

ITEM 9 - ACTION

July 19, 2006

Establishment of a Task Force to Develop the Coordinated Plan for Human Service Transportation for the Region, and Approval of Steps for the TPB to Become the Designated Recipient for the Job Access Reverse Commute (JARC) and New Freedom Programs

Staff

Recommendation: Adopt Resolution R3-2007 to establish a Human Service Transportation Coordination Task Force to develop the coordinated plan for the region, and to authorize the TPB chairman to submit a formal request to the governors and the mayor that the TPB be designated as the recipient to administer the Job Access and Reverse Commute (JARC) (Section 5316) and New Freedom (Section 5317) projects.

Issues: None

Background: At the June 21 meeting, the Board was briefed on SAFETEA-LU requirements that a Human Service Transportation Coordinated Plan for the region be developed to include priorities and projects for three Federal Transit Administration (FTA) programs: 1) Formula Program for Elderly Persons and Persons with Disabilities (Section 5310); 2) JARC Program (Section 5316); and 3) New Freedom Program (Section 5317) beginning in FY 2007. SAFETEA-LU also requires that a recipient be designated by the governors and mayor to administer Section 5316 and 5317 project grants. Section 5310 project grants will continue to be administered by the States.

**NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002**

**RESOLUTION ESTABLISHING THE HUMAN SERVICES TRANSPORTATION
COORDINATION TASK FORCE TO DEVELOP THE COORDINATED PLAN AND APPROVAL
OF STEPS FOR THE TPB TO BECOME THE DESIGNATED RECIPIENT FOR THE JOB
ACCESS REVERSE COMMUTE (JARC) AND NEW FREEDOM PROGRAMS**

WHEREAS, the National Capital Region Transportation Planning Board (TPB), which is the metropolitan planning organization (MPO) for the Washington Region, has the responsibility under the provisions of Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the Metropolitan Area; and

WHEREAS, SAFETEA-LU strengthens the role of the metropolitan planning organization (MPO) in coordination of specialized transportation services for people with disabilities, older adults and low-income individuals and requires the MPO to consider the design and delivery of specialized transportation services provided by recipients of federal assistance for non-emergency transportation services; and

WHEREAS, under SAFETEA-LU three Federal Transit Administration (FTA) human service transportation programs are established: 1) Elderly Individuals and Individuals with Disabilities (Section 5310); 2) Job Access and Reverse Commute (JARC, Section 5316); and 3) New Freedom (Section 5317); and

WHEREAS, in order for the region to receive federal funds for these three programs, the following requirements must be met:

- A "locally developed coordinated plan" must be drafted through a process that includes representatives of public, private, and non-profit transportation service providers, as well as human service agencies and representatives from low-income populations, persons with disabilities and older adults.
- Funding for projects from all three programs must be derived from the coordinated plan as of Federal FY07
- JARC and New Freedom projects must be selected on a competitive basis; and

WHEREAS, the FTA guidance in the Federal Register Notice of March 15, 2006 states that "... if the designated recipient for JARC and New Freedom will not be the same agency as the designated recipient for §5307, the new recipient must be officially designated before applying for FY 2006 funds." and "FTA recommends the designated

recipient for these funds not be a provider of transportation services.”; and

WHEREAS, a letter from WMATA, the current recipient for §5307 funds, dated June 13, 2006 supports the recommendation that the TPB serve as the designated recipient for JARC and New Freedom urbanized area funds; and

WHEREAS, the new recipient of JARC and New Freedom funds for the Washington D.C.-MD-VA Urbanized Area must be designated by the Governors of Maryland and Virginia and Mayor of the District of Columbia; and

WHEREAS, because federal FY2006 funds for JARC and New Freedom for the Washington D.C.-MD-VA Urbanized Area cannot be utilized until the new recipient is designated, the timeliness of this designation is critical; and

WHEREAS, an ad-hoc human services transportation coordination group that included representatives of WMATA, the District of Columbia, Maryland and Virginia Departments of Transportation, public and private transportation providers, human service agencies and members from the TPB Access for All (AFA) Advisory Committee met on April 6, May 12, June 1 and June 29, 2006 to discuss how this region should address the new coordination requirements; and

WHEREAS, the ad-hoc human services transportation coordination group discussed and endorsed an expanded role for the TPB in human service transportation coordination in accordance with the description in Attachment A, to include the following activities:

- 1) Establish a task force to oversee the development of the human service transportation coordinated plan;
- 2) Serve as the recipient for JARC and New Freedom Washington D.C.-MD-VA Urbanized Area funds; and
- 3) Conduct the competitive selection process for JARC and New Freedom programs for the Washington D.C.-MD-VA Urbanized Area; and

WHEREAS, as described in Attachment A, the Human Services Transportation Coordination Task Force will include representation from public transit providers, private and non-profit transportation providers, human service agencies, and representatives from low-income populations, persons with disabilities and older adults, and a list of agencies and stakeholders proposed for representation on the Task Force is provided in Attachment B; and

WHEREAS, the 2003 Job Access Reverse Commute Plan, and the two recent AFA Committee reports: "Improving Demand Responsive Services for People with Disabilities" (February 2006) and "Transportation Issues for Low-Income Populations:

Findings and Recommendations" (July 2006) would inform the development of the coordinated plan; and

WHEREAS, on June 21, 2006 the TPB was briefed on the proposed expanded role of the TPB in human service transportation coordination as described in Attachment A; and

NOW, THEREFORE, BE IT RESOLVED THAT THE NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD:

- Authorizes the establishment of a Human Service Transportation Coordination Task Force to oversee the development of the Coordinated Plan, with the Task Force to report directly to the TPB, to be chaired by a TPB member, and the names of Task Force members to be submitted to the TPB for approval at its September 20, 2006 meeting; and
- Authorizes the chair of the TPB to submit a formal request to the Governors of Maryland and Virginia, and Mayor of the District of Columbia to designate the National Capital Region Transportation Planning Board as the recipient of the Washington D.C.-MD-VA Urbanized Area JARC (Section 5316) and New Freedom (Section 5317) funds.

Attachment A

The Role of the National Capital Region Transportation Planning Board (TPB) in Human Service Transportation Coordination

July 19, 2006

This document outlines a proposed role for the TPB in addressing human service transportation coordination requirements under the new federal surface transportation law -- Safe, Accountable, Flexible, Efficient Transportation Equity Act: Legacy for Users (SAFETEA-LU). Under this proposal, the TPB would draft and approve the locally-developed coordinated plan with participation from stakeholders, and would be the designated recipient for two Federal Transit Administration programs: Job Access and Reverse Commute (JARC) and New Freedom.

This proposal is the outcome of meetings of an ad-hoc group hosted by TPB staff on April 6, May 12, June 1 and June 29, 2006. This ad-hoc group included the District of Columbia, Maryland and Virginia Departments of Transportation, public and private transportation providers (including the Washington Metropolitan Area Transit Authority (WMATA), human service agencies, and representatives from low-income populations, persons with disabilities and older adults from around the region.

What is “Coordination”?

Coordination is a difficult term to define, and means different things to different people. Within the context of Human Service Transportation, the term refers to agencies working together to eliminate duplication of specialized transportation service for people with disabilities, older adults and low-income populations. Various state and federal funding streams have different administrative and eligibility requirements which complicate the coordination of public and human service transportation.

The recent Transit Cooperative Research Project (TCRP) Report 91¹ provided the following definition of coordination:

“Coordination is a technique for better resource management. It means working together with people from different agencies and backgrounds. It requires shared power: shared responsibility, management, and funding. Many transportation functions, including planning, purchasing, vehicle operations, maintenance, and marketing, can be coordinated...”

Coordinating transportation services offers substantial benefits to many communities, but significant investments of time and energy may be required before the desired results are achieved...

¹ Executive Summary. *Economic Benefits of Human Service Transportation and Transit Services*. TCRP Report 91. Transportation Research Board, 2003.

Coordinating transportation functions is best understood as a political process, which, like many other political processes, may involve changing environments, conflicts regarding power and control over resources, and competing goals or personalities...”

What does SAFETEA-LU provide?

SAFETEA-LU provides three Federal Transit Administration (FTA) human service related transportation programs:

1. Elderly Individuals and Individuals with Disabilities (Section 5310)
2. Job Access and Reverse Commute (Section 5316)
3. New Freedom (Section 5317)

Elderly Individuals and Individuals with Disabilities Program (Section 5310) is maintained, but it is now required to be coordinated with the Section 5316 and Section 5317 programs. SAFETEA-LU does not change the distribution channel for this program: direct distribution to the states. This program is used by the states to purchase vehicles for non-profit and other agencies that transport older adults and persons with disabilities.

Job Access and Reverse Commute (JARC, Section 5316) has been changed from an earmarked program to formula-based distribution, with the metropolitan Washington region receiving significantly less funding than it received in recent years through earmarks. The JARC program funds transportation services to assist low-income workers to get to job sites.

New Freedom Program (Section 5317) is a new program for new projects that go “above and beyond” the Americans with Disabilities Act’s (ADA’s) transportation requirements. Some examples of eligible projects include same-day paratransit service, door-through-door paratransit service and accessible taxicabs.

Funding levels, match requirements and current and proposed recipients are displayed in Table 1 below:

Table 1: SAFETEA-LU Funding Amounts and Recipients for Metropolitan Washington.

Program	Recipient	Federal FY 2006	Total Funding after Match
Elderly and Persons with Disabilities (5310)	State/District DOTs	Differs by state/district.	Only capital projects are eligible. 80/20 match
JARC (5316)	TPB*	\$1.2 million	\$2.4 operating or \$1.5 capital
New Freedom (5317)	TPB*	\$1.0 million	\$2.0 operating or \$1.25 capital

* Currently proposed designated recipient.

What is required by SAFETEA-LU?

SAFETEA-LU requires that the TPB, as a metropolitan planning organization, play a greater role in coordination of specialized transportation services. The TPB must consider the design and delivery of specialized transportation services provided by recipients of federal assistance for non-emergency transportation services.

More specifically, SAFETEA-LU contains the following requirements which must be met in order for the region to receive Federal funds for these three programs:

- The TPB must be involved in the development of a “locally developed coordinated plan” for the three programs. Funding for projects from all three programs must be derived from the coordinated plan as of Federal FY07.
- This plan must be developed through a process that includes representatives of public, private, and non-profit transportation services providers, as well as human service agencies and representatives from low-income populations, persons with disabilities and older adults.
- JARC (Section 5316) and New Freedom (Section 5317) projects must be selected on a competitive basis.
- The TPB must be involved in the solicitation of project proposals.

Who would develop the Coordinated Plan?

It is proposed that the TPB would develop the coordinated plan with the assistance of a Human Service Transportation Coordination Task Force, which would include representatives from public transit providers, private and non-profit transportation providers, human service agencies, and representatives from low-income populations, persons with disabilities and older adults.

The TPB’s Access for All (AFA) Advisory Committee would be involved in the development of the coordinated plan and would have representatives serving on the Task Force. The coordinated plan would consider the TPB’s 1999 JARC Plan, as well as draw on previous work done by the AFA – including the “Improving Demand Responsive Services for People with Disabilities” report from February 2006. This report identified existing specialized transportation services, gaps and shortcomings in those services, and recommendations for transit improvements and coordination opportunities in the region. An AFA subcommittee has recently produced a report identifying gaps in transportation services for low-income populations and made recommendations for addressing the gaps. This report is scheduled for presentation to the TPB at its July 19, 2006 meeting.

FTA’s proposed guidance of March 15, 2006 suggests that a coordinated plan address the following five key elements:

1. Provide an overview of existing transportation services (public and private)
2. Identify gaps in transportation services for persons with disabilities, older adults and low-income populations

3. Identify strategies for addressing those gaps
4. Identity potential coordination opportunities
5. Prioritize implementation strategies

The initial plan would provide a framework for coordination in the region, and identify opportunities for coordination that will take further time and effort. Given the numerous and complex set of transportation providers and funding streams in the region, it is anticipated that the coordinated plan will evolve over time. After the first plan is developed, the TPB will work on additional coordination opportunities, and broaden participation in the coordination task force to include other federal funding partners that provide non-emergency medical and other human service transportation.

Who would be the designated recipient and administer the competitive process for Job Access Reverse Commute (JARC) and New Freedom?

The Federal Transit Administration (FTA) has indicated that at the present time there are no officially designated recipients under SAFETEA-LU for the Job Access Reverse Commute (Section 5316) and the New Freedom (Section 5317) programs. Until recipients are designated, funds for JARC and New Freedom for federal FY06 and beyond cannot be allocated. The region will have to have the Maryland and Virginia Governors and the District of Columbia Mayor sign off on the designated recipient.

The designated recipient must conduct the competitive selection process for the two programs. FTA in its recent proposed guidance suggests that transit operators not be the designated recipient for Sections 5316 and 5317 to avoid conflict of interest issues, and states that a Metropolitan Planning Organization (MPO) could be the designated recipient.

It is proposed that the TPB would be the officially designated recipient for the JARC (5316) and New Freedom (5317) programs, and would be responsible for administering the competitive process for these two programs. Since projects funded under these two programs must be derived from the coordinated plan, the plan would guide the selection of projects. The details of the competitive process, such as selection criteria, will be considered during the development of the plan.

Projects funded with Section 5310 funds for elderly individuals and individuals with disabilities must also be derived from the coordinated plan. Since the designated recipients of Section 5310 programs will continue to be the states, the TPB will work closely with D.C., Maryland and Virginia to ensure continuity and consistency with plans, projects and priorities. The states will continue to administer the competitive process for Section 5310 funds.

The FY 2007 TPB Unified Planning Work Program would support the development of the coordinated plan. However, to serve as the designated recipient and administer the competitive process required for the JARC and New Freedom programs, the TPB will make use of up to 10 percent of JARC and New Freedom funds available under

SAFETEA-LU to cover administrative costs. It is anticipated that one full time staff person will be required to administer the two programs with an approximate budget of \$150,000 for the first year.

What is the timeline for the next steps?

A list of next steps and an **approximate** timeline to accomplish these steps is presented below. Please note that given the complexity of the arrangements needed for this multi-state area, the time required for accomplishing each of these steps is very difficult to estimate. Depending on a variety of factors, the actual timeline could be longer or shorter.

- The TPB is asked to review and approve the proposal (June-July 2006).
- The Maryland and Virginia Governors and the Mayor of the District of Columbia are asked to designate the TPB as the recipient for JARC and New Freedom (June to November 2006).
- The TPB establishes the TPB Human Service Transportation Coordination Task Force, identifying its chair and membership (July to October 2006).

Once the task force is established, it will work with the TPB to develop the coordinated plan and the framework for the competitive selection process as expeditiously as possible. After the plan and framework are approved by the TPB, proposals for FY2006 JARC and New Freedom funding will be solicited.

The TPB will oversee the review and selection of project proposals in accordance with the competitive selection process, and approve the selected projects for inclusion in the Transportation Improvement Program (TIP).

The TPB will evaluate how the plan and selection process have worked in the first year, and recommend adjustments for subsequent years as needed.

Attachment B
Proposed Membership
TPB Human Service Transportation Coordination Task Force
July 19, 2006

Stakeholder Group	Number of People	Agency/ Organizations
Public Transit	9	<ul style="list-style-type: none"> • Washington Metropolitan Area Transit Authority (WMATA) • Washington, D.C. Elderly Handicapped Transportation Service (WEHTS) • Montgomery County Ride-On • Prince Georges's County The Bus • Fairfax Connector and Fastran • Arlington ART and Specialized Transit for Arlington Residents (STAR) • Alexandria DASH • Potomac and Rappahannock Transportation Commission (PRTC) • Northern Virginia Transportation Commission (NVTC)
State Public Transit / DOTs	3	<ul style="list-style-type: none"> • D.C. Department of Transportation (DDOT) • MD Transit Administration (MTA) • VA Department of Rail and Public Transportation (DRPT)
Private Providers	4	<ul style="list-style-type: none"> • Chair of TPB Private Providers Task Force • 1 private provider from D.C., MD and VA
Non-Profit Providers	3	<ul style="list-style-type: none"> • 1 representative from a non-profit from D.C., MD and VA (i.e. The Arc, Urban League)
Human Service	8	<ul style="list-style-type: none"> • 1 representative from a human service agency in D.C.; Montgomery, Prince George's & Charles in MD; Prince William, Fairfax, Arlington and Alexandria in VA
Users/Customers	6	<ul style="list-style-type: none"> • 1 representative each from an organization for persons with disabilities, low income populations, and older adults (i.e. National Organization on Disability, AARP) • One AFA representative from D.C., MD and VA
Total	34 (with Chair)	