

Circular 9070: Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program

Session 2 – Program Management and Administration

FTA Office of Program Management



U.S. Department of Transportation
Federal Transit Administration

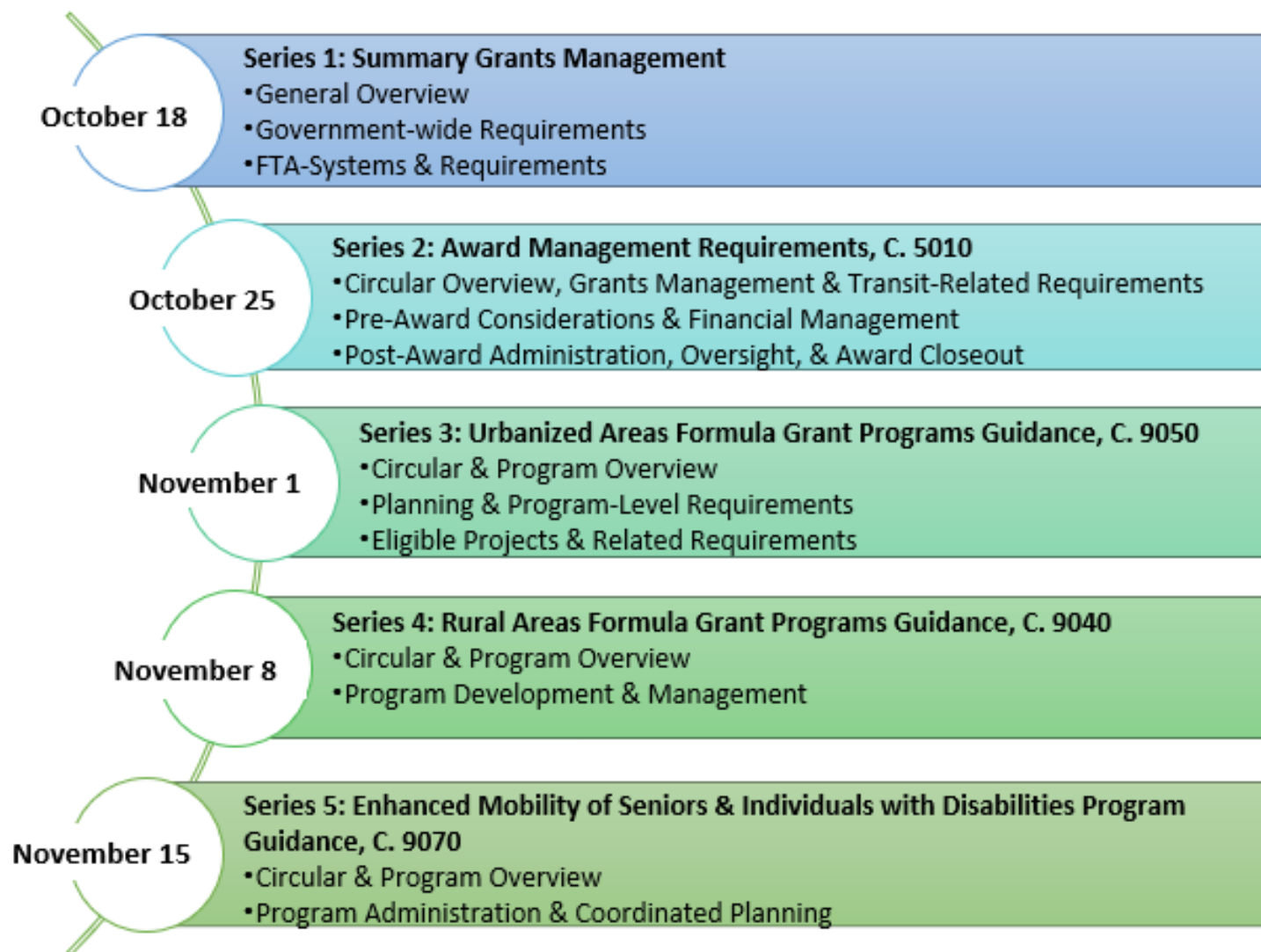


Disclaimer

The contents of this presentation do not have the force and effect of law and are not meant to bind the public in any way. This presentation is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Grantees and subgrantees should refer to FTA's statutes and regulations for applicable requirements.

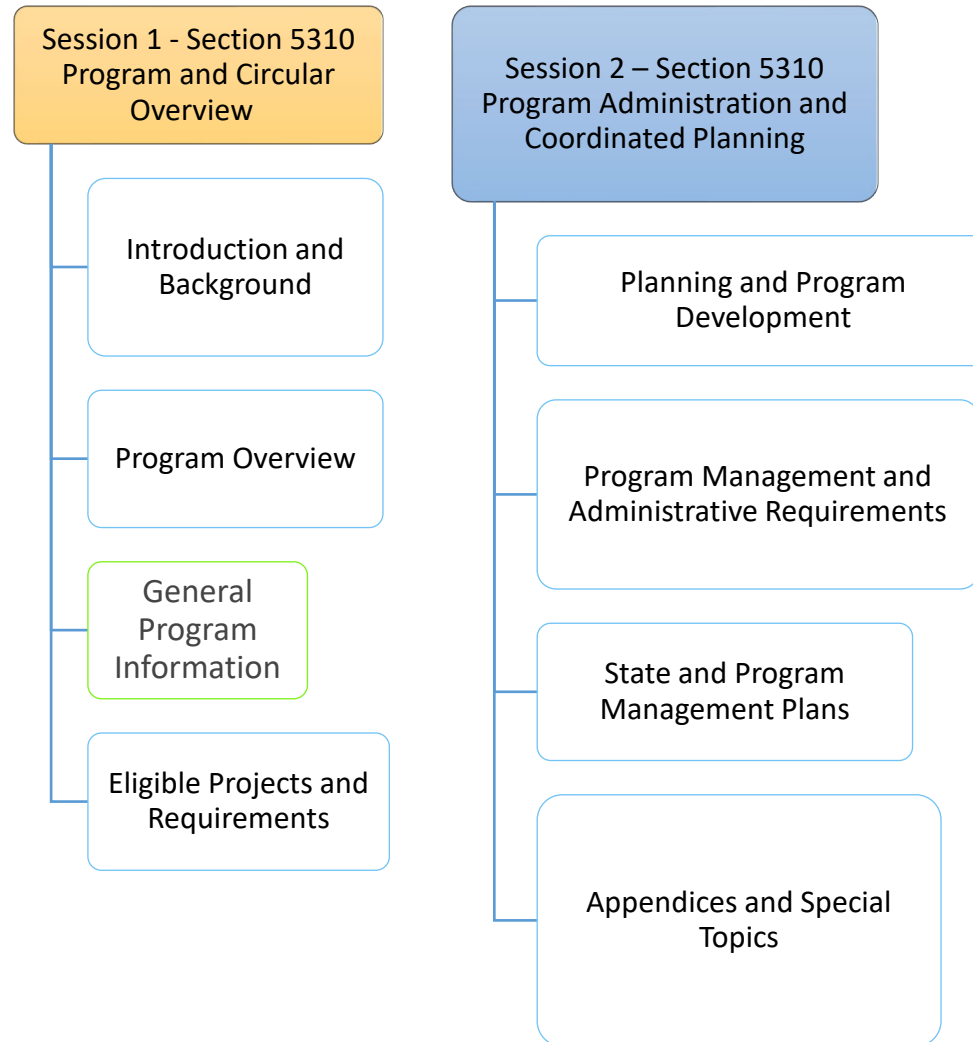
Circular Rollout Training Schedule

Each Friday from October 18 through November 15, 2024, FTA is posting a series of prerecorded videos addressing summary grants management information and highlighting the requirements outlined in each of the revised circulars - 5010, 9050, 9040, and 9070. 9070 is the last training series.



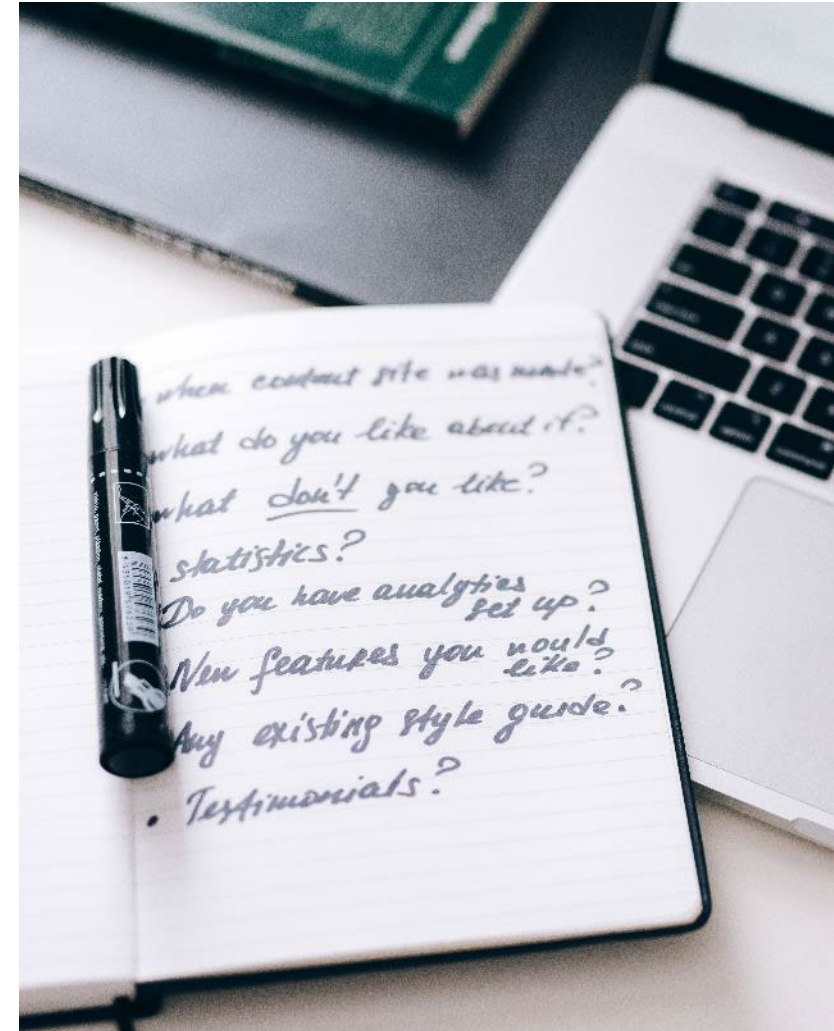
What is the C. 9070.1H Training Series?

FTA created training sessions on the 9070.1H circular to create a baseline understanding of processes, tools and terminology. These trainings create a foundation to understand updates to the circular.



The “Route” Ahead – Session 2

- Chapter V – Planning and Program Development
- Chapter VI – Program Management and Administration Requirements
- Chapter VII – State Management Plan
- Appendices



Planning and Program Development



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Program of Projects

- Each Section 5310 award must include a Program of Projects (POP), which identifies the projects and subrecipients for which the recipient is applying for financial assistance in a given year.
- POPs must:
 - Indicate the number of projects and the funding source;
 - Indicate the total number of subrecipients;
 - Identify each subrecipient and indicate whether they are governmental authorities, private nonprofit agencies, or operators of public transportation; and
 - Indicate whether a project is a capital or an operating expense
 - Identify which projects meet the 55 percent minimum for traditional Section 5310 projects.
 - Be identical to or consistent with listings contained in the applicable TIP and STIP.

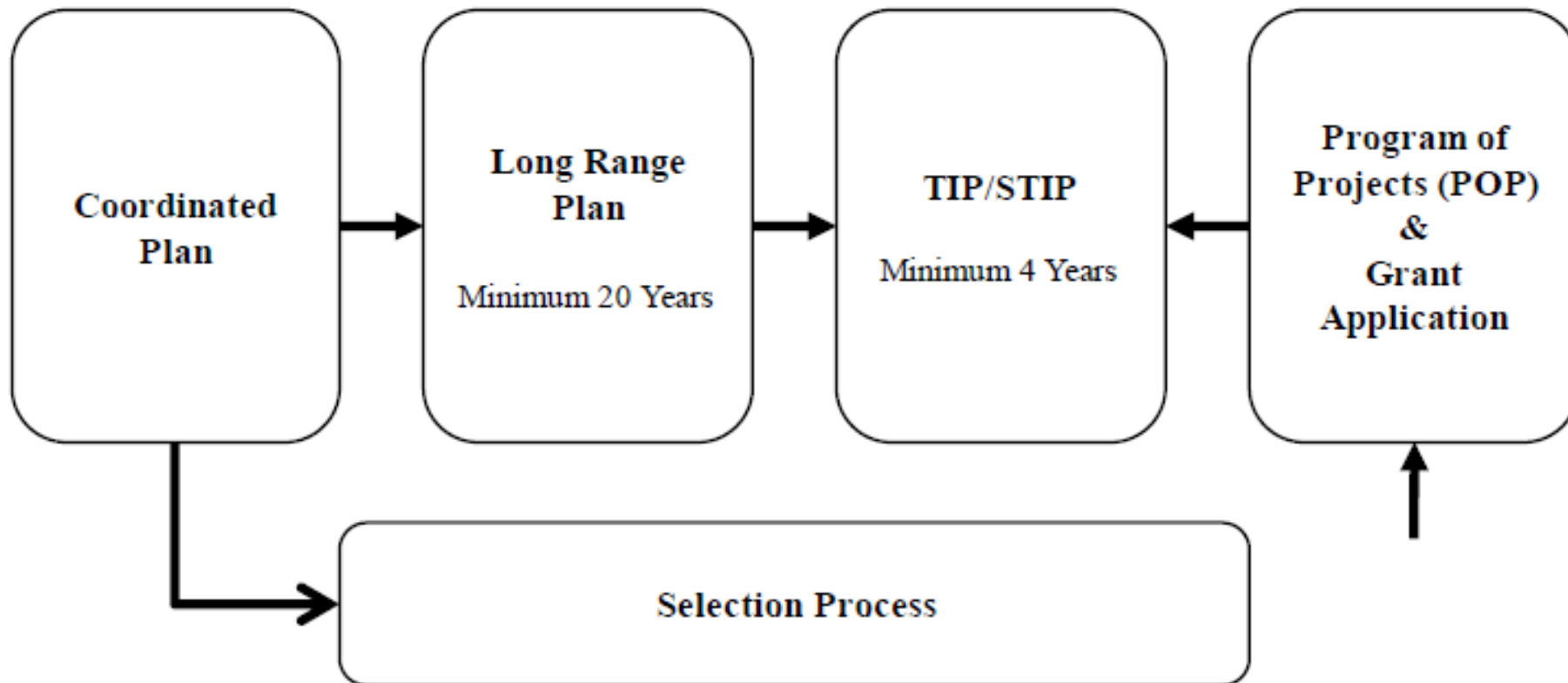
Additional information on POPs can be found in Chapter V.3

Coordinated Public Transit-Human Services Transportation Plan

- Projects selected under the Section 5310 Program must be included in a locally developed, coordinated public transit-human services transportation plan.
- The locally developed, coordinated public transit-human services transportations must be developed and approved through a process that included participation by:
 - Older adults
 - People with disabilities
 - Representatives of public, private, and nonprofit transportation and human services providers
 - Other members of the public
- Local plans may be developed on a local, regional, or statewide level.
- The agency leading the planning process is decided locally and does not have to be the State or Designated Recipient.
- Required elements can be found in Chapter V.4.b
- Tools and strategies for developing a coordinating plan can be found in Chapter V.4.d

Coordinated Plan Relationship to Selection and Planning Processes

- The schematic here illustrates the relationship between the coordinated plan and the metropolitan and statewide planning processes.



Program Management & Administration Requirements

Vehicle Use

- FTA encourages maximum use of vehicles funded under the Section 5310 Program.
- Vehicles are to be used first for program-related needs as stated in the grant that funded the vehicle, then to meet other Federal program or project needs
- Vehicles no longer needed for the original program or project may be used:
 - **For Section 5310 Projects and Program Purposes** – For example to provide additional transportation services by the subrecipient for older adults and people with disabilities not associated with their agency.
 - **For Other Federal Program or Project Purposes** – If the vehicle is no longer needed for the original program or project, the vehicle may be used in other activities currently or previously supported by a Federal agency. First by other FTA programs or projects and then by other Federal programs or projects.

Incidental Use

- **Incidental use** - Occurs when a recipient or subrecipient allows the use of federally funded assets by another entity for non-public transit purposes.
- Incidental Use cannot:
 - Interfere with the recipient's project or public transportation operations
 - Be included in service data for the apportionment of formula grants
- Examples:
 - Temporary vehicle use by another entity during off-hours to transport older adults from senior centers to a site offering hot meals.
 - Temporary vehicle use by another entity during off-hours to transport people with disabilities to an event.

Meal Delivery

- Under the Incidental Use policy, transit service providers may coordinate and assist in providing meal delivery services on a regular basis, if the meal delivery services do not conflict with the original transit services or result in a reduction of service to transit passengers.
 - The number and size of vehicles applied for under Section the 5310 Program must be determined only by the number of passengers to be transported, not meal delivery needs.
 - Section 5310 funds may not be used to purchase special vehicles to be used solely for meal delivery or to purchase specialized equipment, such as racks or heating or refrigeration units, related to meal delivery.
 - For further information regarding incidental use, please refer to FTA circular 5010.1.
- Example:
 - Temporary vehicle use by another entity during off-hours to transport meals from food distribution sites to senior centers or homebound individuals.

Leasing Vehicles Acquired with Section 5310 Funds

- Vehicles acquired under the Section 5310 Program may be leased to other entities such as local governmental authorities or agencies, other private nonprofit agencies, or private for-profit operators. Other uses of the vehicle must not interfere with services to older adults and people with disabilities.
- **Title to Vehicles** - When leasing a vehicle to another entity, the recipient is encouraged to either hold title or record a lien against the title to vehicles. The recipient must establish continuing control over the vehicles and accept the responsibility for continued use of the vehicles for Section 5310 purposes, whether by the recipient or a subrecipient.
- **Satisfactory Continuing Control and Responsibility** - When vehicles, capital equipment, or facilities are acquired, built, or improved for use by any entity utilizing FTA funding, the recipient must ensure satisfactory continuing control of the vehicles, capital equipment, and facilities funded. While the recipient may delegate these responsibilities to another entity, the recipient is ultimately responsible for compliance with this requirement.

Reporting Requirements

- When an Award is active, the recipient must comply with post-award reporting requirements.
- Section 5310 Reporting Requirements include but are not limited to: Annual Program of Projects Status Reports, Milestone Progress Reports, Federal Financial Reports, Disadvantaged Business Enterprise Reports, and Transit Vehicle Manufacturer Disadvantaged Business Program Report.
- **Annual Program of Projects Status Reports:**
 - By October 31 each year, the State/Designated Recipient must submit a Program Status Report for each active grant, covering the twelve-month period ending September 30.
 - Updates should reflect revised project descriptions, changes in project categories, and adjustments to budget categories.
 - Reports should include an updated Program of Projects for each approved grant that contains active projects.

Recipients should contact their FTA Regional Office with questions on reporting requirements

Additional Reporting Requirements

- **National Transit Database (NTD) Reporting** – All FTA recipients, including recipients under the Section 5310 Program are required to report an asset inventory or condition assessment conducted by the recipient to the NTD.
- **Drug and Alcohol Testing** - Recipients or subrecipients that receive only Section 5310 Program assistance are not subject to FTA’s D&A testing rules but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver’s licenses.
 - Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program.
 - An FTA compliant testing program may be used for Section 5310 employees; there is no need to have separate testing programs.
 - Employees of a subrecipient of Section 5310 funds from a State or Designated Recipient of another FTA program should also be included in the Designated Recipient’s testing program.

State and Program Management Plans

State and Program Management Plans

- State Management Plan - The SMP describes the State's policies and procedures for administering FTA's Section 5310 program in small urban and rural areas.
- Program Management Plan - The PMP describes the Designated Recipient's policies and procedures for administering FTA's Section 5310 Program in a large urbanized area.
- The requirements for the PMP and the SMP are the same.
- Each recipient is required to have an approved SMP/PMP on file with the appropriate FTA Regional Office and to update it regularly to incorporate any changes in program management or new requirements.
- A State may include the required SMP for the Section 5310, 5311 and 5339(a) programs in a single document or separate documents. Designated Recipients may choose to have one single management plan as long as subrecipients can identify which policies and procedures are relevant to them.

Management Plan Content

- At a minimum SMPs/PMPs must include the recipient's program objectives, policies, procedures, and administrative requirements in a form readily accessible to potential subrecipient, FTA, and the public.
- SMPs/PMPs serve as the basis for FTA to perform recipient level management reviews of the program and provide public information on the recipient's administration of the Section 5310 Program.
- SMPs/PMPs should address:
 - Coordination
 - Eligible Subrecipients
 - Local share and local funding requirements
 - Project selection criteria and method of distributing funds
 - Annual program of projects development and approval process
 - Section 5310 Program Measures
- The complete list of required topics can be found in Chapter VII.4

Management Plan Revisions

- FTA strongly encourages the State/Designated Recipient to issue timely revisions to the SMP/PMP, particularly when information helpful to disadvantaged communities, subrecipients and third-party contractors is involved.
- When the State/Designated Recipient proposes significant revisions to the SMP/PMP, it should give an opportunity to comment to potential subrecipients, potential service providers, other State agencies and representatives of other funding sources, and any relevant State associations and professional organizations.
- If revisions are substantive but not pervasive, the State/Designated Recipient may submit page changes that FTA can approve and incorporate into the SMP/PMP on file. If the State/Designated Recipient changes the SMP/PMP significantly, however, it should submit the entire revised plan to FTA for approval.
- The State/Designated Recipient is responsible for ensuring that FTA has a complete electronic copy of the current SMP/PMP.

Appendices

Appendices: What's Changed?

- FTA removed many of the appendices found in circular 9070.1G, as the information is available in other circulars and resources and can be easily referenced.
- Appendix B, Sample Section 5310 Program of Projects, is now the new Appendix A.
- Appendix D, Relationship Between Coordinated Planning and Metropolitan and Statewide Planning (Table), is now the new Appendix B.

More Information

FTA links to training on their circular landing page at transit.gov. Please share with applicable and interested colleagues.

Shared Mailbox

FTACircularUpdate2024@dot.gov

Resources

Learn More:

- [Award Management Requirements \(5010\) Proposed Circular](#)
- [Grant Programs for Urbanized Areas: Program Guidance and Application Instructions \(9050\) Proposed Circular](#)
- [Rural Areas Formula Grant Programs \(9040\) Proposed Circular](#)
- [Enhanced Mobility of Seniors and Individuals With Disabilities Program Guidance and Application Instructions \(9070\) Circular](#)

FTA Mission, Vision, Values



Mission

Improve America's Communities through Public Transportation



Vision

A Better Quality of Life for All Built on Public Transportation Excellence

Values

Service

Provide reliable, transparent, responsive, and anticipatory services to meet stakeholder needs

Integrity

Commitment to the highest professional and ethical standards

Innovation

Foster new ideas, concepts, and solutions for improved outcomes

Sustainability

Optimize decisions, resources, and systems to make long-term positive impacts on the environment, infrastructure, and safety

Equity

Remove barriers for systemically underserved communities to access all aspects of economic, social, and civic life

Thank you!

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