

PROGRAM MANAGEMENT PLAN

Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities Program

July 2022 Update



Metropolitan Washington
Council of Governments

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SECTION 5310 ENHANCED MOBILITY PROGRAM

Introduction

This Program Management Plan (PMP) outlines the policies and procedures the Metropolitan Washington Council of Governments (COG) will use in the management and administration of the Enhanced Mobility of Seniors and Individuals with Disabilities Program (Enhanced Mobility). Created under the two-year transportation authorization, Moving Ahead for Progress in the 21st Century Act (MAP-21),¹ and extended through the FAST Act and IIJA, the Enhanced Mobility program aims to improve mobility for seniors and individuals with disabilities throughout the region by removing barriers to transportation services and expanding transportation mobility options available.² The National Capital Region Transportation Planning Board (TPB), is the designated recipient of Enhanced Mobility funds for the Washington DC-VA-MD Urban Area; and COG is the administrative agent responsible for all of the TPB's procurement, accounting, and legal activities.

MAP-21 made significant changes to the JARC and New Freedom programs: it eliminated the JARC program and consolidated the New Freedom and the Section 5310 Elderly and Individuals with Disabilities Program into a new program, "Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities." Federal rules require that funding decisions for the Enhanced Mobility program must be guided by a Coordinated Human Service Transportation Plan.³ TPB approved a revised Coordinated Human Service Transportation Plan (Coordinated Plan) for the National Capital Region on December 19, 2018.⁴ The Coordinated Plan is scheduled for update in 2022.

Program Management Plan Content

As a designated recipient of Enhanced Mobility funds, the TPB, through its administrative agent COG, has developed and will manage a competitive project selection process within the Washington DC-VA-MD Urban Area. COG will track subrecipient invoicing, financial status, performance monitoring, and schedule adherence.

While there is no prescribed format for the PMP, the Federal Transit Administration (FTA) Circular 9070.1G indicates the plan should address the topics listed in **Table 1**. The table indicates in which section of this PMP these topics and requirements are addressed.⁵

¹ FTA C 9070.1G, Page I-1

² Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310). Accessed at <https://www.mwcog.org/transportation/programs/enhanced-mobility/>

³ Update to the Coordinated Human Service Transportation Plan for the National Capital Region. Accessed at <https://www.mwcog.org/coordinated-human-service-transportation-plan/>

⁴ Ibid.

⁵ FTA C 9070.1G, Page VII 2-4

Table 1: FTA C 9070.1G Enhanced Mobility Program Management Plan Content

Requirement	Description	Location in PMP
Program Goals and Objectives	Describe the philosophy and policy underlying the recipient’s management of the Section 5310 program. Include a description of any process that exists for establishing long-term goals for providing transportation services to seniors and people with disabilities in the recipient’s area, including the process for long range planning and consultation with elected officials.	pg. 4
Roles and Responsibilities	Specify the agencies designated to administer the Section 5310 program. Explain the respective roles and responsibilities of the recipients and their subdivisions, other recipient agencies or review boards, local governments, private providers, local applicants, and other involved parties.	pg. 6
Coordination	Describe how the recipient coordinates with other agencies at the state or designated recipient level and encourages and enhances coordination at the project level. This could include a description of any recipient-level coordinating mechanisms, legislation, review boards, and state or designated recipient policies that encourage or mandate coordination at the local level.	pgs. 4-5 pg. 7 pgs. 13-14
Eligible Subrecipients	Describe which entities are eligible to apply for funds, and describe any recipient eligibility requirements that are more restrictive than federal eligibility.	pg. 5 pgs. 10-11 pg. 14
Local Share and Local Funding Requirements	Describe any recipient policies on provision of local matching share. Include a description of any programs which provide matching funds for Section 5310.	pg. 15 pg. 26
Project Selection Criteria and Method of Distributing Funds.	A competitive selection process is not required; whether or not the recipient engages in a competitive selection process, the recipient should describe the recipient’s criteria for selecting projects and distributing funds among various applicants. Whether the recipient uses a formula for allocation, imposes its own limitations on use of the funds, or uses an entirely discretionary selection process, the plan should explain the policy rationale and the methods used. This description should include the recipient’s procedures for (1) assuring equity of distribution of benefits among eligible groups within the state or urbanized areas, as required by Title VI of the Civil Rights Act; (2) assuring that	pg. 7 pgs. 13-14

	projects were included in a locally developed coordinated plan; and (3) documenting evidence that the local coordinated plan was developed and approved in cooperation with stakeholders, including individuals with disabilities and seniors utilizing transportation services.	
Annual Program of Projects Development and Approval Process	Describe the recipient's process and timetable for soliciting, reviewing, and approving applications for local projects to be included in the state's annual POP for Section 5310. The SMP/PMP may include instructions to potential subrecipients on how to prepare local project applications.	pg. 7 pgs. 12-16
State Administration, Planning, and Technical Assistance	Describe how the recipient uses Section 5310 funds within the 10 percent limitation for administration, planning, and technical assistance. Also describe additional resources including planning, technical, and management assistance the recipient makes available to local areas and/or subrecipients.	pg. 13 pg. 16
Transfer of Funds	Describe any policy the state has for transferring funds between rural and small urbanized areas, or to any area of the state if the state has a statewide program for meeting the objectives of Section 5310.	N/A
Private Sector Participation	Describe the recipient's procedures for providing for maximum feasible participation by private providers of public transportation.	pgs. 13-14
Civil Rights	Describe how the recipient meets applicable federal civil rights requirements and monitors subrecipients to ensure compliance with the requirements of Title VI, Equal Employment Opportunity (EEO), and Disadvantaged Business Enterprise (DBE). The management plan must include the program-specific Title VI requirements detailed in Chapter VIII, "Other Provisions," including the recipient's efforts to assist minority applicants and to include subrecipients serving significant minority populations. (Inclusion in the SMP/PMP may satisfy certain requirements for one-time submissions in the civil rights areas.)	pgs. 27-28
Section 504 and ADA Reporting	Describe the recipient's method for monitoring subrecipients' compliance with Section 504 and ADA regulations and for processing the plans, reports, and certifications submitted to it under the provisions of those regulations.	pg. 28
Program Measures	Describe the recipient's method for collecting and reporting the data for program measurement described in Chapter II and VI of this circular	pg. 16 pgs. 22-23, 31-32

Program Management	Describe how the recipient administers its program management responsibilities in such areas as procurement, financial management, property management, vehicle use, maintenance and disposition, accounting systems, audit, and closeout. In addition, include any procedures for management or financial reviews and project monitoring or on-site reviews. Describe any standards set by the recipient for matters such as productivity, cost effectiveness, or service standards. Detail any reporting requirements.	pgs. 17-27
Other Provisions	Describe the process by which the recipient complies with other federal requirements such as environmental protection, Buy America provisions, pre-award and postdelivery reviews, restrictions on lobbying, prohibition of exclusive school transportation, and drug and alcohol testing, including the state's procedures for monitoring compliance by subrecipients	pg. 19 pgs. 27-28

Program Purpose, Goals and Objectives, and Populations Served

The goal of the Section 5310 program is to “improve mobility for seniors and individuals with disabilities throughout the country by removing barriers to transportation services and expanding the transportation mobility options available.”⁶ FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors (defined by FTA as those 65 and older) and individuals with disabilities in all areas – large urban, small urban, and rural. The program requires coordination with other federally assisted programs and services in order to make the most efficient use of federal resources.

The 5310 Enhanced Mobility program provides grant funds for capital and operating expenses to recipients for:

- Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
- Public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA) of 1990;
- Public transportation projects that improve access to fixed-route service and decrease reliance on complementary paratransit; and
- Alternatives to public transportation projects that assist seniors and individuals with disabilities with transportation.⁷

There are two broad categories of Enhanced Mobility projects – more detail on these categories is

⁶ FTA C 9070.1G, Page II-2

⁷ FTA C 9070.1G, Page II-1

provided on pgs. 12-13.

- **Capital Projects or Mobility Management Funding for Non-Profits or Qualifying Local Governments (Traditional Section 5310 Projects)** - Public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate.⁸ This category must constitute at least 55% of appropriated funds.
- **Operating or Capital Projects for All Eligible Subrecipients** - Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable; Public transportation projects (capital and operating) that exceed the requirements of ADA; Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation coordination.⁹ This category constitutes up to 45% of appropriated funds.

Coordinated Human Service Transportation Plan

The TPB Access for All Advisory Committee (AFA), established by the TPB in July 2006, oversees the development of the Coordinated Human Service Transportation Plan. AFA membership includes TPB member jurisdictions, transportation providers, human service agencies and consumers working to improve coordination and service delivery for people with disabilities, individuals with lower incomes, people with limited English proficiency, and older adults. The most recent update to the coordinated plan was approved by the TPB on December 19, 2018. A 2022 update is in process.

FTA guidance for the Enhanced Mobility program states that projects selected for funding must be included in the Coordinated Plan or respond to strategies in the plan.¹⁰

There are five (5) key elements of the TPB Coordinated Human Service Transportation Plan:

- Identification of unmet transportation needs of people with disabilities and older adults;
- Inventory of existing transportation services for these population groups;
- Strategies for improved service and coordination;
- Priority projects for implementation; and
- Project selection criteria.¹¹

TPB's Coordinated Human Service Transportation Plan has developed four (4) broadly defined strategies so that a wide range of project types can be implemented to improve transportation service and coordination for people with disabilities and older adults:

- I. Expand availability and coordination of transportation options
- II. Increase awareness of existing transportation services
- III. Improve accessibility of transportation options

⁸ FTA C 9070.1G, Page III-9

⁹ FTA C 9070.1G, Page III-12

¹⁰ Update to the Coordinated Human Service Transportation Plan for the National Capital Region. Accessed at <https://www.mwco.org/coordinated-human-service-transportation-plan/>

¹¹ Ibid.

- IV. Make transportation options more affordable and sustainable
- V. Other – items that do not fall into strategies 1-4

Revisions to Program Management Plan

COG will issue timely PMP revisions to FTA as necessary, particularly when information helpful to traditionally underserved applicants, subrecipients, and third-party contractors is involved. COG may submit minor changes and technical corrections to FTA to update the approved plan without the need for additional FTA approval. When COG proposes significant revisions to the PMP, it will give an opportunity to comment to potential subrecipients of assistance, potential service providers, other agencies and representative of other funding sources, and any relevant associations and professional organizations.¹²

Enhanced Mobility Projects Funded

Since 2017, the TPB has conducted four Enhanced Mobility solicitations and awarded more than 92 projects totaling over \$31 million. Projects include travel training, wheelchair-accessible taxicabs, voucher programs, volunteer driver program support, and procurement of wheelchair accessible vehicles and funding of operations to support their use for older adults and people with disabilities. The types of agencies that received grants include non-profits, local government agencies, private transportation providers, and the Washington Metropolitan Area Transportation Authority (WMATA). COG also oversees three active JARC grants and submits federal reports as required.

ROLES AND RESPONSIBILITIES

TPB and COG Roles and Responsibilities

FTA has established grant management and distribution responsibilities for designated recipients.¹³ COG and TPB ensure compliance with these responsibilities as described herein for the following major grant activities. COG, as the administrative agent for the TPB, is responsible for all of its procurement, financial controls, accounting, and legal activities. The TPB, as the MPO and planning body, is responsible for the Coordinated Plan, the project solicitation, and selection.

TPB Project Selection and Coordination

- Develop project selection criteria consistent with the coordinated planning process
- Ensure equity in awareness of the availability of funds
 - Notify eligible local entities of funding availability
 - Solicit applications from potential subrecipients

¹² FTA C 9070.1G, Page VII-4

¹³ FTA C 9070.1G, Page III-2-3

- Host pre-application conferences in VA, MD and DC
 - Provide technical assistance to applicants
- Score applications and recommend projects based on selection criteria in the Coordinated Plan and outlined on pg. 14 of the PMP.
 - Determine applicant and project eligibility, including project consistency with TPB's Coordinated Plan
 - Certify that allocations of funds to subrecipients are made on a fair and equitable basis
 - Ensure that at least 55% of the area's apportionment is used for capital projects (also known as traditional Section 5310 projects) carried out by the eligible subrecipients
 - Certify that, to the maximum extent feasible, services funded under Section 5310 are coordinated with transportation services assisted by other federal departments and agencies
- Approve recommended projects for inclusion in the Transportation Improvement Program (TIP)
- Notify selected subrecipients that they have 30 days from award to complete required federal compliance documents
- Submit Program of Projects (POP) and grant application to FTA

COG Project Administration

- Sign subgrant agreements with and provide reporting schedule to subrecipients after FTA approves POP
- Approve and reimburse subrecipient invoices for pre-approved budget items
- Draw down federal funds
- Submit Quarterly Milestone Progress Report to FTA
- Submit Quarterly Federal Financial Report to FTA
- Submit Annual Performance Measures to FTA
- Develop and submit semi-annual DBE reports to FTA
- Conduct subrecipient site visits
- Ensure subrecipients' compliance in areas of Title VI, EEO, ADA, DBE, Procurement, Asset Management, and Preventive Maintenance
- Review and update COG's information in the System for Award Management (SAM) at least annually

COG Project Closeout

- Notify subrecipients when all approved activities are completed and/or all applicable federal funds are expended to initiate closeout and final reporting requirements
- Notify FTA when all approved activities are completed and/or all applicable federal funds are expended from POP to initiate closeout and final reporting requirements
- Oversee project closeout, which includes review and approval of final reports, a letter to the subrecipient confirming project end, and notice that any remaining Federal funds will revert back to FTA or be reallocated to another project, and closeout of award in TrAMS if it is the last project, within the award, to be completed.

Subrecipient Roles and Responsibilities

Subrecipients are responsible for complying with all application requirements during TPB's project solicitations. Subrecipients are responsible for submitting complete and timely monthly, quarterly and annual reports to TPB. The Enhanced Mobility program reimburses subrecipients for pre-approved budget items; subrecipients must submit monthly invoices documenting what was spent on the approved budget and will be reimbursed generally within 30 days of submitting an invoice. ¹⁴ Please refer to the Enhanced Mobility Reporting Requirements section on pg. 9.

Other subrecipient responsibilities include timely submission of FTA's annual Certifications and Assurances, Title VI and DBE documentation, and notifying COG staff of any problems that arise during the implementation of the project. COG also requires that all bid documents and specifications, prepared by the subrecipient, be reviewed and approved prior to seeking bids for vehicles to ensure compliance with federal standards. For the following major grant activities, Enhanced Mobility grant subrecipients will do the following:

Project Application

- Develop and submit Enhanced Mobility application to TPB, including Authorizing Resolution (confirming agency knowledge of application) and Financial Statements
- Complete and submit required federal documents to TPB:
 - proof of Data Universal Numbering System (DUNS)
 - Driver Training curriculum and Vehicle Maintenance Plan if applying for vehicle procurement
 - shared ride policy if applying for wheelchair accessible taxis

Project Administration

- Submit additional compliance documents to COG if not part of application to TPB, including but not limited to:
 - COG Project Assurances
 - Cell Phone Policy
 - Drug Free Workplace
 - DBE Statement, DBE Assurances, and DBE Policy if applicable
 - ADA Assurances
 - EEO Statement, EEO Assurances and EEO Program if applicable
 - Title VI Program,
 - Certifications & Assurances
 - Proof of entity registration in the System for Awards Management (SAM),
 - Vehicle Maintenance Plan Proof of indirect costs through either a NICRA or statement acknowledging use of the allowable 10% de minimus
- Attend mandatory subrecipient training facilitated by COG prior to project commencement
- Sign subgrant agreement with COG

¹⁴ Post-award Information. Accessed at <https://www.mwcog.org/transportation/programs/enhanced-mobility/program-information/>

- Initiate project work
- Submit monthly invoices for reimbursement of pre-approved budget item and if applicable, Preventive Maintenance Summary Sheet
- Submit Quarterly Progress Reports to COG
- Submit Quarterly Accessible Taxicab Performance Data to COG, if applicable
- Submit Annual Rolling Stock Inventory Reports to COG, if applicable
- Comply with procurement, asset management and disposition requirements in compliance with Federal regulations and per the direction of COG
- Submit Annual Performance Measures Report to COG
- Participate in COG site visits
- Participate in subrecipient meetings/teleconferences and training sessions on as-needed basis

Project Closeout

Submit final reports to COG as outlined on pg. 31. **Table 2** below provides an overview of the required grant subrecipient responsibilities, including final reports.

Table 2: Enhanced Mobility Federal & Reporting Requirements

Frequency	Report	Due to COG
Initially	ADA Assurances	At award
	Authorizing Resolution	At award
	Cell Phone Policy	At contract
	Current year Certs & Assurances	At award
	DBE Documentation (Statement, Assurances, Program if applicable)	At award
	Drug Free Workplace Statement	At contract
	EEO Assurances	At award
	EEO Statement	At award
	FFATA	At award
	Financials – A-133 or financial statements that adhere to generally accepted accounting principles	At application and upon request
	Matching funds	When invoiced by COG
	Project Assurances	At award
	Proof of Insurance & COG as additional insured	Prior to vehicle order
	Title VI (Program & Complaint Status)	At award
	Vehicle Maintenance Plan	At award
	Vehicle Useful Life & Disposition Policy	At award
Monthly	Invoice of expenditures for reimbursement	1 st Monday of the month following month end
	Match Certification	With each Invoice
	Preventive Maintenance Summary Sheet	With each invoice
Quarterly	Milestone Progress Report (MPR)	15th day of the month following quarter end: 4/15, 7/15, 10/15, 1/15

	Taxi Data – last 10 trips per vehicle	15 th day of the month following quarter end: 4/15, 7/15, 10/15, 1/15
	ADA/EEO/Title VI Complaint Status Report	With quarterly report
Annually	Certs & Assurances	90 days from date published
	Subrecipient Financial Profile Questionnaire	Upon request
	Program Measures Report (Annual Performance Measures)	15 th day of the month following Federal 4 th quarter end (9/30): 10/15
	Annual Rolling Stock Inventory Report	30 th day of the month following 4 th quarter end: 1/30
	Annual Log of Outreach & Involvement Activities (Title VI Requirement)	15 th day of the month following 4 th quarter end: 1/15
Biannually	DBE Reporting to COG	Upon request
Project End	Final Invoice	30 days from contract expiration
	Final Milestone Progress Report	30 days from contract expiration and before final payment is released
	Final Performance Measures & Final Narrative Report	30 days from contract expiration and before final payment is released
Triennially	DBE Documentation (Statement, Assurances, Program if applicable)	60 days from date of expiration
	Title VI (Program & Complaint Status)	60 days from date of expiration

Shaded = additional reporting for grantees with vehicles procured with Enhanced Mobility funds

FTA Roles and Responsibilities

FTA must approve the grant-funded projects before COG can enter into a grant agreement with the subrecipient. FTA approval of grant projects can take an average of six (6) months. Projects may commence following FTA approval and the signing of the subgrantee agreement between COG and the subrecipient.

INITIAL GRANT DEVELOPMENT AND PROGRAM OF PROJECTS

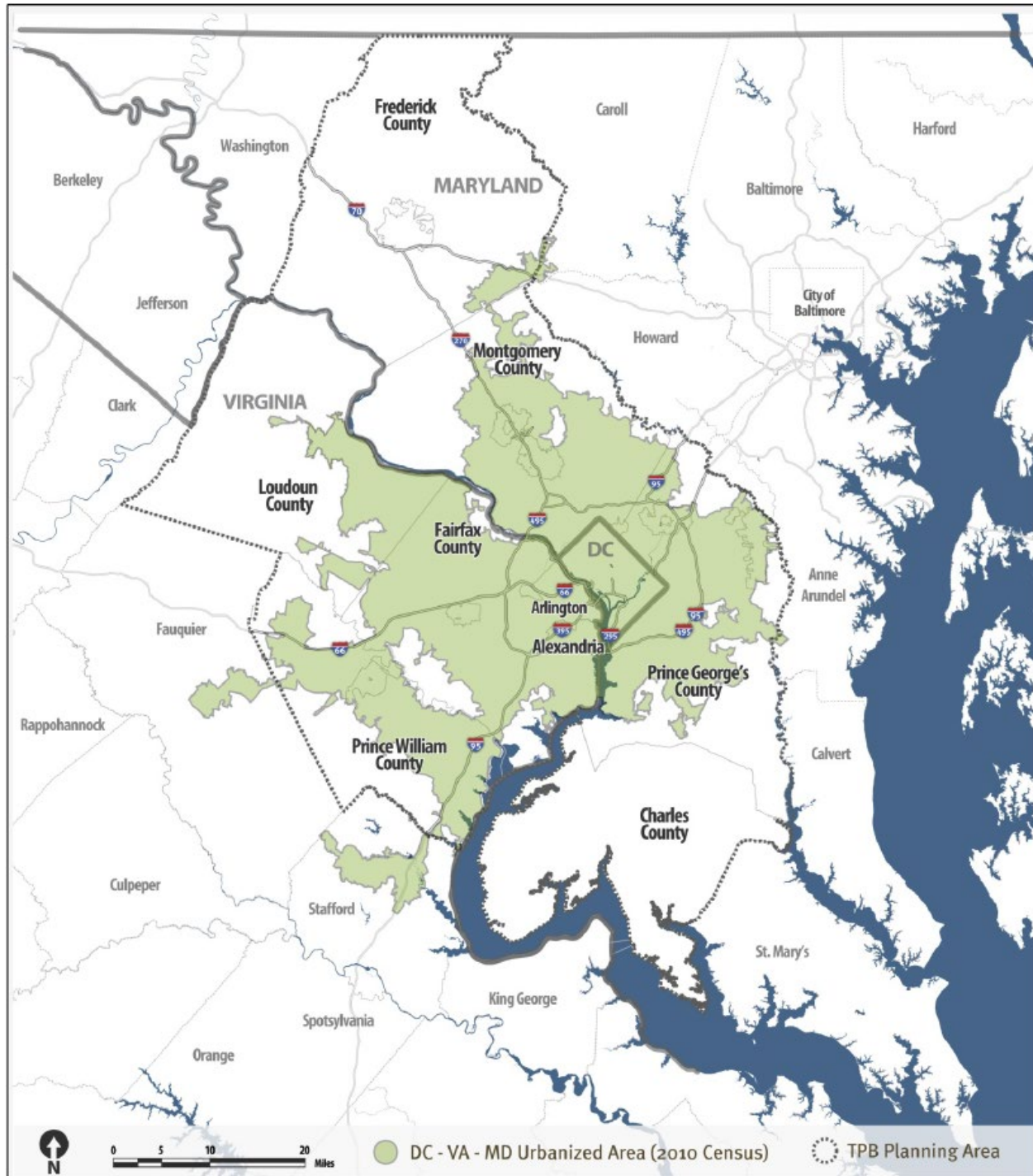
Eligible Subrecipients

Geography

To be eligible for an Enhanced Mobility grant from TPB, a proposed Enhanced Mobility project must serve residents of the Washington DC-VA-MD Urban area (Figure 1).

Figure 1: Washington DC-VA-MD Urban Area¹⁵

¹⁵ Eligible Urbanized Area. Accessed at: <https://www.mwcog.org/transportation/programs/enhanced-mobility/solicitation-process/eligible-urbanized-area/>



Capital Projects or Mobility Management Funding for Non-Profits or Qualifying Local Governments (Traditional Section 5310 Projects)

The following types of organizations are eligible to apply for and receive Enhanced Mobility capital project or mobility management funds:

- private nonprofit organizations and state or local governmental authorities that are approved by a state to coordinate services for seniors and individuals with disabilities or obtains certification that there are no nonprofit organizations readily available in the area to provide the service.

Operating or Capital Projects for All Eligible Subrecipients

The following types of organizations are eligible to apply for and receive Enhanced Mobility Operating project funds:

- state or local governmental authorities, private nonprofit organizations, or operators of public transportation.¹⁶

Eligible Activities

Of the Enhanced Mobility funding apportioned annually to the Washington DC-VA-MD Urban Area, at least 55% is for traditional Section 5310 projects — public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. This 55% is a floor, not a ceiling, and more than 55% of their apportionment for this type of project may be used. It is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project.¹⁷

Capital expenses can include the acquisition of vehicles; vehicle rehab; vehicle equipment; preventive maintenance; computer hardware and software; dispatch systems; lease of equipment under certain conditions; contracted transportation services; and support for mobility management and coordination among public transportation and other human service agencies, such as short-term planning to implement coordinated services and individualized travel training.¹⁸ Vehicle procurements as part of the Enhanced Mobility grant program are conducted by COG and in accordance with FTA’s Enhanced Mobility and Grants Management Circulars. FTA allows projects considered “mobility management” to be eligible as a capital expense under the Enhanced Mobility program. FTA defines mobility management as “short-range planning and management activities and projects for improving coordination among public transportation and other transportation service providers.”¹⁹

Mobility management activities can include, but are not limited to, hiring a Mobility Manager, transportation options counseling, and individual or group travel training.²⁰

Operating and Capital Projects

In addition to capital projects, up to 45% of Enhanced Mobility funding may be used for both capital and operating expenses for: additional public transportation projects that exceed ADA minimum requirements, projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary transit service, or projects that provide

¹⁶ FTA C 9070.1G, Page III-4

¹⁷ FTA C 9070.1G, Page III-9

¹⁸ FTA C 9070.1G, Pages III 10 - 12

¹⁹ Federal Transit Administration Mobility Management Brochure. Accessed at <https://www.transit.dot.gov/ccam/resources/mobility-management-brochure>

²⁰ Resources/Reference Material/Priority Projects/Mobility Management Accessed at https://www.mwco.org/assets/1/6/Priority_Projects_from_ADOPTED_COORDINATED_PLAN_12.19.18.pdf

alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Operating expenses can include costs necessary to operate, maintain, and manage a public transportation system.²¹ Examples include such costs as driver salaries, fuel, and insurance. Operating activities can also include voucher programs, providing an aide on a vehicle, and leasing vehicles. Such projects must be targeted toward meeting the transportation needs of seniors and individuals with disabilities, although they may be used by the general public. It is not sufficient that seniors and individuals with disabilities are included (or assumed to be included) among the people who will benefit from the project. FTA encourages projects that are open to the public as a means of avoiding unnecessary segregation of services.²²

Project Selection

The TPB will conduct a competitive selection process for projects seeking Enhanced Mobility funds that have been apportioned to the Washington DC-VA-MD Urban Area. This competition will occur every two (2) years or on an as-needed basis via special solicitations. TPB will establish a regular project solicitation that occurs at a similar time every cycle so applying organizations can budget accordingly. The Enhanced Mobility application will be available online on COG's website when the call for projects is issued.²³

Planning and Technical Assistance

The TPB will provide technical assistance to applicants by answering questions about the application or the Coordinated Plan, providing suggestions for potential sources of matching funds, and holding pre-application conferences. This information will also be available on COG's website, which will provide an overview of the program and application process and be regularly updated with answers to frequently asked applicant questions.²⁴

The TPB will hold pre-application conferences in each state/jurisdiction (Maryland, Virginia, and the District of Columbia) for eligible entities to learn more about the application process, the selection process, and to ask any questions they may have about the program or prospective projects. Web conferencing and/or call-in options will be available at some conferences. Prospective applicants are required to attend one of the pre-application conferences in order to apply for funding. TPB staff will be available throughout the solicitation period to answer questions and provide technical support.

Project Selection Coordination with Coordinated Human Service Transportation Plan

TPB's Selection Committee will make funding recommendations to the TPB based on the competitive selection criteria listed in the Coordinated Plan. An independent selection committee comprised of representatives of public transit, human services, private providers, aging or disability organizations, will review the grant applications using the TPB-approved selection criteria and make funding recommendations to the TPB.

²¹ FTA C 9070.1G, Page I-4

²² FTA C 9070.1G, Page III-9

²³ Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310). Accessed at <https://www.mwcog.org/transportation/programs/enhanced-mobility/>

²⁴ Solicitation Process. <https://www.mwcog.org/transportation/programs/enhanced-mobility/solicitation-process/>

The coordinated planning process, which establishes the project selection methodology, provides for a high level of involvement by public and private transportation providers, human service agencies, nonprofit organizations, consumers and other interested parties. TPB's Access for All Advisory Committee membership includes a representative from every TPB member jurisdictions' transportation agency and human service agency. In addition, nonprofit organizations, private transportation providers, and consumers with disabilities and older adults are represented on the Committee.²⁵

Equity of Distribution

Through its outreach efforts to prospective applicants, technical assistance from TPB staff, and the competitive selection process, it is TPB's intent to keep the process as transparent and open as possible.

To ensure fair and equal opportunity to all interested parties, the solicitation is announced through the following channels:

- TPB members
- TPB Technical Committee members (representatives from member jurisdictions' departments of public works and transportation)
- Access for All Advisory Committee members
- TPB Private Providers Task Force members
- Providers listed in the Reach-a-Ride Database, which also serves as the Inventory of Specialized Services listed in the Coordinated Plan
- Commuter Connections Subcommittee

Competitive Selection Criteria

A competitive selection process is not required under the Enhanced Mobility program; however, the TPB has opted to use a competitive selection process. The Selection Committee, chaired by a TPB member, will review the applications based on the selection criteria and make a set of funding recommendations to the TPB, which will be asked to approve the recommendations based on the Selection Committee's deliberations. The selection criteria allow for a maximum of 100 total points:

- Coordination Among Agencies (25 points) - Coordination of services with other organizations can include providing service to clients of multiple agencies, coordinated purchasing, joint project planning and operation.
- Responsiveness to TPB's Coordinated Human Service Transportation Plan (20 points)
 - Up to 12 points will be awarded based on how many Priority Projects in the Coordinated Plan that the project application addresses
 - Up to 8 points will be awarded based on how well the application responds to the strategies.
- Institutional Capacity to Manage and Administer an FTA grant (20 points) - This criterion considers the availability of sufficient management, staff and resources to implement an FTA grant, stable and sufficient sources of funds to provide required match and if applicable, past grant performance.

²⁵ Update to the Coordinated Human Service Transportation Plan for the National Capital Region. Accessed at <https://www.mwcog.org/coordinated-human-service-transportation-plan/>

- Project Feasibility (15 points) - Proposed activities are consistent with the objectives of funding, application clearly spells out how a project will be implemented, with defined roles and responsibilities, and include an action plan with milestones that is achievable within the 2-year timeframe.
- Regional Need (5 points) - Up to 5 points will be awarded for applications that propose to serve more than one jurisdiction in the Washington DC-VA-MD Urban Area
- Equity Emphasis Areas (5 points) - Up to 5 points will be awarded for projects proposing to serve Equity Emphasis Areas in the Washington DC-VA-MD Urban Area
- Customer Focus and Involvement (10 points) - To what extent does the applicant demonstrate an awareness of the needs of a targeted population group and how will customers be involved in the development and implementation of the proposed activity. Consideration will be made if the applicant agency is already directly serving the targeted population.

After funding approval, the TPB will approve the recommended projects for inclusion in the Transportation Improvement Program (TIP).

Match Requirements

The Federal share of eligible capital expenses may not exceed 80% of the net project costs, and the Federal share of eligible operating expenses may not exceed 50% of the net operating costs.

There is no cap on the amount of funding for which applicants may apply, as long as the appropriate Match can be provided. TPB's recommended grant application minimum is \$150,000 (including the match, over a two (2) year period). The grants operate on a reimbursement basis, which means that subrecipients must spend money on the project and then get reimbursed by COG after submitting monthly invoices with documentation of payment.

At the time of application, applicants must have identified and secured the necessary matching funds for the project proposal. Sources of matching funds can include agency funds (general funds, cash on hand); state or local government funds or grants; non-transportation federal funds; private sources; state agency funds; transit agency funds; income from service contracts; and business improvement district funds.

Other federal, non-DOT funds may be used for the match, so long as the federal share of the project does not exceed 95% of the total project cost. Non-cash share (donations, volunteer services) is not eligible as part of the match for projects and in-kind contributions are not an allowable source of match. FTA has issued a Federal Fund Braiding Guide to assist with determining other Federal sources of potential match. ²⁶

All subrecipient applications require a certification that attests to the availability of appropriate funds for the required match, and designates individuals within the organization who have the authority to execute a contract with COG. For any matching funds coming from a source

²⁶ Coordinating Council on Access and Mobility (CCAM) Federal Fund Braiding Guide. Accessed at <https://www.transit.dot.gov/regulations-and-programs/ccam/about/coordinating-council-access-and-mobility-ccam-federal-fund>

other than the applicant's own budget, a Letter of Commitment must be submitted as part of the application.

Special Solicitation

In order to spend unused funds from an awarded project that has ended, COG reserves the right to conduct an interim solicitation to reallocate the funds within the parameters allowed by FTA. The selection will be managed using a less extensive, but still competitive, process and COG/TPB staff may serve as the Selection Committee.

Appeals Process

If an applicant requests clarification on the grants selected for funding, the TPB will make the Selection Committee Chair and/or staff available for a debrief. The “regrets” letter issued to unsuccessful applicants includes suggestions for improving their application for a future solicitation opportunity.

Approval Process

Preparation for FTA grant submittal shall commence after the Selection Committee recommends projects for funding. TPB will then be asked to approve recommended projects for funding and inclusion in the TIP. COG/TPB staff will notify agencies in writing that their projects have been selected for funding and awardees will have approximately 30 days from the date of the written award notification to complete and submit required FTA documents. Subrecipients are required to submit the following federally required items to be awarded an Enhanced Mobility Grant:

- COG Project Assurances
- Cell Phone Policy
- Drug Free Workplace
- DBE Statement, DBE Assurances, and DBE Policy if applicable
- ADA Assurances
- EEO Statement, EEO Assurances and EEO Program if applicable
- Title VI Program,
- Current fiscal year Certifications & Assurances
- Proof of entity registration in the System for Awards Management (SAM)
- Vehicle Maintenance Plan

Program of Projects

After TPB approval of the project recommendations, the projects will be included in TPB’s TIP and DC, MD, and VA State Transportation Improvement Programs (STIP). TPB staff will then prepare the grant application in FTA’s online grant management system and submit a POP to FTA. The POP will include projects to be funded, subrecipients (including whether they are non-profit agencies or local governmental authorities), and a brief description of the projects, total project cost, federal share for each project, and the amount of funds to be used for program administration from the 10% allowed.²⁷

²⁷ FTA Circular 9070.1G, Page I-5

Funding Availability

FTA must approve the grant projects before COG can enter into a grant agreement with the subrecipient; FTA approval can take an average of six (6) months. FTA grant award constitutes FTA approval of TPB's POP; projects may begin following FTA approval and the signing of the sub-grant agreement between COG and the subrecipient. COG may draw down federal funds immediately upon execution of the grant agreement.

The Enhanced Mobility program reimburses grantees for pre-approved budget items; subrecipients must submit monthly invoices documenting what was spent on the approved budget and will be reimbursed generally within 30 days of submitting an invoice. In addition to monthly invoices and supporting documentation, subrecipients must also complete and submit quarterly milestone progress reports and annual performance measures. Reimbursement is contingent upon complete and timely submission of invoices and reports (Appendix A). COG staff will provide a grant reporting schedule (see Table 2) to all subrecipients with the award notification letter.²⁸

Revisions to Program of Projects

Prior FTA approval is not required to reallocate funds among projects included in the approved POP so long as any single change does not exceed 20% of the affected project and is consistent with the local Coordinated Human Service Plan from which the projects were selected. Any other changes to the POP require prior FTA approval.²⁹ Further information about revisions can be found on pg. 31, FTA Revision Request.

PROCUREMENT AND VEHICLE MANAGEMENT

Procurement

COG's role is to assure that any applicable purchase using Federal funds are made competitively and in compliance with federal procurement and reporting guidelines and has developed a Procurement Procedures document to guide the process (Appendix D).

Vehicles

All subrecipients acquiring vehicles must participate in COG's procurement of vehicles. COG may issue a Request for Proposals (RFP), or other solicitation for bid documents to purchase the vehicles for subrecipients, or it may purchase off Maryland's or Virginia's State Schedule that follow FTA procurement guidelines for competition, geographic preference, and Buy America requirements,, depending on the availability of this option and agreements with the States.³⁰

²⁸ Post-Award Information. Accessed at <https://www.mwco.org/transportation/programs/enhanced-mobility/program-information/>

²⁹ FTA C 9070.1G, Page IV-3-5

³⁰ Per feedback on the PMP received from FTA on 10/4/22, FTA approval is not required to purchase off previously-approved State agreements.

Applicants should request enough funds to be sure the request covers at least 80% of the vehicle cost, including consideration of reconfigurations, additional equipment or other add-ons. If at the time of procurement the vehicle cost exceeds the grant award, the subrecipient will be responsible for the difference in the Federal amount in addition to the 20% match of total vehicle cost. Once funds for procurement have been awarded and approved by FTA, the subrecipient and COG shall develop the appropriate vehicle specifications; COG requires all vehicles acquired through the program to be wheelchair accessible. Prior to purchase, the subrecipient is responsible for verifying the specifications, appropriate funding and providing funds to COG for the 20% match requirement. If applicable, the Federal portion of preventive maintenance and additional equipment for the vehicles will be reimbursed via the monthly invoice submission and approval process outlined on pg. 24. It typically takes approximately six (6) months for the purchase order to be processed, vehicles inspected and delivered to the vendor. Subrecipients are responsible for accepting delivery of the vehicle(s) from the vendor and completing the appropriate delivery documentation, including the vehicle inspection checklist, the security lien and insurance documentation.

Additional requirements for vehicle purchase, which are outlined in the subcontract COG provides to the subrecipient for signature prior to purchase, include:

- **Insurance** - subrecipient must provide extra insurance for the vehicles that are acquired under this grant agreement in addition to what is required by the regulating authority in the subrecipient's jurisdiction. A minimum of \$1.5 million in insurance is required on each vehicle and COG will be named as additional insured on the insurance policy. Additionally, an umbrella policy of a minimum of \$1.5 million in general liability is required to be kept current during the grant period; COG must be included as a named insured on the umbrella policy. All insurance certificates will need to be submitted to COG for review and verification prior to the delivery of any vehicle(s), upon request during the life of the project, and during site visits.
- **Matching Funds** – local match for vehicle purchases is required in advance of vehicle orders. COG will invoice subrecipient for the match which may be submitted electronically or by check, with a two (2) week window to ensure the funds clear the bank.
- **Licensing** - subrecipient shall ensure that each vehicle is registered with valid license plates from the appropriate governing authority.
- **Driver Licensing** – subrecipient shall ensure that drivers have a valid driver's license from the appropriate governing authority, including CDLs.
- **Vehicle Maintenance** - subrecipient must have a Vehicle Maintenance Plan, submitted to COG at award, which includes procedures to track when preventive maintenance inspections are due. The plan shall, at a minimum, follow the maintenance recommendations of the vehicle and original equipment manufacturers in order to maintain a valid warranty, even if the vehicle or equipment is no longer under the manufacturer's warranty.
- **Annual Rolling Stock Inventory Report** - COG is responsible for keeping an accurate record (inventory), of all Enhanced Mobility vehicles (Appendix A). The subrecipient is required to provide the following information requested by COG for the Annual Rolling Stock Inventory Report (due date referenced in Table 2):
 - Year/Make/Model
 - Vehicle Identification Number
 - Agency Vehicle Number
 - Grant Project Number
 - Service Start Date
 - Vehicle Cost
 - Percent Federal Interest
 - Replacement Cost

- Vehicle Location
 - Vehicle Use (mileage)
 - Vehicle Condition
 - Vehicle Age
 - Remaining Useful Life
 - ADA Accessibility
 - Seating Capacity
 - Location of Title
- **Performance Data Specific to Accessible Taxis** – subrecipients awarded Enhanced Mobility funds to operate accessible taxis will provide a quarterly report on the number of wheelchair and non-wheelchair passengers served, in a format to be provided by COG (due dates referenced in Table 2).
 - **Useful Life & Disposition Policy** – subrecipients must acknowledge COG’s defined useful life for vehicles and confirm understanding of disposition requirements.

There are two other areas of particular importance for rolling stock procurements: Buy America and Pre-Award and Post Delivery Audits for Rolling Stock.

Buy America

With certain exceptions, FTA may not obligate funds for a public transportation project unless the steel, iron, and manufactured goods used in the project are produced in the United States (49 CFR part 661). FTA’s Buy America requirements differ from Federal Buy American regulations (48 CFR part 25); FTA’s requirements apply to third party contracts funded by FTA, and Federal Buy American regulations apply to direct Federal procurements. FTA strongly advises recipients to review these regulations before undertaking any procurement.

Pre-Award and Post Delivery Audits for Rolling Stock

FTA requires that grantees purchasing revenue passenger rolling stock review the rolling stock before award of the bid, during manufacture, and following vehicle delivery. COG will ensure pre-award and post-delivery reviews are conducted according to FTA requirements.

Procurement Using Federal Funds

There are three (3) categories of procurement, each with specific federal requirements:

Category I - Micro Purchases up to \$10,000

For purchases up to \$10,000, quotes are NOT required, and awards are made on the judgment of the recipient. Micro-purchases should be distributed equitably among qualified vendors. Document the procurement file with a determination of fair and reasonable price (recent purchase of similar item, current price list, current catalog, advertisements, personal knowledge, etc.). No concurrence from COG is required.

Category II - Simplified Procurements between \$10,001 and \$249,999

For purchases between \$10,001 and \$249,999 at least 3 fair and reasonable, written quotes should be received, reviewed, and evaluated using a comprehensive evaluation system. Awards are

made on best combination of price, quality and other elements optimal to need as determined by the subrecipient. Obtain written concurrence from COG prior to the purchase of goods and services by submitting a request letter to COG. Document the procurement file with items listed above.

Category III – Procurements at \$250,000 or more

Any subrecipient conducting a procurement at \$250,000 or more must contact COG before initiating any procurement activity. Purchases exceeding the simplified purchase threshold of \$249,999 must be competitively bid using a Request for Proposal (RFP) or Invitation for Bid (IFB). An ICE is required for this type of procurement before requesting bids and should have been completed as part of research into cost of a budgeted line item at time of application. Responses must be fairly reviewed and considered and bids and selection justification provided to COG for written concurrence before any offer is accepted or a contract is executed.

Sole source justifications are allowed under certain circumstances and require documentation on the lack of other vendors to do the work, how the preferred vendor is uniquely qualified, and a Cost Analysis (because price competition is inadequate). Subrecipients are instructed to contact COG staff to discuss applicability.

The procurement file, a written record of procurement history, should include rationale for the method of procurement used, the solicitation document or bids, documentation of outreach efforts, contractor responses (bids, proposals, quotes), fair and equitable cost analysis of the winning proposal, the method for selecting the type of contract, documentation of selection or rejection and a copy of the fully executed final contract.

Vehicle Management

Vehicle Title and Lien

Legal ownership of vehicles purchased under the Enhanced Mobility program will be retained by the subrecipient, with a lien recorded against the title by COG. When titling a vehicle, subrecipients are listed as both “Registered Owner” and “Legal Owner.” In doing so, COG establishes continuing control over the vehicles to ensure continued public transit use of the vehicles, particularly use for Enhanced Mobility purposes.³¹

When the vehicle has reached its useful life, the subrecipient must notify COG by providing a letter of request for vehicle lien release. The letter should identify the applicable useful life standards and whether they were met or exceeded. Assuming the subrecipient is in compliance with the contract, COG will release the lien.

The subrecipient is not required to return proceeds from the sale of equipment that has reached its useful life to COG (unless the current market value exceeds \$5,000 – see pgs. 21-22) but procedures should ensure that proceeds remain in use to support the program, but cannot, in accordance with FTA guidance, be placed in a capital reserve fund or used for local match for any subsequent grant.

Vehicle Leasing

Vehicles acquired under the Enhanced Mobility program may be leased to other entities, such as local governmental authorities or agencies, other private nonprofit agencies, or private for-profit

³¹ FTA C 9070.1G, Page VI-6

operators. Under such a lease, the lessee operates the vehicles on behalf of the Enhanced Mobility subrecipient and provides transportation to the subrecipient's clientele as described in the grant application. The lease between the subrecipient and the lessee contains the terms and conditions that must be met in providing transportation service to seniors and people with disabilities. COG is responsible for ensuring that the terms and conditions of the original grant with FTA are met, and must agree, in writing, to each lease between the subrecipient and the lessee. Such an agreement will specify that the leased vehicle shall be used to provide transportation service to seniors and people with disabilities, that the vehicle may be used for incidental purposes only after the needs of these individuals have been met, and that the subrecipient, state, or designated recipient must retain title to the vehicle.³²

Vehicle Use, Inventory, Maintenance and Disposition

Vehicle Use

Vehicles funded under the Enhanced Mobility program are to be used first for program-related needs for which an Enhanced Mobility grant is made, and then to meet other federal programs or project needs, providing these uses do not interfere with the project activities originally funded. 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. When no longer needed for original project or program purposes, vehicles may also be used for meal delivery.³³

Inventory

The subrecipient will be responsible for keeping an accurate vehicle inventory that contains vehicle year, make, and model; date accepted; included equipment; location; federal grant number; inspection data; mileage; and type of funding used to purchase the vehicle (Appendix A).

Maintenance/Useful Life

Preventive maintenance services must be scheduled by the subrecipient. COG defines vehicle useful life as four (4) years and/or 100,000 miles, whichever comes first, as defined by FTA Circular 5010.1, Grant Management Requirements³⁴ and determined by documentation of vehicle age and mileage reported to COG by the subrecipient as part of the contract. To ensure that the vehicles are properly maintained, COG randomly reviews vehicle maintenance records as part of the on-site visits. On-site visits will be conducted, at a minimum, of once during the useful life of the vehicle (Appendix D).

Disposition

Any disposition of project property before the end of its useful life requires prior approval. FTA is entitled to its share of the remaining Federal interest. The Federal interest is determined by calculating the fair market value of the project property immediately before the occurrence prompting the withdrawal of the project property from appropriate use. If project property is being removed from service before the end of its useful life, the Federal interest and the return to FTA is the greater of FTA's share of the unamortized value of the remaining service life per unit, based on

³² FTA C 9070.1G, Page VI-5

³³ FTA C 9070.1G, Page VI-4

³⁴ FTA C 9070.1G, Page VI-3

straight line depreciation of the original purchase price, or the Federal share of the sales price (even though the unamortized value is \$5,000 or less).

After the service life of project property is reached, rolling stock and equipment with a current market value exceeding \$5,000 per unit, or unused supplies with a total aggregate fair market value of more than \$5,000, may be retained or sold. If sold, the grantee may retain a portion of the funds – \$5,000 plus the percentage of its local share in the original award. Any remaining federal share must be returned to FTA.³⁵ The federal share of the sales proceeds cannot be retained for public transportation use. COG will procure the federal share from the subrecipient and return the dollars to FTA using pay.gov. Alternatively, if the asset is retained but removed from public transportation service, COG will calculate federal interest using the fair market value at the time of disposition. Upon disposition, the grantee's transmittal letter should state whether the equipment will be retained or sold and include an update to the Rolling Stock report as noted FTA C 5010.E (Appendix A).

After the service life of project property is reached, rolling stock and equipment with a unit market value of \$5,000 or less, or supplies with a total aggregate market value of \$5,000 or less, may be retained, sold, or otherwise disposed of with no obligation to reimburse FTA. Records of this action must be retained.

PROJECT ADMINISTRATION

Subrecipient Reporting Requirements

Subrecipients are required to provide COG with the following reports:

Quarterly Milestone Progress Report

Applicants for Enhanced Mobility grants must submit a work plan to COG that describes the goals of the proposed project, the objectives (actions that will be taken to reach the goal), and benchmarks (outcomes of the project) that will measure the progress. The work plan must outline the steps that the subrecipient and its partners will take to achieve the objectives of the project from start to finish. Progress towards the goals/objectives/benchmarks will be part of required quarterly reporting to COG and will be used in the quarterly Milestone Progress Reports submitted to FTA (Appendix A).

Annual Performance Measures

Subrecipients will submit annual performance measurement reports to COG which will be uploaded in TrAMS as part of required Annual Performance Measures reporting to FTA. COG will submit both quantitative and qualitative information available on each of the following measures with its annual performance measures report (Appendix A).

Capital Project Performance Measures³⁶

³⁵ This policy has been updated in accordance with IIJA. <https://www.transit.dot.gov/funding/grants/bipartisan-infrastructure-law-disposition-requirements-frequently-asked-questions>. For example, if a bus, purchased with federal assistance at an 80/20 split, is sold for the fair market value of \$12,000, the recipient retains \$5,000 plus 20% of the remaining \$7,000, or \$1,400, for a total of \$6,400. The recipient is required to return 80% of \$7,000, or \$5,600, to FTA.

³⁶ FTA C. 9070.1F Page VI-17

- Gaps in Service Filled - Numbers of seniors and people with disabilities afforded mobility they would not have without program support as a result of traditional Section 5310 projects implemented in the current reporting year.
- Ridership - Actual or estimated number of rides (as measured by one-way trips) provided annually for individuals with disabilities and seniors on Section 5310-supported vehicles and services as a result of traditional Section 5310 projects implemented in the current reporting year.

Capital and Operating Project Performance Measures³⁷

- Increases or enhancements related to geographic coverage, service quality, and/or service times that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.
- Additions or changes to physical infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.

Final Cumulative Performance Measures and Narrative Report

The final report, required within 30 days of project end, includes cumulative Performance Measures and narrative questions on items like how the project was evaluated, sustainability lessons learned, and a story on how the project benefitted the targeted population.

Reports COG Submits to FTA

COG will submit a variety of reports to FTA at different intervals.

DBE Reports

COG will collect the DBE contractor information and develop the required semi-annual DBE reports. Eligible expenses identified in the monthly invoices submitted to COG, will be used to guide semi-annual DBE reporting.

Quarterly Milestone Progress Report (MPR)

As part of quarterly reporting to COG, subrecipients will identify progress towards milestones submitted by at grant award. If the estimated completion date for the milestone has changed, the revised date should be entered in the report, with an explanation as to why the date has changed. COG staff use this information in its monthly or annual submission of the Quarterly/Annual Milestone Progress Report (MPR) to FTA.

Annual Performance Measures

³⁷ Ibid.

COG will submit both quantitative and qualitative information on program measures within the Annual Performance Measures Report submitted to FTA at the end of each Federal fiscal year.³⁸

Quarterly Federal Financial Report (FFR)

COG will submit a quarterly FFR for each award, based on monthly or quarterly invoices submitted to COG by the subrecipients.

National Transit Database

All FTA grant recipients are currently required to report an asset inventory or condition assessment conducted by the recipient to the National Transit Database (NTD). However, this requirement was clarified in subsequent rulemaking that requires only those 5310 Enhanced Mobility subrecipients who meet requisite reporting requirements for Transit Asset Management (TAM) to report to the NTD.³⁹

Financial Management

As part of overall tracking efforts COG will review subrecipients' invoice submittal packages on a monthly basis, or quarterly with prior approval. COG will use its established submittal, review, revisions, and payment timeline which will be outlined in the subgrant agreement.

Enhanced Mobility Invoice Review and Financial Oversight

COG maintains financial management systems for financial reporting, accounting records, internal controls, and budget controls subject to standards specified in local, state and federal laws. All systems and procedures for financial management comply with 2 CFR Part 200, which documents the standards for financial management systems in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.⁴⁰

COG will develop and execute subgrant agreements with subrecipients once the FTA funds are secured. After the subgrant agreements have been executed, subrecipients may incur project-related capital and operating assistance expenditures and report them to COG through the monthly invoicing process. All subgrant agreements detail the equipment to be procured and/or the type of service to be provided by the subrecipient, the period of performance, how the project responds to the Coordinated Plan, and the target population.

COG will reimburse subrecipients by drawing down federal funds based on the proportions identified in the subgrant agreement. 80% of capital costs will be reimbursed and 50% of operating costs will be reimbursed.

Subrecipients are responsible for keeping all original receipts for eligible capital and operating project expenditures.

COG will maintain accounting project codes for each subrecipient's Capital and/or Operating project that tracks project budgets, project expenditures by Activity Line Item (ALI), funding source and local

³⁸ FTA C 9070.1G, Page VI 17-18

³⁹ FTA C 9070.1G, Page VI-18

⁴⁰ 2 CFR Part 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Accessed at <http://www.ecfr.gov/cgi-bin/text-idx?SID=683a739497aeab52c88124f7d794a389&mc=true&node=pt2.1.200&rgn=div5>

matching sources. COG will report in FTA’s financial management system, TrAMS, the total expenditures for each federal grant and will reconcile the grant expenditures and revisions to project budgets. COG will also be responsible for project closeout, but subrecipients will be required to provide COG with the necessary documentation to support closeout.

An audit will be conducted by COG, either by an independent auditor or COG staff, to review projects for compliance with 2 CFR 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at least once per grant cycle.

Monthly Invoice Review and Follow-Up Procedures

Subrecipients will be able to submit reimbursement requests against their grant budgets on a monthly basis, or quarterly with prior approval. Invoices for reimbursements will be due on a standard day, as determined by COG’s submittal, review, revisions, and payment timeline. COG will approve subrecipients’ requests no more frequently than once per month.

Monthly Invoice and Supporting Documentation

The monthly invoice reflects the current approved budget, the amount of funds expended prior to the current request, the current request, program to date including the current request and whether each budget line item is under or over budget and the Federal and matching fund split (Appendix E).

The package will also include supporting documentation for expenditures in the Current Period. This documentation will vary depending upon the subrecipient’s project and the reimbursement requests being made for the period. Subrecipients must include documentation for all portions of the reimbursement request. This includes any expenses that the subrecipient will cover as part of its match. The following table details common supporting documentation that should be included with a reimbursement request; however, the table is not exhaustive of the types of documentation necessary to support a reimbursement request. COG may request additional documentation from the subrecipient as determined to be necessary. Likewise, COG can accept alternative documentation if circumstances dictate the need to do so.

Table 3: Types of Reimbursable Expenses and Documentation Requirements

Expense Category	Types of Reimbursable	Documentation Required
Staff Time	Labor	<u>Invoice of Cost Details</u> 1. Employee name 2. Proof of Hours worked (timesheets) 3. Hourly rate 4. Total cost
	Fringe	<u>Invoice of Cost Details</u> 1. Documentation from recent audit or reports regarding rate calculations 2. Payroll reports for fringe

Consultants	Direct expenses for work performed by consultants as part of project	<u>Invoice of Cost Details</u> 1. Consultant name 2. Hours worked 3. Hourly rate 4. Total cost
Purchases	1. Vehicles/Capital Procurements 2. Supplies	1. Track procurement documents (Grantees provided with a separate Procurement Requirements Checklist) 2. Copy of receipts; description of need for supplies
Transportation	1. Parking (explanation required) 2. Mileage 3. Taxicab services (explanation required)	1. Copy of receipt(s) 2. Number of miles (traveled) and mileage rate (e.g., IRS rate, GSA rate, etc.) used 3. Copy of receipt(s)
Additional (if used)	1. Lodging (explanation required – e.g., travel to a training session or conference that relates to the project type) 2. Airfare (same as above)	1. Copy of hotel receipt, travel justification and internal approval 2. Copy of airline ticket, travel justification and internal approval

Cash Match Documentation

Expense Category	General Requirements	Documentation Requirements
Outside Resources	Track balances with each invoice submission	1. Letter of Commitment 2. Cash Match Certification
Subrecipient Funds	Track balances with each invoice submission	1. Cash Match Certification

Once subrecipients submit their monthly invoice packages, COG will review the packages in a timely manner and request any additional documentation or clarification from the subrecipients in order to approve the reimbursement requests. Subrecipients should provide the additional documentation or clarification within the timeframe specified by COG in order to meet internal accounting and FTA deadlines. If subrecipients are not able to provide the requested follow-up documentation or information, COG may withhold reimbursement until the following month's invoice and reimbursement cycle.

COG will maintain detailed records for each subrecipient's grant project that will be updated monthly as a subrecipient draws upon grant funds. COG will detail drawdown of the Federal portion of grant funds by FTA Financial Purpose Code (FPC) and ensure that no FPC is overdrawn. This will be supported by an Access Database developed to track grantee expenditures by ALL. In addition, COG will also maintain records in order to ensure a subrecipient is adhering to its pre-described match commitment.

COG will retain electronic copies of each reimbursement request package until at least three (3) years after the closeout of the subrecipient's grant. Likewise, subrecipients will also need to maintain their own records, as detailed in the Accounting Records section below (pg. 27).

FTA Requirements for Subrecipients

Enhanced Mobility grant subrecipients must maintain their own financial management systems throughout the life of their grant agreement. The financial management system must meet the standards set forth in 2 CFR 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. These standards include the following:

Financial Reporting

Accurate, current, and complete disclosure of the financial results of financially assisted activities must be made in accordance with the financial reporting requirements of the grant or subgrant.

Accounting Records

Designated recipients and subrecipients must maintain records that adequately identify the source and application of funds provided for financially assisted activities. These records must contain information pertaining to designated recipient or subrecipient awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income.

Internal Control

Effective control and accountability must be maintained for all designated recipient and subrecipient cash, real and personal property, and other assets. Designated recipients and subrecipients must adequately safeguard all such property and must ensure that it is used solely for authorized purposes.

Budget Control

Actual expenditures or outlays must be compared with budgeted amounts for each grant or subgrant. Financial information must be related to performance or productivity data, including the development of unit cost information whenever appropriate or specifically required in the grant agreement. If unit cost data is required, estimates based on available documentation will be accepted whenever possible.

Allowable cost

Applicable Office of Management and Budget (OMB) cost principles, FTA program regulations, and the terms of the FTA master agreement and grant agreements will be followed in determining the reasonableness, allowability, and allocability of costs.

Source documentation

Accounting records must be supported by such source documentation as cancelled checks, paid bills, payroll, time and attendance records, contract and subgrant award documents, etc.

In order to capture the required information to ensure compliance with 2 CFR 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, COG collects a Subrecipient Financial Profile Questionnaire annually. The questionnaire is a fiscal assessment to ensure subrecipients are appropriately accounting for and managing Federal funds. It also determines any need for FFATA reporting.

Federal Compliance

COG requires all Enhanced Mobility subrecipients to complete federal compliance items such as Certifications and Assurances as well as Title VI requirements before a subgrant agreement with COG can be finalized.

FTA Certifications and Assurances

COG subrecipients are required to annually execute FTA's Certifications and Assurances. Awardees will have approximately 30 days from the date of written award notification to submit their initial Certifications and Assurances for the current year to COG. Organizations unable to complete these certifications will not receive funding and should not apply for funding. A list of the annual FTA certifications and assurances is available for download on the Enhanced Mobility page of COG's website.⁴¹ Subrecipients are also directly emailed the current year version upon receipt with clear instructions for completion and a timeline. The Certifications and Assurances cover a variety of topics such as nondiscrimination, lobbying and procurement, acquisition of capital assets, and drug testing. COG will maintain files documenting all assurances made to FTA in its grant management system.

Civil Rights Responsibilities and Documentation

In addition to the annual Certifications and Assurances described above, subrecipients will also be required to submit Civil Rights documentation to COG, in the form of:

- Americans with Disabilities
 - ADA Assurances
- Equal Employment Opportunity
 - EEO Assurances
 - EEO Statement
 - EEO Policy, if applicable
- Title VI Program
 - Title VI Policy Statement
 - Nondiscrimination Assurance to COG
 - Title VI Rights Complaint Form and Procedures
 - Language Assistance Plan
 - Title VI Complaint Status Report

⁴¹FTA Fiscal Year 2022 Certifications and Assurances. Accessed at <https://www.transit.dot.gov/funding/grantee-resources/certifications-and-assurances/certifications-assurances>

- Disadvantaged Business Enterprise (DBE)
 - DBE Assurances to COG
 - DBE Statement
 - DBE Program Policy, if applicable

COG staff provide applicants with a Title VI Program template that outlines how the agency intends to comply with Title VI of the Civil Rights Act of 1964, including its Disadvantaged Business Enterprise (DBE) and Equal Employment Opportunity (EEO) components, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, and lists any Title VI complaints filed against the agency.

COG will not execute any subgrant agreement until these items have been received. COG will maintain files documenting Civil Rights compliance in its grant management system.

This PMP is not inclusive of all requirements that fall under Civil Rights. Selective requirements are referenced in the USDOT Master Agreement.⁴²

Section 504 and ADA

As required by FTA regulations, any written allegations regarding discrimination in service or employment, including Section 504 and ADA regulations, shall be immediately reported to COG and investigated by the subrecipient. COG will coordinate with the subrecipient in order to ensure appropriate actions are being taken to resolve the complaint. This language is included in award letters to successful applicants for Enhanced Mobility, and the subgrant agreement.

Public Hearings

TPB does not require subrecipients to hold a public hearing in order to apply for the Enhanced Mobility program; however, subrecipient governing agencies may require this. Should an applicant receive an Enhanced Mobility grant for an activity that would require public input under FTA's Title VI Circular, such as a major service change to fixed-route bus service, the awardee would be responsible for ensuring that those requirements are met.

Compliance Oversight

The federal requirements of a Designated Recipient of Enhanced Mobility funds flow through to subrecipients receiving grant assistance, and COG is responsible for ensuring full compliance. Compliance oversight consists of confirmation that all FTA-required documents and reports are current and on file with COG, COG conducting a specific compliance review of a subrecipient's financials, and Title VI procedures and procurement files and onsite project monitoring visits. Site visits will be conducted by COG staff, using an Enhanced Mobility Site Visit Checklist (Appendix D) which includes the goals, objectives, and benchmarks they set for specific Enhanced Mobility projects, as well as record-keeping requirements and vehicle inventory and maintenance records if applicable. COG staff will visit the subrecipients at least once during the useful life of the vehicle or the life of the project, providing the subrecipients with at least one month's notice of the visit. Following each site visit, COG staff will develop a brief report with findings and follow-up actions. COG will coordinate with the subrecipient to close out all findings. COG will issue a close out letter upon completion of all follow-up actions.

⁴² Per the [USDOT Master Agreement](#), page 11, subparagraph i(2), (3), COG will obtain the agreement of each Subrecipient to comply with USDOT's administrative requirements.

Supplemental Agreements

The coordinated planning and project selection process may result in Enhanced Mobility funds being allocated to a transit agency that is a designated recipient for Section 5307 funds, and thus typically receives funds directly from FTA. Instead of entering into a subrecipient relationship with COG, the selected agency may request that FTA make the Enhanced Mobility grant for the project directly to the transit agency that is a designated recipient for Section 5307. If this occurs, COG must enter into a supplemental agreement with the Section 5307-designated recipient as part of the application to release the Section 5310-designated recipient from any liability under the grant agreement. Supplemental agreements are provided in the electronic grants management system and must be electronically executed.⁴³ If Enhanced Mobility funds have been awarded to other designated recipients pursuant to a supplemental agreement with the state or designated recipient, that direct recipient may report on behalf of itself and any subrecipients.⁴⁴

FTA'S ELECTRONIC GRANTS MANAGEMENT: SUBMISSION PROCESS, REVISION AND CLOSEOUT

FTA's Transportation Electronic Award Management system, currently known as TrAMS, is the federal reporting system for each of the approved grant projects funded through TPB's Enhanced Mobility program. Each project's milestones and activity line items (ALI) are defined within the system and used as benchmarks in quarterly and annual reporting.

COG Electronic Reporting to FTA

COG will report electronically to FTA within the TrAMS system. Reporting practices are discussed in the Subrecipient Reporting Requirements section on pg. 21. Quarterly reports will start at the end of the first federally designated end of quarter after the subrecipient agreements are signed with COG. These reports will include an updated POP (if necessary) for each approved grant that contains active projects. The updated POP should reflect revised project descriptions, changes in projects from one category to another, and adjustments within budget categories, if applicable.⁴⁵

Three (3) annual or quarterly reports must be submitted in TrAMS: Annual Performance Measures Report, Quarterly Federal Financial Report, and Quarterly Milestone Progress Report. COG completes these reports through a review of Enhanced Mobility subrecipients' submitted schedules, budgets, monthly financial reports, and quarterly progress reports. If schedules and budgets are revised over the life of the grant, these documents should be updated at the end of each quarter and posted to TrAMS.

If any DBEs are attached to contracts funded under Enhanced Mobility, COG must submit the details in its semi-annual DBE Progress Report. COG will compile the information for the semi-annual DBE Program Report from the monthly invoices submitted by subrecipients and upload it into TrAMS.

⁴³ FTA C 9070.1G, Page III-4

⁴⁴ FTA C 9070.1G, Page II-3

⁴⁵ FTA C 9070.1G, Page VI-16

Federal Financial Reports (FFR) and Milestone Progress Reports (MPR) are due to FTA by the 30th day of the month following the end of the quarter, for example July 30th for the quarter April - June. These reports show how the project subrecipients have maintained the objectives set in the final grant application for both project progress and budget. The following descriptions provide details of the contents of the reports and their function in tracking project advancement.

Federal Financial Reports (FFR)

Federal Financial Reports (FFR) are filed in FTA's grant management system, TrAMS, and are due quarterly. COG's Office of Administrative Services/Accounting is responsible for submitting the FFRs. The FFR identifies how much funding has been obligated through existing contracts, how much funding remains to be obligated, how much of the obligated funding has been spent, and what funding is available for the remainder of the grant cycle.⁴⁶

Milestone Progress Reports (MPR)

The Milestone Progress Report (MPR) is used to track progress toward project completion and is also due quarterly. COG Program staff is responsible for filing the MPRs. This report is based on goals in the Work Plan, completed when the subrecipient submits its Enhanced Mobility application. FTA's online grant management system defines the milestones to be added at the project and scope levels.⁴⁷ Details for the MPR can be acquired from subrecipients' Quarterly Milestone Progress Reports, which require reporting as to progress toward goals, objectives, and milestones and "Project Status" which can be reported in TrAMS using the milestone progress field. When completing the MPR, FTA will require the following information from the quarterly reports:

- Dates of expected or actual requests for bids and deliveries;
- Revised estimated completion dates when original estimated completion dates are not met;
- Current status of each open ALI within the active/executed grant; and
- The actual completion dates for milestones.

FTA Revision Request

Once FTA approves the grant application for Enhanced Mobility, the objectives/milestones, ALIs and budgets are set in the TrAMS system for the life of the grant cycle. If subrecipients wish to make revisions to their ALI's, project scope or budgets, they must make a formal request to COG/TPB staff for review and approval and then COG staff will work with FTA, if applicable. FTA must approve the request before subrecipients can change their program details and reporting. FTA approval of Budget Revisions (changes in dollar amounts between ALIs but not the total project dollar amount, scope or terms and conditions) and Grant Amendments (change in scope or terms and conditions) are submitted in TrAMS.⁴⁸

FTA will review the submission and determine if a portion of the request will be accepted or if the entire request for budget and/or scope changes will be accepted. Accepted changes must be reflected in subrecipients' budgets and invoices and if applicable, in monthly, quarterly and annual FTA reporting.

⁴⁶ FTA TrAMS User Guide. Accessed at <https://www.transit.dot.gov/funding/grantee-resources/teamtrams/trams-user-guide>

⁴⁷ TrAMS User Guide. Accessed at <https://www.transit.dot.gov/funding/grantee-resources/teamtrams/trams-user-guide>

⁴⁸ FTA C 5010.1D, Page 9-15

Award Closeout Procedure

Award closeout is the term used to signify the process by which FTA determines that all activities in an award (all projects comprising the award) are complete and funds have been expended. Award closeout does not preclude FTA's ability to seek repayment or other remedies for a subrecipient's breach of grant terms and conditions.⁴⁹

Subrecipient Responsibilities

When a subrecipient completes its project and has requested reimbursement for all of its funds, it must ensure that all documentation required by COG has been provided electronically. This includes the Final/Cumulative Performance Measures and Narrative Report, Annual Performance Measures Report from last FFY to project end date, Quarterly Milestone Progress Report from last quarter end to project end date.

COG Role and Responsibilities

COG must initiate closeout of its Enhanced Mobility award when all approved activities are completed and/or applicable federal funds expended. All closeout documentation must be submitted within 90 days of the completion of all activities in the grant. This requires notifying FTA by letter or e-mail that the grant is ready for closeout. COG will electronically submit the following in TrAMS as part of the grant closeout process:

- Final budget reflecting actual project costs by scope and activity (in TrAMS);
- Final Federal Financial Report
- Final Program of Projects;
- Final Milestone Progress Report indicating the actual completion date of each ALI, a discussion of each ALI contained in the final budget
- A request to deobligate any unexpended balance of Federal funds; and
- Any other reports required as part of the terms and conditions.

Remaining Funds in an Award

Any Federal grant funds awarded to a subrecipient but not expended must be returned to FTA. Part of the closeout process for awards with remaining funds includes necessary adjustments by FTA to the federal share of cost for the purpose of deobligation of any balance. However, prior to closing out an award, COG makes every effort to reallocate unused funds in a closed project to similar, open projects in the award or to similar projects selected for funding in the next scheduled solicitation.

APPENDICES

Appendix A: Subrecipient Report Templates

- Quarterly Milestone Progress Report
 - Annual Log of Outreach and Involvement Activities for Title VI
- Quarterly Taxi Data Report
- Annual Performance Measures Report (Traditional 5310)

⁴⁹ FTA C 9070.1G VI - 15-16

- Annual Performance Measures Report (Other)
- Annual Rolling Stock Inventory Report
- Final/Cumulative Performance Measures and Narrative Report

Appendix B: Subrecipient Civil Rights and Disadvantaged Business Enterprise Templates

- Title VI Plan Template
 - Title VI Policy Statement
 - Non-discrimination Assurance to COG
 - Title VI Rights Complaint Form and Procedures
 - Language Assistance Plan for Persons with Limited English Proficiency
 - Title VI Complaint Status Report (combined with ADA and EEO)
- Disadvantaged Business Enterprise
 - DBE Assurances
 - DBE Statement
- Equal Employment Opportunity
 - EEO Assurances
 - EEO Statement
- Americans with Disabilities Act
 - ADA Assurances

Appendix C: FTA Certifications and Assurances

- FTA Federal Fiscal Year Certifications and Assurances for Federal Transit Administration Assistance Programs

Appendix D: Other Enhanced Mobility Templates and Documents

- Work Plan
- Enhanced Mobility Site Visit Checklist
- Vehicle Maintenance Plan
- Certification of Availability of Matching Funds
- Cell Phone Policy
- Drug Free Workplace
- Project Assurances
- Procurement Procedures

Appendix E: Financial Documents

- Monthly Invoice – Operating
- Monthly Invoice – Capital or Mobility Management
- Monthly Invoice – Vehicle, Equipment, Preventative Maintenance
- Federal Funding Accountability and Transparency Act (FFATA) Form
- Subrecipient Financial Questionnaire and A-133 or financial statements that adhere to generally accepted accounting principles