to present their positions and supporting facts, documents, justification, and technical information. XYZ TRANSIT SYSTEM will advise all interested parties of the final decision in writing no later than five (5) working days from the date of the informal hearing.

2. Protests before Proposal Solicitation

Bid protests alleging restrictive specifications or improprieties, which are apparent prior to bid or proposal opening, must be submitted in writing to XYZ TRANSIT SYSTEM and must be received at least five (5) working days prior to bid/proposal opening. Bids will not be opened until five (5) working days after resolution of the protest unless XYZ TRANSIT SYSTEM determines that:

1. The items to be procured are urgently required;
2. Delivery or performance will be unduly delayed by failure to make award promptly; or
3. Failure to make award will otherwise cause undue harm to XYZ TRANSIT SYSTEM.

If the written protest is not received by the time specified, bids or proposals may be received, opened and awarded in the normal manner unless XYZ TRANSIT SYSTEM determines that it is in the best interest of all concerned to delay any step.

3. Protests after Opening of Proposal Solicitation and Prior to Award

Protests against the making of an award may be made after bid opening and prior to award. Such protests must be submitted in writing to XYZ TRANSIT SYSTEM and must be received by XYZ TRANSIT SYSTEM within five (5) working days of the bid opening. If XYZ TRANSIT SYSTEM decides to withhold the award pending resolution of the protest, XYZ TRANSIT SYSTEM will notify all bidders whose bids or proposals might become eligible for award, and offer them the option to extend or withdraw the bid or proposal beyond the 120-day validity period. Awards will not be made until at least five (5) working days after resolution of the protest unless XYZ TRANSIT SYSTEM determines that:

1. The items to be procured are urgently required;
2. Delivery or performance will be unduly delayed by failure to make award promptly; or
3. Failure to make award will otherwise cause undue harm to XYZ TRANSIT SYSTEM or the federal government.

4. Protests after Award

Protests received after announcement of an award or after a contract has been executed will only be considered if XYZ TRANSIT SYSTEM determines that the matter is in the public interest or the protest presents clear and convincing evidence of fraud, misrepresentation, other illegality, or gross impropriety in the selection of a bid/proposal. If a protest is under consideration, XYZ TRANSIT SYSTEM shall evaluate the bid/proposal at issue a second time in its entirety and use the same evaluation criteria and rating factors applied in the initial review of the bid/proposal. The bid/proposal will be evaluated by a panel designated by the XYZ TRANSIT SYSTEM.

If a protest involving an executed contract is under consideration, XYZ TRANSIT SYSTEM will notify the selected contractor of the protest and its basis and may, at its discretion, order the contractor to suspend all XYZ TRANSIT SYSTEM work activities. If the awarded contractor has not executed the contract as of the date the protest is received by XYZ TRANSIT SYSTEM, the contract will not be executed until five (5) working days after resolution of the protest unless XYZ TRANSIT SYSTEM determines that:

1. The items to be procured are urgently required;
2. Delivery or performance will be unduly delayed by failure to make award promptly; or
3. Failure to make award will otherwise cause undue harm to XYZ TRANSIT SYSTEM.

5. Protests Pertaining To the Funding Of Unsolicited Proposals

The submission of unsolicited proposals is inconsistent with XYZ TRANSIT SYSTEM's policy to promote a full and open competition among interested parties for FTA contract funds. The filing of unsolicited proposals, therefore, will be deemed inappropriate by XYZ TRANSIT SYSTEM and returned to the sender; complaints or appeals calling for reconsideration of such proposals will not be accepted.

ALL complaints unresolved at the local level will be submitted to the Alabama Department of Transportation for final resolution, to the attention of:

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1100 John Overton Drive
Montgomery, Alabama 36110
(334) 353-6400 Telephone
(334) 353-6451 Fax

Exhibit 10 – Authorizing Resolution

Resolution No. _____

Resolution authorizing the filing of an application with Department of Transportation, United States of America, and the Alabama Department of Transportation for a grant under the Federal Transit Act.

WHEREAS, the Secretary of U.S. Department of Transportation and Director of the Alabama Department of Transportation are authorized to make grants for a public transportation program;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision of its local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Section 5311 the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and other pertinent directives and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that disadvantaged business enterprises (minority business enterprises and woman business enterprises) be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged business enterprises (DBEs) shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY (Governing Body of Applicant)

1. That (Title of Designated Official) is authorized to execute and file (an) application(s) on behalf of (Legal Name of Applicant) with the Alabama Department of Transportation to aid in the financing of administration, planning, capital and/or operating assistance projects pursuant to 49 USC Section 5311, the Alabama Public Transportation Grant Program, and the Alabama Elderly and Disabled Transit Fare Assistance Program.
2. That (Title of Designated Official) is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation and the Alabama Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
3. That (Title of Designated Official) is authorized to furnish such additional information as the U.S. Department of Transportation and the Alabama Department of Transportation

may require in connection with the application for the Program of Projects submitted to FTA.

4. That (Title of Designated Official) is authorized to set forth and execute affirmative disadvantaged business enterprise policies in connection with any procurements made as part of the project.
5. That (Title of Designated Official) is authorized to execute grant agreements on behalf of (Legal Name of Applicant) with the Alabama Department of Transportation for aid in the financing of the administration, planning, capital, and/or operating assistance projects.

CERTIFICATION

The undersigned duly qualified and acting (Title of Designated Official) of the (Legal Name of Applicant) certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the (Governing Body of Applicant) held on _____, 20____.

If applicant has an official seal, impress here.

Signature of Recording Officer

Title of Recording Officer

Date

EXHIBIT 11 – Job Access and Reverse Commute (JARC)

Part I – JARC Applicant Overview

Are you applying for FY-2019 JARC Funding? <input type="checkbox"/> Yes (complete <u>all</u> of Exhibit 11). <input type="checkbox"/> No (If no, STOP HERE).			
JARC Applicant Information			
Legal Name:			
Contact Person:			
Address:			
City/State/Zip Code:			
Federal Tax ID Number:	DUNS Number:		
Telephone:	Fax:		
Email:	Website:		
List of Project Partners: (use additional sheet if necessary)			
<u>Organization</u>	<u>Contact</u>	<u>Address</u>	<u>Phone/Email</u>
1.			
2.			
Program (Check all that apply)			
<input type="checkbox"/> Section 5316/5311 – JARC Capital (80/20) <input type="checkbox"/> Section 5316/5311 – JARC Operating (50/50)			
Project Information			
Service Area(s):			
Project Type (Check all that apply)			
<input type="checkbox"/> Continuation of existing project: _____ <input type="checkbox"/> Expansion of an existing project: _____			
Estimated Number of People to be Served (monthly):			
<input type="checkbox"/> Low-Income _____ <input type="checkbox"/> Elderly _____ <input type="checkbox"/> Disabled _____ <input type="checkbox"/> Other _____			
Total JARC Federal Funds Requested: \$ _____			
Budget:			
Total Cost of JARC Project	\$		
Federal Funds for JARC	\$		
Local Funds for JARC	\$		

Part II – JARC Project Narrative

1.1 JARC Project Description:

Provide a summary description of the project.

1.2 JARC Goals and Objectives:

- A) Describe the target population to be served.
- B) Identify which strategy(ies) within the *Locally Developed, Coordinated Public Transit-Human Services Transportation Plan* this project addresses. List the adoption date and page number(s) from the *Locally Developed, Coordinated Public Transit-Human Services Transportation Plan* where the strategy is found.
- C) Describe the unmet transportation need that the proposed project seeks to address. List the adoption date and page number(s) from the *Locally Developed, Coordinated Public Transit-Human Services Transportation Plan* where the unmet need is found.
- D) Estimate the number of people within the target population that the project will serve. Briefly describe the rationale for the estimate (including total number of individuals to be served and average number of one-way trips provided per month).
- E) Explain how the project increases or enhances availability of transportation for the target population. Describe, if applicable, how the project will help meet transportation needs outside this population.

1.3 JARC Coordination:

- A) Describe how the project will be coordinated with other social service agencies and/or public transportation providers (e.g., sharing vehicles, dispatching, scheduling, maintenance, coordinating client trips, training, etc.).
- B) Identify partners/stakeholders and describe any private sector involvement. (Attach letters of support for each stakeholder.)

- C) Describe how stakeholders will be involved throughout the project.

1.4 JARC Implementation:

- A) Provide an operations plan for providing service. Include the following, if applicable: how rider eligibility is determined, service days and hours, route map, and/or service map.
- B) Describe how the transportation provider/agency intends to implement the project.
- C) Explain how the project relates to other services or programs provided by your agency and demonstrate how it can be achieved within the agency's technical ability.
- D) Describe how the agency will market the project to the target population and promote public awareness of the program.
- E) Provide a projected timeline for implementation.

1.5 JARC Managerial Capability:

- A) Describe the agency's ability to manage the project (this description will include the number of years the agency has worked with the target population and list the number of years of transportation experience).
- B) Describe key personnel assigned to the project and the percentage of time each person will be involved in the project. Will the agency need to hire additional personnel to support or continue the project? If so, what percentage of time will the new person(s) dedicate to this project?
- C) Describe how the agency will manage risk and provide for safe delivery of services and driver training and safety. Briefly describe insurance, vehicle inspections, and the maintenance plan. *Attach supporting documentation.*

1.6 JARC Fiscal Capability:

- A) Provide a complete budget including project revenues and expenditures in the format provided in **Part III**. **This budget will be for FY-2019 only.**
- B) Provide evidence of financial management capacity and stability of the local share. Include local match commitment letter(s) and your most recent audit report.

1.7 JARC Program Effectiveness:

- A) Identify performance measures to track the effectiveness of the service in meeting the identified goals.
- B) Describe the agency's plan for monitoring and evaluating the project.
- C) Indicate what steps will be taken if original goals are not achieved. If this is a continuation project request, please describe how you met your prior performance goals and objectives.

PART III – JARC PROJECT BUDGET FOR FY-2019

Operating Budget

(line items are examples only)

Line Item	Project Budget
Drivers	
Coordinator	
Fringe Benefits	
Fuel	
Maintenance	
Vehicle Insurance	
Tires	
Purchase Transportation	
Other _____	
Total Operating Expenses	
Fares	
Other _____	
Total Operating Revenue	
Net Project Cost (this is Total Operating Expenses less Total Operating Revenue)	
Total Local Funds (50%)	
1. Local Funding Source _____	
2. Local Funding Source _____	
Federal Funds (50%)	

2 PART III – JARC PROJECT BUDGET FOR FY-2019 (continued)

Planning and Capital Budget

(excludes Vehicles and Mobility Management as these are provided on separate forms)

Capital / Planning	Type of Project	Cost	Local Share (20%)	Federal Share (80%)	Source of Local Share
Total Cost					

PART III: FY-2019 SECTION 5316 / 5311 VEHICLE REQUEST BUDGET FORM

Agency Name: _____ (Form To Be Completed If Requesting Vehicles)

Vehicle Type <i>Price ranges are estimates and subject to change. Prices include wheel-chair stations only. Other options are not included.</i>	Designed Seating Capacity	Number of Wheelchair Stations Per Vehicle	Engine Type G-Gas or D-Diesel	Number of Each Type Vehicle Needed	Intended Use R-Replacement E-Expansion N-New Service
Mini Van \$38,500	6	1 Station Available	Gas only		
Modified Van \$51,100-\$58,200	15		Gas only		
Cut-A-Way Chassis Bus \$51,000-\$55,600	17		Gas only		
Cut-A-Way Chassis Bus \$51,900-\$56,500	21		Gas only		
Cut-A-Way Chassis Bus \$53,300-\$58,000	25		Gas only		
Cut-A-Way Chassis Bus \$80,000-\$85,000	25		Diesel only		
Cut-A-Way Chassis, HD \$83,600-\$90,000	28-30		Gas only		
Cut-A-Way Chassis, HD \$90,000-\$96,000	28-30		Diesel only		
TOTALS					

Note: All vehicle capital requests will be evaluated by ALDOT. The number and types of vehicles awarded are contingent upon available funding.
 Replacement – an agency requesting to replace vehicles funded through ALDOT. Expansion – an agency currently has vehicles funded by ALDOT and desires to purchase new vehicles to meet service needs. New Service – an agency that has not purchased vehicles through ALDOT.

Prices are estimates only and are rounded to the nearest \$100.

Diesel-Powered 25 passenger Cut-A-Way Chassis Bus and the 28-30 passenger vehicles are currently pending contract renewal.

List Sources of Local Funds (below). 20% Local Match is Required for all Vehicles Requested.

Name of Organization: _____ Amount: _____

Name of Organization: _____ Amount: _____

PART III – JARC PROJECT BUDGET FOR FY-2019 (continued)

Mobility Management Budget

(line items are examples only)

Line Item	Project Budget
Mobility Manager	
Supplies	
Travel	
Printing	
Other _____	
Total Mobility Management Expenses	
Total Local Funds (20%)	
1. Local Funding Source _____	
2. Local Funding Source _____	
Federal Funds (80%)	

NOTE: If you have any questions or need technical assistance with the application development process for the Section 5311 Application, please contact your Program Manager.

Appendix

CHARTER SERVICE

Charter Service: Charter Service regulations (49 CFR Part 604) can be found on FTA's website: <https://www.transit.dot.gov/regulations-and-guidance/access/charter-bus-service/charter-bus-service-regulations>.

FTA grantees are prohibited from using federally funded equipment and facilities to provide charter service except on an incidental basis and when one or more of applicable exceptions as set forth in the charter service regulation at 49 CFR 604.9 (b) applies. Charter service is an allowable activity on an incidental basis if the applicant successfully completes the charter public notice requirements and no "willing and able" private charter providers are available. Applicants must reference Federal Transit Act, as amended 49 CFR 604.11(c).

The charter service regulations provide guidance regarding exemptions and exceptions and can be found in 49 CFR Parts 604.2 and 604.6. Exemptions, which are not considered charter service, require no notification to registered Charter providers, record-keeping, quarterly reporting, or other requirements. Exceptions are considered charter service and have administrative, recordkeeping, and reporting requirements. Records for each charter service event must be retained for at least three years.

Incidental use may include meal and parcel delivery, restricted client services, and FTA allowable charters. **All allowable incidental charter service must be fully allocated with no charge to federally funded programs. No mileage, trips, or hours associated with allowable incidental charter shall be represented in the subrecipient's annual operating statistics.**

ALDOT reviews compliance with charter rules during periodic on-site visits. Historically, ALDOT has neither obtained any information nor reported on any charter services to FTA. If, in the future, a charter service is performed under an allowable exception, the subrecipient must notify the ALDOT Program Manager. For each charter service performed in accordance with an allowable exception, the subrecipient will complete the ALDOT *Charter Service Reporting Form* (provided in the current **State Management Plan**) and email it to the ALDOT Program Manager. ALDOT's Transit Section will review and coordinate any subrecipient requests for a charter service exception (including all supporting documentation) prior to submission to FTA.

ALDOT will review all complaints of charter service violations in accordance with 49 CFR Part 604. Upon receiving a written complaint alleging that a violation has occurred, ALDOT shall investigate and determine whether a violation has occurred. The state will look to the subrecipient to remedy any claims against the subrecipient in association with charter service in violation of 49 CFR 604.

Section 5311 subrecipients are exempt from the FTA charter rule provided the service is for program purposes only. "Program purposes" is defined as transportation that serves the needs

of either human service agencies or targeted populations (such as elderly, individuals with disabilities, and low income individuals).

“Program purposes” does not include exclusive service for other groups formed for purposes unrelated to the special needs of these targeted populations. Thus, Section 5311 subrecipients who intend to provide charter service that is outside their program purposes must follow the guidelines outlined.

Rural public transit systems doing any charter service under any of the allowable exceptions must file quarterly electronic reports with ALDOT utilizing the ALDOT *Charter Service Reporting Form* (provided in the current **State Management Plan**) within 15 days of the end of each quarter, listing each charter service provided and providing the specified detail in those cases where such is required. All such services must also be reported as charters on quarterly and year-end statistics reported as requested or required.

1 Exemptions

Exemptions: The charter service regulation exempts the following services:

- 1) Transportation of Employees, Contractors, and Government Officials: Subrecipients are allowed to transport their employees, other transit system employees, transit management officials, transit contractors and bidders, government officials and their contractors, and official guests to or from transit facilities or projects within its geographic service area or proposed geographic service area for the purpose of conducting oversight functions such as inspection, evaluation, or review.
- 2) Private Charter Operators: The prohibitions do not apply to private charter operators that receive, directly or indirectly, Federal financial assistance under the over-the-road bus accessibility program or to non-FTA funded activities of private charter operators that receive, directly or indirectly, FTA financial assistance.
- 3) Emergency Preparedness Planning and Operation: Subrecipients are allowed to transport their employees, other transit system employees, transit management officials, transit contractors and bidders, government officials and their contractors, and official guests for emergency preparedness planning and operations.
- 4) Section 5310, 5311, 5316, and 5317 Recipients: The prohibitions do not apply to subrecipients that use Federal financial assistance from FTA for program purposes, that is, transportation that serves the needs of either human service agencies or targeted populations (elderly, individuals with disabilities) under Section 5310, 5311, 5316, or 5317. Program purposes do not include exclusive service for other groups formed for purposes unrelated to the special needs of the identified targeted populations.

- 5) Emergency Response: Subrecipients are allowed to provide service for up to 45 days for actions directly responding to an emergency declared by the President, governor, or mayor or in an emergency requiring immediate action prior to a formal declaration.
- 6) Recipients in Non-Urbanized Areas: Subrecipients in non-urbanized areas may transport employees, other transit systems' employees, transit management officials, and transit contractors and bidders to or from transit training outside its geographic service area.

2 Exceptions

Exceptions: The charter regulation excepts the following community based charter services:

- 1) Government Officials: A subrecipient is allowed to provide charter service (up to 80 charter service hours annually) to government officials (Federal, state, and local) for official government business, which can include non-transit related purposes, if the subrecipient:
 - a) Provides the service in its geographic service area
 - b) Does not generate revenue from the charter service, except as required by law

Record-Keeping After Providing Charter Service: Government organization's name, address, phone number, and email address; the date and time of service; the number of passengers (also the number of government officials); the origin, destination, and trip length (miles and hours); fee collected if any; and the vehicle number for the vehicle used to provide service. The subrecipient may petition ALDOT to petition FTA for additional charter service hours (more than 80 charter service hours annually). Refer to §604.6 for additional information.

- 2) Qualified Human Service Organization (QHSO):

A subrecipient is allowed to provide charter service to a QHSO for the purpose of serving persons:

- a) With mobility limitations related to advanced age
- b) With disabilities
- c) With low income

If the QHSO receives funding, directly or indirectly, from the programs listed in Appendix A of the regulation, the QHSO is not required to register on the FTA's charter registration website. Otherwise, the QHSO is required to register. The subrecipient may provide service only if the QHSO is registered at least 60 days before the date of the first request for charter service.

Record-Keeping After Providing Charter Service: QHSO's name, address, phone number, and email address; the date and time of service; the number of passengers; the origin, destination, and trip length (miles and hours); fee collected if any; and the vehicle number for the vehicle used to provide service.

- 3) Leasing of Equipment and Driver: A subrecipient is allowed to lease its FTA funded equipment and drivers to registered charter providers for charter service only if all of the following conditions exist:
- a) The private charter operator is registered on the FTA charter registration website
 - b) The registered charter provider owns and operates buses or vans in a charter service business
 - c) The registered charter provider received a request for charter service that exceeds its available capacity either of the number of vehicles operated or the number of accessible vehicles operated by the registered charter provider
 - d) The registered charter provider has exhausted all of the available vehicles of all registered charter providers in the subrecipient's geographic service area

Record-Keeping After Providing Charter Service: Registered charter provider's name, address, phone number, and email address; the number, types, and vehicle identification numbers for all vehicles leased; and support documentation for conditions (shown as letters a-d herein).

- 4) No Response by Registered Charter Provider: A subrecipient is allowed to provide charter service, on its own initiative or at the request of a third party, if no charter provider registered on the FTA's website responds to the notice issued by e-mail to registered charter providers in the geographic service area (pursuant to 604.14):
- a) Within 72 hours for charter service requested to be provided in less than 30 days, or
 - b) Within 14 calendar days for charter service requested to be provided in 30 days or more.

The subrecipient is not allowed to provide charter service under this exception if a registered charter provider indicates an interest in providing the charter service described in the notice and the registered charter provider has informed the subrecipient of its interest in providing the service.

This is true even if the registered charter provider does not ultimately reach an agreement with the customer.

If the subrecipient is interested in providing charter service under this exception, the subrecipient shall provide email notice to registered charter providers in the subrecipient's geographic service area by the close of business on the day the subrecipient received the request unless the request was received after 2:00 pm, in which case the notice shall be sent by the close of business the next business day.

Record-Keeping After Providing Charter Service: Group's name, address, phone number, and email address; the date and time of service; the number of passengers; the origin,

destination, and trip length (miles and hours); fee collected if any; and the vehicle number for the vehicle used to provide service.

- 5) Agreement with All Registered Charter Providers: The subrecipient is allowed to provide charter service directly to a customer consistent with an agreement entered into with all registered charter providers in the subrecipient's service area. The subrecipient is allowed to provide charter service up to 90 days without an agreement with a newly registered charter provider in the geographic service area subsequent to the initial agreement. Any parties to an agreement may cancel the agreement after providing a 90 day notice to the subrecipient.
- 6) Petitions to the Administrator: The subrecipient may petition ALDOT to petition the Administrator for an exception to the charter service regulations to provide charter service directly to a customer for:
 - a) Events of regional or national significance. The petition shall describe how registered charter providers were consulted and will be utilized and include a certification that the subrecipient has exhausted all the registered charter providers in its service area. The petition must be submitted at least 90 days before the first day of the event.
 - b) Hardship (only for non-urbanized areas under 50,000 in population or small urbanized areas under 200,000 in population). The exception is only available if the registered charter providers have deadhead time that exceeds total trip time from initial pick-up to final drop-off, including wait time. The petition shall describe how the registered charter provider's minimum duration would create a hardship on the group requesting the charter service.
 - c) Unique and time sensitive events (e.g., funerals of local, regional, or national significance) that are in the public's interest. The petition shall describe why the event is unique and time sensitive and would be in the public's interest.

The subrecipient must retain records of each charter service provided for at least three years. Charter service hours include time spent transporting passengers, time spent waiting for passengers, and "deadhead" hours (time spent getting from the garage to the origin of the trip and then the time spent from trip's ending destination back to the garage). All subrecipients that provide charter services are required to submit a charter service report to ALDOT within 15 days after charter services are performed under the applicable exceptions.
