



**IDAHO TRANSPORTATION DEPARTMENT
STATE MANAGEMENT PLAN**

FORMULA PROGRAMS

FEDERAL TRANSIT ADMINISTRATION

**Idaho Transportation Department
Division of Public Transportation**

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IDAHO TRANSPORTATION DEPARTMENT

DIVISION OF PUBLIC TRANSPORTATION

STATE MANAGEMENT PLAN

INTRODUCTION

The United States Department of Transportation offers a number of financial assistance programs designed to assist in the provision of local public transportation services. Certain transit funding programs are set up to be administered exclusively by the individual states. Through current Executive Order Number 2005-25, the Governor of the State of Idaho designated the Idaho Transportation Department (ITD) and its Director to receive and expend monies from the federal government for public transportation assistance as provided under applicable federal statutes. The Division of Public Transportation (PT) is the ITD administrative agent for USDOT Federal Transit Administration (FTA) programs under United States Code, Sections 5303, 5304, 5310, 5311, 5311(f), 5316, and 5317.

FTA requires that each state produce a “State Management Plan” documenting how the State of Idaho administers and provides oversight on FTA program funds to assure compliance with federal regulations and requirements. This document sets forth the State of Idaho’s policies and procedures established for these programs, and other State funded programs. As implemented by the State of Idaho, the Federal Transit Administration Circulars provide guidance regarding the intent of each FTA program, interprets most provisions, and provides for additional requirements by states.

DEFINITIONS

RURAL AREA

A rural area is any area with low population and density outside the boundaries of an urban area. In this plan, the term rural is commonly used interchangeably with the term non-urbanized area.

NON-URBANIZED AREA

The term “non-urbanized area” includes rural areas and urban areas under 50,000 in population not included in an urbanized area.

SMALL URBAN AREA

Small Urban an urbanized area with a population of at least 50,000 but less than 200,000. Each urban area is represented by a Metropolitan Planning Organization (MPO). There are five small urban areas in Idaho.

LARGE URBANIZED AREA

Large area with a population of more than 200,000 people that has been defined and Designed in the most recent decennial census as an “urbanized area” by the U.S. Census Bureau. There is one large urbanized area in Idaho.

OVERVIEW OF PROGRAMS

The Division of Public Transportation manages several sources of federal and state funds, as well as planning and technical assistance programs. Although each program has its own purpose and eligibility requirements, these programs have common elements and, in many cases, a specific project could be funded with more than one source of funds. The funds are managed in a coordinated manner in order to take advantage of this flexibility. The primary administrative objective for joint management of programs is to create a flexible framework from which Idaho transportation providers have optimum opportunity to access funds and technical assistance. Expanded descriptions for each of the funding sources and programs are in later sections of this management plan.

49 USC § 5310 - ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES

PROGRAM GOALS

FTA defines the goals of the Section 5310 program, in Circular 9070.1E “to improve mobility for elderly individuals and individuals with disabilities throughout the country. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of elderly individuals and individuals with disabilities in all areas — urbanized, small urban, and rural. The program requires coordination of federally assisted programs and services in order to make the most efficient use of Federal resources.” The Elderly and Individuals with Disabilities Program provide funding for capital. All projects funded under Section 5310 must be derived from a locally developed coordinated public transit-human service transportation plan.

Other program goals and objectives for the Section 5310 Program include, but are not limited to the following:

Elderly and persons with disabilities have the same right as other persons to utilize transportation facilities and services and special efforts are undertaken in the planning and design of transportation facilities and services so that elderly and persons with disabilities have the maximum possible access.

Maximum efforts will be made to inform local elected officials, the general public and elderly and persons with disabilities in particular, of the availability of federal capital assistance for specialized transportation services. Particularly in rural areas where public transportation is limited, staff works through the Idaho Rural Partnership, the Association of Idaho Cities, and the Idaho Mobility and Access Pathway (IMAP) coordination process to make contacts through Local Mobility Management Networks (LMMNs).

Through the IMAP planning process ongoing assessments of the transportation needs of elderly and disabled populations are made so that available resources may be expended to ensure maximum use of transportation services.

ITD follows the federal guidelines for determining eligible applicants for Section 5310 funding that requires applicants to describe the services provided and the populations served in the grant application. Vehicles funded under this program may be open to all elderly persons, persons with disabilities and the general public, once the immediate needs of the grant recipient are satisfied.

ELIGIBILITY

The following entities are eligible to apply for Section 5310 funds:

- Private, nonprofit organizations providing coordinated transit service to elderly and disabled populations are eligible to receive Section 5310 funding to purchase equipment and/or service agreements. These organizations must provide proof of their private, nonprofit status by submitting a copy of their Certificate of Incorporation from the Secretary of State and a copy of their determination of Section 501(c) exemption by the Internal Revenue Service.
- Public bodies approved by the State to coordinate services for elderly or disabled persons.
- Public bodies that certify that no nonprofit organizations are readily available in the service area to provide the services.
- Federally recognized Indian nations.

Historically, the state has awarded grants for the full amount of funding available (less the ten percent state administration funding) and has not served as the primary recipient for implementing any local projects.

PROJECTS ASSISTANCE/SERVICE AREAS

ITD follows the federal guidelines to determine eligible capital and purchase of urban or rural service area projects in the Section 5310 Program. Mobility management activities are allowed as capital under the Section 5310 program.

Purchase of Service - ITD allows the use of Section 5310 Program funds to purchase services designed to meet the special needs of elderly and persons with disabilities from local transit providers in rural areas. Applicants are required to submit a grant application describing the services to be purchased and a cost-benefit justification.

PROGRAM MEASUREMENTS AND REPORTING REQUIREMENTS

Ridership - SAFETEA-LU established new requirements for collecting and reporting data for the Section 5310 Program. The State will submit both qualitative and quantitative data as available on the following performance measures:

Ridership is defined as actual or estimated number of passenger trips provided with vehicles funded with Section 5310. In Idaho, all Section 5310 sub-recipients are required to submit monthly reports containing information of rides provided, vehicle miles traveled, and service to individuals with disabilities.

49 USC § 5311 – NON-URBANIZED (RURAL) AREA FORMULA FUNDS

PROGRAM GOALS

FTA defines the goals of the Section 5311 program, in Circular 9040.1E “to enhance the access of people in non-urbanized (rural) areas to health care, shopping, education, employment, public services, and recreation; assist in the maintenance, development, improvement, and use of public transportation systems in non-urbanized and rural areas; encourage and facilitate the most efficient use of all transportation funds used to provide passenger

transportation in non-urbanized areas through the coordination of programs and services; assist the development and support of intercity bus transportation; and provide for the participation of private transportation providers in non-urbanized transportation (Section 5311(f))” to the maximum extent feasible”.

In addition to these program goals, FTA wants to ensure that all Americans, including those who live in non-urbanized areas, have access to transit to meet basic mobility needs. Title 49 United States Code (USC) Section 5311(d) authorizes States to use funds appropriated under the title for transportation projects in non-urbanized/rural areas of the state. ITD has chosen to use the term “rural” interchangeably with the term “non-urbanized”. The Rural Area Formula Program provides FTA 5311 funds for capital, operating, planning, intercity and administrative assistance. Section 5311 sub-recipients are expected to participate significantly in the development of locally developed coordinated public transit-human service transportation plans statewide.

The Federal Transit Administration has amended 49 U.S.C, Section 5311 to include statute and funding for the American Recovery and Reinvestment Act of 2009 also referred to as “ARRA”. The goals and objectives of the ARRA statute includes the preservation or creation of jobs and the promotion of an economic recovery, as well as the investment in transportation, environmental protection and other infrastructure providing long-term economic benefits.

ELIGIBILITY

ITD follows federal guidelines as published in the circular for determining eligible applicants for Section 5311 assistance. The State does not impose stricter eligibility than the federal program. Applicants must describe the services to be provided and the populations to be served in the grant application.

The following entities are eligible to apply for Section 5311 funds:

- State Agencies,
- Local public bodies and agencies
- Federally recognized Indian nations,
- Private non-profit organizations,
- Operators of public transportation services, and
- Transit agencies.

While private-for-profit providers are not eligible to receive federal funds for Base Rural (Non-urbanized) funding on a direct basis; they are eligible to apply for FTA Section 5311(f) Intercity Bus funding. Private-for-profit providers are encouraged to work with eligible recipients. ITD reviews and approves all subcontracts entered into by its Section 5311 sub-recipients prior to their execution. ITD also lists all known public transportation providers in the “How Do I Get There” section on the Web Site (<http://www.itd.idaho.gov/PublicTransportation>).

PROJECTS ASSISTANCE/SERVICE AREAS

Section 5311 services in Idaho must be provided in rural areas and serve the general public. The primary service area must be focused in Idaho. ITD will allow qualified services into Washington, Oregon, Nevada, Montana, Wyoming, and Utah providing that the primary service benefits those residing in Idaho. Any sub-recipient providing service across state lines is required to register with Idaho State Police Motor Carrier Safety Assistance Program,

and meet all federal and state requirements. ITD follows the FTA guidelines for eligible services and service areas and does not impose any limitations in addition to Federal rules.

The Idaho State Police Motor Carrier Safety Program (MCSAP) and the Idaho Transportation Department Commercial Motor Vehicle Services regulate all for-profit public transportation providers in the state. Any for-profit operator subcontracting with a Section 5311 provider needs to comply with the appropriate state licensure requirements. Any non-profit Section 5311 provider providing service into an adjoining state also must obtain the necessary state and federal permits required under the U.S. DOT's Federal Motor Carrier Safety Administration (FMCSA.) Intrastate FTA Section 5311 providers are also encouraged to follow these requirements. ITD works with the Idaho State Police, Motor Carrier Safety Assistance Program (MCSAP,) to promote safety in public transportation and public/private partnerships. ITD also works with the ISP's MCSAP program to facilitate the resolution of any issues between non-profit and for-profit providers resulting from different sets of requirements.

Eligible services include, but are not limited, to fixed-route and demand responsive services, and intercity transportation serving areas not served by national carriers. Service that is defined as general public transportation and funded with Section 5311 funds must reasonably accommodate anyone who needs a ride and must not exclude or discriminate against any particular group within a community. Service must be provided on a regular and continuing basis.

ITD reviews each application to determine which funding source may be utilized. ITD will allow incidental use of a Section 5311 vehicle for non-passenger transportation on an occasional or regular basis provided such use does not result in a reduction of service quality or the availability of public transportation. ITD does not directly coordinate meal service but will allow sub-recipients to undertake meal delivery service provided the service does not result in a reduction of service quality or interfere with the primary service of passenger transportation. A private provider not primarily engaged in passenger transportation may subcontract to use Section 5311 monies to support the transportation of passengers on trips such as a contract mail service.

The passage of the SAFETEA-LU reauthorization act has added a Tribal Transit component to FTA Section 5311(j). Any FTA funding that is awarded to a Tribal Transit Organization may be transferred to the Section 5311(j) program for ease and to avoid duplicate administrative oversight by FTA and ITD.

Joint Urbanized/Rural Services - There are several public transportation providers in Idaho currently receiving both Section 5311 and Section 5307 funding. Because of the wide range of circumstances under which an operator may provide services in both urbanized and non-urbanized areas, FTA expects the sub-recipient to develop a reasonable basis related to the service provided, for allocating operating costs between the two FTA funding sources. ITD monitors the use of Section 5311 funds to ensure they are used only to provide services to the rural portion of the localities. ITD would be able to approve "joint" capital projects but prefers to have the sub-recipient keep the costs separate if at all possible. Vehicles purchased with Section 5311 may be used in any part of a combined urbanized and rural service area. However, service to the rural area must not suffer to the benefit of the urbanized service. When there is a question as to the reasonableness of the sub-recipient's cost allocation methodology, FTA looks to the State to make a determination.

PROGRAM MEASUREMENTS AND REPORTING REQUIREMENTS

National Transit Database Reporting - SAFETEA-LU brought new requirements for National Transit Database Reporting for the Section 5311 program. Congress has asked for simplified reporting requirements including

information on total annual revenues, sources of revenue, total annual operating costs, total annual capital costs, fleet size and type, related facilities, revenue vehicle miles, and ridership. FTA has expanded on this list to incorporate contact information, and other additional reporting items. ITD is implementing a new reporting system under IMAP which will capture NTD and other data on an ongoing basis. All sub-recipients will be required to submit the required information as a condition of program participation.

49 USC § 5311(F) – NON-URBANIZED (RURAL) INTERCITY BUS FORMULA FUNDS

PROGRAM GOALS

Intercity services are considered a vital link between otherwise isolated rural and small urban communities and the rest of the nation. As major intercity carriers have abandoned less productive routes, FTA has made available funds to support the connection between these rural areas and the larger regional or national system of intercity bus service. USC Section 5311(f) requires the State to expend not less than 15 percent of the annual allocation each fiscal year to carry out a program to development and support intercity bus transportation unless the State certifies that the intercity needs are being met. ITD allocates 15 percent of the apportioned Section 5311 funds (excluding RTAP) to carry out a program to develop and support intercity bus transportation. To date requests for intercity funds have exceeded funds available. ITD has not developed a process to certify that needs have been met because it is not anticipated that requests for funds ever will fall below available funding.

Intercity service is defined as a regularly scheduled bus service for the general public which operates with limited stops over fixed routes connecting two or more urban areas not in close proximity, which has the capacity to transport baggage carried by passengers. The service may also provide connections from small rural areas to larger urban areas to make meaningful connections with scheduled intercity bus service to more distant points.

FTA funds also may be used to support intercity services between rural areas and to support the infrastructures of the intercity bus network through planning and marketing assistance and capital investment in facilities. ITD follows the FTA guidelines in establishing eligible services and service areas and does not further restrict the use of the funds.

ELIGIBILITY

ITD follows the same federal guidelines for determining eligible sub-recipients for the Section 5311(f) Program as for the Section 5311 Program.

PROJECTS ASSISTANCE/SERVICE AREAS

FTA funds may be used to support intercity services between rural areas and to support the infrastructures of the intercity bus network through planning and marketing assistance and capital investment in facilities. ITD follows the FTA guidelines in establishing eligible services and service areas and does not further restrict the use of the funds.

Eligible assistance categories recognized by ITD are the same as for the Section 5311 Program (operating, capital, project administration) provided the costs are directly attributed to operations and administration of an intercity service. Providers of intercity services are encouraged to work with, and may include private for-profit providers to

develop innovative service delivery options. Unique activities that may be funded with Section 5311(f) funds include but are not limited to:

- Planning and marketing for intercity bus transportation
- Capital grants for intercity bus shelters
- Joint-use stops and depots
- Operating grants through purchase-of-service agreements
- User-side subsidies and demonstrations
- Coordination of rural connections between small transit operations and intercity bus carriers
- Operating assistance for direct operation of services when losses occur
- Intercity Bus Terminals/Terminal Rehabilitation
- Capital assistance for purchase of vehicles or vehicle related equipment such as wheel chair lifts for use in intercity service

Assessing intercity bus mobility needs - While consulting with many rural communities, the state has determined these areas need reliable access to regional centers for advanced medical care and essential shopping. The geography of the state dictates logical intercity routes along major highway corridors to access Coeur d'Alene, Lewiston, Nampa/Boise, Twin Falls, Pocatello, and Idaho Falls. Ontario Oregon, Spokane Washington, Missoula Montana, and Logan Utah also serve as regional centers for some communities in the state. The state works with numerous for-profit, not-for-profit and local agency providers to maintain basic access to these regional centers. The State is working to build partnerships to increase the frequency of service on the major highway routes in the state. Current planning efforts under IMAP will produce a comprehensive statewide plan which identifies, quantifies, and prioritizes Idaho's transportation needs.

PROGRAM MEASUREMENTS AND REPORTING REQUIREMENTS

National Transit Database Reporting - SAFETEA-LU brought new requirements for National Transit Database Reporting for the Section 5311 program. Congress has asked for simplified reporting requirements including information on total annual revenues, sources of revenue, total annual operating costs, total annual capital costs, fleet size and type, related facilities, revenue vehicle miles, and ridership. FTA has expanded on this list to incorporate contact information, and other additional reporting items to the list. ITD is implementing a new reporting system under IMAP which will capture NTD and other data on an ongoing basis. All sub-recipients will be required to submit the required information as a condition of program participation.

49 USC § 5311(B)(2) – RURAL TRANSPORTATION ASSISTANCE PROGRAM

PROGRAM GOALS

USC Section 5311(b) (2) authorizes the Secretary to make grants and contracts for transportation research, technical assistance, training, and related support services in rural areas. These funds are made available in addition to the non-urbanized funding for the Section 5311 non-urban and Intercity Rural Bus program. The Federal Transit Administration (FTA) has the responsibility for national implementation of the Title 49 USC Section 5311 Program. FTA has provided further program guidance in FTA Circular 9040.1F (April 2007). This circular provides details on the intent of the program, interprets provisions, and provides for additional requirements.

These requirements include instructions for program management and the contents of this State Management Plan.

Objectives of the RTAP program include:

- Promoting the safe and effective delivery of public transportation in rural areas and to make more efficient use of public and private resources
- Fostering the development of state and local capacity for addressing the training and technical assistance needs of the rural/small urban transportation community
- Improving the quality of information and technical assistance available through the development of training and technical assistance resource materials
- Facilitating peer-to-peer self help through the development of local networks of transit professionals
- Supporting the coordination of public, private, specialized and human service transportation services
- Building a national database on the rural segment of the public transportation industry

ELIGIBILITY

5311 providers are eligible for reimbursement of their expenses to attend trainings. 5307 and 5310 providers may attend trainings but are not eligible for reimbursement of their expenses.

PROJECTS ASSISTANCE/SERVICE AREAS

ITD uses Rural Transit Assistance Program (RTAP) funds to target specific technical assistance and training programs designed for rural providers. The Division of Public Transportation arranges for, and negotiates with instructors for RTAP funded rural training programs through a subcontractor, utilizing FTA Best Practices for Third-Party Contracting. Each recipient is asked to submit a training request describing the training and estimating costs. Those determined to be eligible activities are approved. Staff provides assistance, and ITD may choose to work through interagency agreements with other state agencies, universities, private consultants, or nonprofit organizations to provide assistance and expertise.

ITD encourages and facilitates the peer-to-peer networks and provides scholarships to attend training courses and workshops. ITD works with its sub-recipients and other stakeholders in rural transportation to support the coordination of public, private, specialized, and human service transportation services.

Eligible assistance categories for the Section 5311(b) (2) include:

- Training,
- Technical Assistance,
- Research,
- Related Support Activities, and
- Capital costs are allowed only if the equipment purchased is used to support one or more of the eligible activities listed above.

Section 5311(b) (2) funds do not require a local match but ITD may elect to require local match on some or all projects. The State does not retain any of the RTAP funds for administrative expenses but rather charges expenses to Section 5311 State Administration.

RTAP development - ITD conducts ongoing review of training needs as a basis for developing and providing training. Training primarily serves Section 5311 providers, and as appropriate, allows Section 5307, Section 5310, 5316, and 5317 providers to attend training on a space available basis.

ITD is also able to allow sub-recipients to attend ITD courses on a space-available basis. As appropriate, Section 5307 providers in Idaho also may allow Section 5311 or Section 5310, 5316, and 5317 providers to attend urban training opportunities on a space available basis

49 USC § 5316 - JOB ACCESS/ REVERSE COMMUTE

PROGRAM GOALS

FTA defines the goals of the Section 5316 program in Circular 9050.1 “to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities”. Transportation services must be planned, designed, and carried out to meet the transportation needs of eligible low-income individuals and of reverse commuters regardless of income. The program requires coordination of federally assisted programs and services in order to make the most efficient use of Federal resources. All projects funded under Section 5316 must be derived from a locally developed coordinated public transit-human service transportation plan.

Individuals who are transportation-disadvantaged face different challenges in accessing services depending on whether they live in urban, rural, or suburban areas. The geographic dispersion of transportation-disadvantaged populations also creates challenges for human service programs in their efforts to deliver transportation services for their customers.

ELIGIBILITY

ITD follows the federal guidelines for determining eligible applicants for Section 5316 funding. There are four categories of eligible sub-recipients of JARC funds:

- Private non-profit organizations;
- State or local governmental authority
- Operators of public transportation services including private operators of public transportation services.
- Federally recognized Indian nations

PROJECT ASSISTANCE/SERVICES AREAS

ITD follows the federal guidelines to determine eligible projects in the Section 5316 Program. JARC funds are available for capital and operating expenses that support public transportation services.

Eligible activities are capital, planning, and operating expenses that target and support the development and maintenance of transportation services designed to transport low-income individuals to and from jobs and activities related to their employment and to support reverse commute projects such as:

- Late-night and weekend service.
- Guaranteed ride home service Shuttle service.
- Expanding fixed-route public transit routes.
- Demand-responsive van service.
- Ridesharing and carpooling activities.
- Transit-related aspects of bicycling (such as adding bicycle racks to vehicles to support individuals that bicycle a portion of their commute or providing bicycle storage at transit stations).
- Promotion, through marketing efforts.
- Use of transit by workers with non-traditional work schedules.
- Use of transit voucher programs by appropriate agencies for welfare recipients and other low-income individuals.
- Development of employer-provided transportation such as shuttles, ridesharing, carpooling.
- Use of transit passes program and benefits under Section 132 of the Internal Revenue Code of 1986.
- Marketing and promotion of “transit pass” programs.
- Supporting the administration and expenses related to voucher programs.
- Deploying vehicle position-monitoring systems.
- Subsidizing the costs associated with adding reverse commute bus, train, carpool van routes or service from urbanized areas and non-urbanized areas to suburban work places.
- Subsidizing the purchase or lease by a non-profit organization or public agency of a van or bus dedicated to shuttling employees from their residences to a suburban workplace.
- Facilitating the provision of public transportation services to suburban employment opportunities.
- Program Measurements and Reporting Requirements.

PROGRAM MEASUREMENTS AND REPORTING REQUIREMENTS

Measures established for the JARC Program are targeted to capture overarching program information as part of the state’s Annual Report to FTA:

- Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of JARC projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided as a result of the JARC projects implemented in the current reporting year.
- Other benchmarks and measures of performance, success in coordination that can be attributed to the project that an applicant may prove to be relevant.

49 USC § 5317 - NEW FREEDOM PROGRAM

PROGRAM GOALS

FTA defines the goals of the Section 5317 program in Circular 9045.1 “to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities beyond the requirements of the ADA of 1990.” Lack of adequate transportation is a primary barrier to work for individuals with disabilities. The 2000 Census showed that only 60 percent of people

between the ages of 16 and 64 with disabilities are employed. Individuals who are transportation-disadvantaged face different challenges in accessing services depending on whether they live in urban, rural, or suburban areas. The geographic dispersion of transportation-disadvantaged populations also creates challenges for human service programs hoping to deliver transportation for their passengers. All projects funded under Section 5317 must be derived from a locally developed coordinated public transit-human service transportation plan. Notice of the availability of funds is sent each year to the NAACP, Native American organizations, Idaho Human Rights Commission, Idaho Migrant Council, and other groups identified as representing minorities. All applications and projects are selected without regard to race, color, or national origin.

ELIGIBILITY

ITD follows the federal guidelines for determining eligible applicants for Section 5317 funding. There are four categories of eligible sub-recipients of New Freedom funds:

- Private non-profit organizations.
- State or local governmental authority.
- Operators of public transportation services including private operators of public transportation services.
- Federally recognized Indian nations.

Applicants must describe the services to be provided and the populations to be served in their grant applications. Minority groups are encouraged to apply for funding. ITD annually identifies minority organizations that would be eligible for federal funds.

ITD works with the State Independent Living Council, Idaho Council on Developmental Disabilities, Consortium of Idahoans with Disabilities, Idaho Office on Aging, and Area Offices on Aging to identify private, public, and non-profit organizations providing coordination or services to the elderly and persons with disabilities.

PROJECTS ASSISTANCE AND SERVICE AREAS

ITD follows the federal guidelines to determine eligible projects in the Section 5317 Program. New Freedom Program funds are available for capital and operating expenses that support new public transportation services beyond those required by the Americans with Disabilities Act of 1990 ADA and new public transportation alternatives beyond those required by the ADA designed to assist individuals with disabilities with accessing transportation services, including transportation to and from jobs and employment support services. For the purpose of the New Freedom Program, “new” service is any service or activity that was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005.

Eligible projects funded with New Freedom funds may continue to be eligible for New Freedom funding indefinitely as long as the project(s) continue to be part of the coordinated plan. Both new public transportation services and new public transportation alternatives are required to go beyond the requirements of the ADA and must (1) be targeted toward individuals with disabilities; and (2) meet the intent of the program by removing barriers to transportation and assisting persons with disabilities with transportation, including transportation to and from jobs and employment services.

The following activities are examples of projects that are eligible as new public transportation alternatives beyond the ADA under the New Freedom Program

- Purchasing vehicles to support new accessible taxi, ride sharing, and/or vanpooling programs.
- Supporting the administration and expenses related to new voucher programs for transportation services offered by human service providers.
- Providing vouchers to individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency.
- Supporting new volunteer driver and aide programs.
- Supporting new Mobility Management coordination programs among public transportation providers and other human service agencies providing transportation.
- Making accessibility improvements to transit and intermodal stations not designated as key stations.
- Travel training - New training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.
- Fixed route service extended to serve a congregate living facility or a workplace serving large numbers of individuals with disabilities; new or expanded demand responsive service, including new hours or days of operation, or increased geographic coverage, to meet the needs of individuals with disabilities.
- Feeder services - New “feeder” service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA

PROGRAM MEASUREMENTS AND REPORTING REQUIREMENTS

New Freedom sub-recipients are required to report:

- Increases or enhancements related to geographic coverage, service quality and/or service times that impact availability of transportation services for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.
- Additions or changes to environmental infrastructure (e.g., transportation facilities, sidewalks, etc), technology, and vehicles that impact availability of transportation services as a result of the New Freedom projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.
- Other benchmarks and measures of performance, success in coordination that can be attributed to the project and that an applicant may prove to be relevant.

ELIGIBLE ASSISTANCE CATEGORIES

CAPITAL EXPENSES

The following capital assistance project expenses are eligible under the Section 5310, 5311 (including 5311(f)), 5316 and 5317 programs and include the acquisition, construction, and improvement of public facilities and equipment to be used for the direct provision of transportation services while meeting the program objectives and goals. ITD does not restrict the source of the local funding share, provided such funding does not restrict the use of the equipment or stipulate legal ownership of the equipment by anyone other than the recipient. ITD will allow a

sub-recipient to list a local government entity as the registered owner as long as a contract is developed and approved by ITD. This would be approved to allow the sub-recipient to take advantage of better insurance rates to meet requirements for insurance in Idaho Code. Contracts will require the vehicle to be used to provide passenger transportation and meet all of the FTA requirements including the proceeds from the sale of the vehicle being retained for public transportation.

The State follows the FTA guidelines on allowing certain costs to be capitalized and does not further restrict the use of FTA funds. Capital projects may include:

- Buses and vans
- Vehicle shelters including garages
- Passenger shelters, bus stop signs, and similar passenger amenities
- Wheelchair lifts and restraints
- Vehicle rehabilitation or overhaul
- Initial component installation costs
- Vehicle procurement, testing, inspection and acceptance costs
- Lease of equipment when lease is more cost effective than purchase
- Radios and communications equipment
- Microcomputer hardware and software
- Preventive maintenance defined as all maintenance costs
- Extended warranties which do not exceed the industry standard
- Associated capital maintenance performed in-house
- The capital portion of costs for service maintenance provided under contracts, otherwise known as “capital costs of contracting”
- Acquisition of transportation services under a contract, lease, or other arrangements
- The introduction of new technology, through innovative and improved products
- Transit related intelligent transportation systems
- Activities directly supporting Mobility Management projects
- Construction or rehabilitation of transit facilities including design, engineering, and land acquisition
- Facilities to provide access for bicycles to transit facilities or equipment for transporting bicycles on transit vehicles
- Joint development projects
- Provision of ADA paratransit service
- Security equipment

Vehicles purchased under all programs must meet The Americans with Disabilities Act standards. New vehicles will not be approved without being wheelchair accessible unless the applicant can certify that the applicant owns and operates other appropriately equipped vehicles to provide equivalent service.

ITD does not anticipate approving the lease of equipment or facilities with Section 5310 Program funds. Should Idaho choose to approve leasing projects in the future, the State will establish criteria to monitor the terms and conditions of any lease to ensure appropriate transportation will be available to the elderly and persons with disabilities. The State will also develop criteria for determining cost-effectiveness of a leasing project.

ITD may choose to grant funds for vehicle shelters and garages. Should this occur, ITD would require that the facility meet accessibility requirements. ITD will provide available information to sub-recipient constructing or remodeling any transit-related facility with non-transit funds. Sub-recipients would be required to coordinate with other agencies to meet federal requirements including environmental reviews. Real property purchases of land and/or buildings will not be approved under the Section 5316 – JARC or Section 5317 -New Freedom Program rural funds.

PREVENTIVE MAINTENANCE

Preventive maintenance for rural and intercity is defined as all transit maintenance. A grantee may request assistance for preventive maintenance for any maintenance activity that continues and extends the useful life of the vehicle.

OPERATING EXPENSE

Operating assistance usually consists of activities and services that are directly provided or purchased by the grantee related to system operations. ITD follows the FTA guidelines for operating expenses and does not further restrict the use of FTA funds. At a minimum, the following items must be considered operating expenses: fuel, oil, replacement tires, and parts which do not meet the criteria for capital items, extended warranties, drivers and mechanics salaries and fringe benefits, dispatcher salaries and fringe benefits and licenses. Examples of eligible operating activities include:

- Operating assistance for rural public transportation services.
- Operating assistance for para-transit/special needs transportation services within and/or beyond ADA requirements.
- Feeder bus service for the intercity network.
- Operating assistance for transportation to and from jobs and employment support services.
- Activities not eligible as part of a Mobility Management project.

MOBILITY MANAGEMENT

Mobility Management is considered an eligible capital cost for all programs. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. It may consist of short-range planning and management activities and projects for improving coordination among public transportation and other transportation-service providers carried out by a recipient or sub-recipient through an agreement entered into with a person, including a government entity, under 49 U.S.C. Chapter 53 (other than Section 5309). Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management does not include operating public transportation services. Examples of eligible mobility management activities include:

- Promoting, enhancing, and facilitating access to transportation services including the integration and coordination of services for individuals with disabilities, older adults, and low-income individuals
- Supporting short-term management activities to plan and implement coordinated services
- Supporting coordination policy bodies or councils

- Operation of transportation brokerages to coordinate providers, funding agencies, and customers
- Providing coordinated services such as navigator systems, individualized travel training, and trip planning
- Providing coordinated services such as navigator systems, individualized travel training, and trip planning
- Developing and operating one-stop transportation traveler call centers
- Operational planning for acquiring intelligent transportation technologies to help plan and operate coordination systems such as vehicle scheduling, smart card systems, Geographic Information System (GIS) mapping, Global Positioning Systems, and dispatching systems

PROJECT ADMINISTRATION EXPENSES

ITD allows only Section 5311 and Section 5311(f) sub-recipients to treat project administrative expenses incurred by a local provider as a separate cost category. This provides smaller rural communities greater flexibility in matching requirements. Administrative expenses eligible under the Section 5316 or 5317 are limited to the eligible activities specified in FTA Circular. ITD follows the FTA guidelines for project administration expenses and does not further restrict the use of the funds.

Eligible costs may include, but are not limited to, general administrative expenses such as salaries of the project director, secretary, and bookkeeper, marketing expenses, insurance premiums or payments to a self-insurance reserve, office supplies, facilities, and equipment rental, standard overhead rates, and the costs of administering drug and alcohol testing. Administrative costs for promoting and coordinating ridesharing, and vanpooling are eligible, as part of coordinated public transportation program and ITD will approve interest on short-term loans for operating assistance.

LOCAL AND STATE SHARE FUNDING REQUIREMENTS

Sub-recipients are required to provide local funds to support their projects. ITD follows the federal rules for eligible assistance categories and setting local match requirements and does not impose any further restrictions on the use of funds except where noted. ITD does not restrict the source of the local funding share, provided such funding does not restrict the use of the equipment or stipulate legal ownership of the equipment by anyone other than the recipient. ITD will allow local funds used for match to be derived from non-DOT federal support if authorized by that program. These programs include, but are not limited to, Medicaid and Area Office on Aging funds distributed by a state social service agency. In some circumstances, ITD supplements the project with state Vehicle Investment Program (VIP) funds.

Up to 50 percent of the matching funds may be made up of non-FTA federal support. Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match. In either case, the cost of providing a contract service is included in the total project cost.

Local funds may come from state or local appropriations, dedicated tax revenues, private donations, and net income generated from advertising and concessions. Non-cash shares including donations, volunteered services, or in-kind contributions are eligible to be counted as local match only if the value of each is formally documented and supported and represent a reasonable cost which would otherwise be eligible under the project.

Funds received by sub-recipients for purchase of service agreements or other agreements with state or local social service agencies or private social service organizations or subcontracting brokerage may be treated as local funds even when the original source of the funds was a federal program.

Program funds remain available to the state for three fiscal years, the year of apportionment, plus two additional years. ITD follows the federal rules for eligible assistance categories and does not impose any further restrictions on the use of funds.

CAPITAL ASSISTANCE

The local share for the purchase of equipment for Section 5311 and 5310 programs is determined by the FHWA sliding scale (currently eight percent) of the purchase price plus any sales tax on the entire purchase (unless the organization is tax exempt) and requires that all matching funds for purchase of vehicles be cash. Currently, recipients provide eight percent of the purchase price plus any sales tax on the entire purchase unless the organization is tax exempt. The local share cannot be derived from USDOT federal funds. The purchase of vehicular equipment will include any travel and per diem costs associated with the pre-award audit. ITD will not permit a local share less than the FHWA sliding scale (currently eight percent). ITD will permit a local share greater than the FHWA sliding scale. This additional match will not affect the selection of projects.

The local share for the purchase of capital equipment for Sections 5316 and 5317 programs is 20 percent of the purchase price plus any sales tax on entire purchase (unless the organization is tax exempt) as established by FTA guidelines and requires that all matching funds for purchase of vehicles be cash.

PURCHASE OF SERVICE

The local share for the purchase of service agreements for Section 5310 projects is considered an eligible capital cost. The local match rate determined by the FHWA sliding scale is currently eight percent of the purchase price. ITD will not permit a local share less than the FHWA sliding scale. ITD will permit a local share greater than eight percent. This additional match will not affect the selection of projects.

The federal and local shares for the purchase of service or voucher agreements for Section 5311, Section 5316 and Section 5317 projects is considered an operating expense and is not an eligible capital cost.

PREVENTIVE MAINTENANCE

Preventive maintenance costs are considered capital under FTA guidelines when specifically accounted for as such in sub-recipient records. The local share of preventive maintenance costs for Section 5311 and 5310 programs are also allowed at eight percent as authorized by SAFETEA-LU.

The costs of preventive maintenance for Section 5316 and Section 5317 projects is considered is an eligible capital cost with a local match rate limited to 20 percent and a federal share of 80 percent.

MOBILITY MANAGEMENT

Mobility Management costs is considered capital under FTA guidelines Section 5310 when specifically accounted for as such in sub-recipient records. The costs of Mobility Management for Section 5316 and Section 5317 projects

is considered is an eligible capital cost with a local match rate limited to 20 percent and a federal share of 80 percent.

OPERATIONS

The local share for Section 5311 operating costs is also determined by the FHWA Sliding Scale Match rate as allowed by FTA. Currently the State uses a 57.5 percent federal and 42.5 percent local share for of the net operating expenses (gross expenses less fares). ITD will permit a local share greater than FHWA Sliding Scale for operating costs; however this will not influence the selection of projects. Subrecipients are allowed to use funds from other federal programs to provide of the local match. The non-DOT source of the local share for operating assistance must comply with the Federal Transit Act and amendments, which permits the use of federal funds received from a state social service agency such as Medicaid and Title IIIB.

Section 5316 and Section 5317 funds may be used to finance operating expenses. The local share of eligible operating costs shall be no less than 50 percent of the net operating costs (gross expense less fares).

PROJECT ADMINISTRATION

For Section 5311 and Section 5311(f) programs, ITD allows recipients to track project administration costs separately as allowed by FTA. These funds require a 20 percent local match. ITD will not permit a local share less than 20 percent for administration. ITD will permit a local share greater than that listed above; however this will not influence the selection of projects.

HIGHWAY FUNDS USED FOR PUBLIC TRANSPORTATION

Surface Transportation Program flexible funds and Congestion Mitigation and Air Quality funds may be made available at the discretion of the Idaho Transportation Board for non-operating public transportation projects. The Board will determine categories meeting the federal requirements to be funded. Should these funds be transferred to FTA, they will be used at rate as determined by the ITD Board. ITD will notify FTA and work with FHWA and FTA to oversee the transfer and oversight of the funds.

STATE FUNDS

Idaho currently has limited state funds available to fund vehicle purchases in the Vehicle Investment Program. ITD will administer these funds according to ITD Board direction and in conjunction with FTA Programs. ITD continues to look for additional sources to obtain state funds. Should such funding become available, ITD will develop plans for its use and incorporate these plans in to the State Management Plan. The ITD Board must approve any program plans for the distribution of state funds.

OTHER PROJECTS

The local share for capital projects to provide transit facilities for bicycles or for the incremental costs of vehicle-related equipment to comply with the Americans with Disabilities Act and the Clean Air Act may be funded with a 90 percent federal and 10 percent local match. Only the incremental costs of the project are eligible at this match

rate. Eligible projects include, but are not limited to, bicycle racks, equipment to transport bicycles, retrofit of vehicles and renovation of facilities to meet ADA or CAAA standards.

STATE PROGRAM MANAGEMENT

STATE ADMINISTRATION AND TECHNICAL ASSISTANCE

The Governor of the State of Idaho, through current Executive Order Number 2005-25, has designated the Idaho Transportation Department and its Director to receive and expend monies from the federal government for public transportation assistance as provided under applicable federal statutes. ITD retains an amount up to the authorized 15 percent of the apportioned Section 5311 funds (excluding RTAP) to administer the program and to provide technical assistance to sub-recipients. ITD retains an amount up to the authorized 10 percent of the apportioned Section 5310, 5316, and 5317 funds to administer those programs and to provide technical assistance to sub-recipients allowable administrative costs include salaries, overhead expenses, supplies, and office equipment and other direct costs to administer the programs.

There is no local match required for this category of assistance. The State may choose to pass on a portion of these funds to sub-recipients for the same purposes and/or planning. Further, the state may choose to impose a local match requirement on any of this funding provided to sub-recipients.

ROLES AND RESPONSIBILITIES OF THE STATE

ITD uses State Administration to fund:

- Developing and maintaining a current State Management Plan
- Developing the elements of the State Transportation Improvement Program for the Section 5310, 5311, 5316 and 5317 programs
- Necessary Full-Time Equivalent (FTE) positions, their travel and other directly related costs
- Contracting for Professional Services
- Determining early coordination requirements associated with transportation management areas/metropolitan planning organizations and private sector participation
- Assisting communities in the development of local and statewide coordination plans
- Certifying local coordination plan processes meet SAFETEA-LU requirements
- Development and distribution of the Program Funding Guide and Grant Application
- Notifying prospective participants about the program
- Certifying eligibility of applicants
- Developing program criteria and project eligibility
- Development and updating of manuals designed to provide technical assistance to subrecipients
- Meeting with staff of providers or applicants to clarify requirements
- Developing stated terms and monitoring grant agreements with FTA/ITD grant subrecipients
- Maintaining records and documentation to verify compliance with federal program requirements
- Monitoring and documenting compliance with Section 504 and the Americans with Disabilities Act
- Developing the program of projects, budget and milestones for submittal to FTA
- Preparing other required reports to FTA
- Obtaining and updating the requisite assurances for FTA

- Reviewing grantees' bookkeeping procedures and records for operating assistance
- Reviewing Sub-recipients drug and alcohol programs
- Providing extensive technical assistance
- Reviewing and interpreting new federal compliance requirements
- Modifying the state management plan and state processes and procedures to meet these new requirements
- Legal advertisements and room rentals for public meetings and workshops
- Expenses associated with the public comment and grant approval process in the districts
- Meeting with the staff of providers and applicants to clarify requirements
- Assisting Regional Public Transportation Authorities and MPOs with the coordinated transportation planning process

FINANCIAL MANAGEMENT AND OVERSIGHT

STATE MANAGEMENT

ITD is audited annually by State Legislative Auditors Office. The Legislative Auditors Office is legally responsible under Idaho Code to conduct audits of state agencies. These audits comply with federal requirements and a report is issued at the conclusion of the annual audit. The Division of Public Transportation and grants administered through the Division are subject to the process. A copy of any such audit is forwarded to the FTA Regional Office.

In addition, ITD Internal Review Section has the authority to conduct reviews of all Divisions and the processes of the Division. The Internal Review Section issues reports at the conclusion of the review.

The State expends all FTA funds in accordance with state laws using procedures for expenditures and accounting that are used for any state funds. The State is able to prepare all reports necessary to meet federal reporting requirements and is able to trace all funds to ensure they are compliant with federal rules. ITD monitors sub-recipients to make sure each is also able to meet these requirements.

ITD pays all overhead costs with state funds and requests reimbursement from FTA only for direct costs. ITD does not have a cost allocation plan and thus does not request reimbursement for these charges.

ITD utilizes the Electronic Clearing House Operation (ECHO) for reimbursement of claims. In order to expedite payments to sub-recipients, ITD reimburses claims submitted with state funds and submits drawdown requests to ECHO to reimburse the State. The State maintains complete financial documentation supporting these requests at the project level. These are available to authorized representatives of the U.S. Department of Transportation or the Comptroller General of the United States. Records are retained for three years after the final Financial Status Report has been submitted. Records will also be retained until any litigation, claim, or audit begun during or before the three year period has been resolved.

SUB-RECIPIENTS

TRANSFER OF FUNDS: SECTION 5307, SECTION 5310, SECTION 5311, SECTION 5316, AND SECTION 5317

FTA funds being transferred between programs, as allowed per FTA guidelines, are coordinated through the Division of Public Transportation and into the STIP and TIPs as necessary. Any such transfers are coordinated, and conducted using the applicable TIP/STIP amendment process.

The Division of Public Transportation's role also includes the applicable requirements and actions for amending the State Transportation Improvement Program (STIP). FTA Region X has determined that Section 5307 funds transferred to the Section 5311 program may be used at the lower 5311 match rates described above.

ITD consults and coordinates with program sub-recipients and small-urbanized 5307 recipients to assist in the process of transfers between Section 5307 and 5311. As appropriate, ITD may ask FTA Region X to transfer Section 5310, Section 5316, or Section 5317 funds to the Section 5311 or Section 5307 programs for ease of administration in order to implement projects selected under the program guidelines. Generally, ITD administers these programs separately and awards multiple grants to the sub-recipient agencies.

Transfers of Section 5307, Section 5316 and/or Section 5317 funds only occur after discussion with responsible local officials and public transportation operators in each area for which ITD originally awarded JARC or New Freedom funds in the competitive selection process.

Should the need arise, ITD confers with local officials and after consultation with affected intercity bus providers that the intercity bus needs of the state are adequately met, may obtain the approval of the governor before seeking a waiver for the transfer funds from the Section 5311(f) program to Section 5311 or other program.

The passage of the SAFETEA-LU reauthorization act has added a Tribal Transit component FTA Section 5311(j). Any FTA funding that is awarded to a Tribal Transit Organization may be transferred to the Section 5311(j) program for ease and to avoid duplicate administrative oversight by FTA and ITD.

The Idaho Transportation Board may choose to make eligible Federal Highway Administration funds available for public transportation capital and project administration projects e.g. Transportation Enhancement or Congestion Mitigation Air Quality (CMAQ) funds. The Board may choose to limit the types of projects the funds may be used for including whether to transfer funds or to allow less restrictive projects. The FHWA sliding scale match rate may be used except for Section 5316 and Section 5317 projects.

REVISIONS TO THE PROGRAM OF PROJECTS

ITD allows Sub-recipients to revise their budgets within the original scope of work and will develop a budget modification to the grant agreement to reflect these changes. As applicable and required, these changes are included as part of the annual report process to FTA.

Should the Sub-recipient(s) request a budget modification or change to the scope of work that materially affects the state's grant; ITD would request approval from the PTAC and notify FTA prior to approving such a change. ITD, working through the TEAM Web system, seeks FTA approval. FTA is consulted if the request reduces the Intercity allocation below 15 percent of the Section 5311 program, and/or the change is over \$250,000 or 10 percent of the total program of projects; or advance any project to Category A where there are serious questions of compliance with the prospective Sub-recipient.

AUDITS

Sub-recipients receiving more than \$500,000 from all federal sources are required to have audits conducted in accordance with OMB Circular A-133. Sub-recipients are instructed to have the auditor conduct a review of compliance with FTA regulations as part of the annual audit for the period during which FTA funds are expended. Sub-recipients are instructed to have their audit firm send a copy of the audit directly to ITD. Sub-recipients must have their Board approve the Audit at the next Board meeting and must send a copy of the minutes to ITD. If the Audit identifies any findings the Board must submit a corrective action plan to ITD with a timeline to correct the findings.

A copy of the most recent audit must be maintained with the grant application and agreement.

In addition, ITD staff includes appropriate financial on-site reviews of all sub-recipients.

PROCEDURES FOR MONITORING COMPLIANCE BY SUB-RECIPIENTS

ITD uses a process including desk audits and site visits to monitor sub-recipient compliance with program requirements. In addition, sub-recipients are chosen on a risk level basis to have financial management audits conducted by the ITD Internal Review Office. Internal Review and the Public Transportation choose one or two sub-recipients each year for audits based on the amount of federal funds received, type of organization (non-profit, local public agency, for profit) and degree of local government participation and oversight. These financial reviews are conducted in conjunction with a program review by Division staff.

ITD conducts on-site reviews with sub-recipients that include aspects of Project Monitoring and Management and Financial Reviews. During the initial site overview, staff primarily focus is on the grant agreement and related requirements. All items within the grant agreement are discussed to ensure sub-recipients understand the requirements of the grant. Staff uses a checklist that may be modified as needed for the completion of site reviews.

For purchase of equipment awards, staff normally schedule on-site, Post-delivery inspection and may review financial claims at that time. Staff also conducts vehicle inspections as long as ITD is lien holder of first position on the vehicle. A detailed checklist is used to conduct the inspection and monitor the use and maintenance of the vehicle.

If a Purchase of Service award to a Section 5310 sub-recipient is subsequently subcontracted to Section 5311 providers around the State, ITD staff reviews these claims and accompanying documentation when conducting reviews of the rural providers.

ITD includes a Special FTA Section 5333(b) Warranty as part of its annual FTA Grant Application process. Section 5311 and Section 5316 applicants are required to acknowledge they meet the requirements in the application. The same information will be included as part of the Certifications and Assurances included in the Grant document. Staff reviews each section of the Grant document with the sub-recipient during the initial site visit and staff verifies that the agency has met the posting requirements during site visits and other project monitoring opportunities. The sub-recipient must sign the checklist acknowledging each section was reviewed and they understand the requirements.

ITD certifies to the Department of Labor, Statutory Programs that each sub-recipient in the program of projects has agreed to the special warranty of employee protective arrangements for the rural formula program. Idaho is a right-to-work state. The state includes information for the associated Section 5307 providers.

CLOSE OUT

ITD closes out grants within ninety days when the sub-recipient has received the last of its eligible expenditures. If extra funds remain in a grant for more than one year, ITD contacts the grantee to ascertain if there will be more claims submitted. If the sub-recipient has submitted all claims, the remaining funds can be transferred to other open grants in that grant year including purchase-of-service contracts to expend the monies and the original grant will be closed.

ITD has a goal of having no more than three years of open grants. ITD will actively work with sub-recipients to utilize the funds in a timely fashion so grants can be closed within the three-year period. Records are retained after the grant has been closed is compliance with FTA requirements. ITD notifies sub-recipients when grants are closed and informs them of the requirement for records retention.

ITD uses internal grant management status sheets, and other associated reports to monitor grant balances and information from the American Management Systems (AMS).

ANNUAL REPORTS

As part of the grant application process, ITD submits a program of projects including budgets and an implementation schedule with significant milestones and completion dates for each grant. Documentation is maintained in each grant file, and/or the State Administration File, on how the Sub-recipient is progressing toward the goals and annual reports are electronically submitted each October to FTA via TEAM.

The State submits a Financial Status Report annually for each active grant. The State also annually submits a Program of Projects Status Report. If any schedule, project description, or budget has changed, this information will be provided as part of the annual report. ITD will also report all un-liquidated obligations to the FTA Regional Office. ITD will include information on any significant civil rights compliance issues. Notable accomplishment may also be included as part of the report.

FEDERAL POLICIES

CERTIFICATIONS AND ASSURANCES

Prior to the award of any grant, the State must provide to FTA all Certifications and Assurances required by Federal laws and regulations for the applicant or project. Idaho electronically submits, through TEAM Web, the FTA Assistance Programs Certifications, and Assurances within 90 days of the time they are published in the Federal Register. The ITD Public Transportation Administrator and the ITD Legal Counsel PINs the Certifications and Assurances.

ITD receives and maintains certifications and documentation sufficient to support the assurances to FTA. ITD lists the Certifications and Assurances in the Program Funding Guide and requires applicants to sign acknowledging the requirements and that FTA may make changes. All necessary Certifications and Assurances are included in each

grant agreement that the sub-recipient is required to sign. Staff reviews each section of the grant and discusses the requirements. Sub-recipients also sign acknowledging that they understand these requirements.

CIVIL RIGHTS

ITD must comply and ensure compliance by all sub-recipients with standard federal civil rights requirements including:

- FTA's Disadvantaged Business Enterprise program requirements,
- Title VI of the Civil Rights Act of 1964, as amended,
- The Equal Employment Opportunity (EEO) requirements of Executive order 11375, and
- Protections for Private Providers of Public Transportation.

ITD Office of Civil Rights monitors Title VI, EEO, and DBE programs for the Idaho Transportation Department. Reports are prepared and submitted to the Federal Highway Administration. The Division of Public Transportation oversees compliance by sub-recipients. ITD includes information on required Civil Rights Compliance each year in the annual Program Funding Guide. The guide lists Assurances and requires the applicant to sign a statement acknowledging that the Assurances may be modified and that the applicant complies and reasonable expects to comply with any modifications. Grant applicants are made aware they will be required to sign an Assurance of Compliance with Civil Rights Requirements at the time the written agreement to receive funds is executed. The appropriate civil rights disclosure is included on the inside the Program Funding Guide and civil rights clauses are included in grantee agreements. The checklist used during grantee reviews includes a section that verifies compliance with Civil Rights issues such as discrimination, employment, complaints, and accessibility of services.

ITD has never received notice of a Civil Rights lawsuit or complaint. Should ITD receive such notice it will maintain a file documenting the date received, a summary of the action, and the status of the action. Staff will work with the ITD Office of Civil Rights, the ITD Legal Counsel, and FTA to make sure all legal requirements are been met in resolving the issue.

NON-DISCRIMINATION AND TITLE VI

The Division includes information on non-discrimination and Title VI in the Program Funding Guide each year as directed by the Office of Civil Rights. ITD requires applicants to sign acknowledging they meet federal requirements at the time they apply for a grant. Civil Rights requirements are also included in Grant Agreements. During the initial site visit and during desk reviews and/or site visits to grantees staff reviews the grant agreement with sub-recipients to be sure they understand the requirements.

EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

There currently is no Section 5310, Section 5311, Section 5316, or Section 5317 providers in Idaho that receive in excess of \$1,000,000 and or employ more than 50 persons (the FTA threshold limits for EEO Assurances). Since Idaho receives a minimum allocation of Section 5311 funds, it will be some time before any one recipient in Idaho reaches the minimum threshold for needing an EEO program. ITD complies with the EEO Requirements and the Office of Civil Rights submits reports annually to FHWA.

SECTION 504 AND ADA REQUIREMENTS

ITD must itself comply and ensure compliance by all sub-recipients with federal civil rights requirements including:

- The federal protections for persons with disabilities of Section 504 of the Rehabilitation Act of 1973 as amended,
- The Americans with Disabilities Act of 1990 as amended , and
- Code of Federal Regulations Title 49 Parts 37 and 38.
- ITD submits an Assurance of Nondiscrimination each year to FTA Region X as part of the annual Certifications and Assurances.

Each applicant must include as part of the grant application a description of the services offered. If the applicant offers primarily a fixed route service, ITD requires any provider operating a fixed route system to provide complementary paratransit or other special service that is comparable to the level of service provided to individuals without disabilities using the fixed route system. Providers must make provisions for maintaining accessibility features, service animals, service to persons with respirators or portable oxygen, announcements of stops on fixed route service, and any other requirements in 49 CFR Part 37, Subpart G. The plan for the complementary service is reviewed by ITD and information will be included in the Annual Program of Projects submitted to FTA.

Each grant agreement contains a section requiring the sub-recipient to certify that its demand responsive service offered to individuals who use wheelchairs is, at a minimum, equivalent to the level and quality of service offered to individuals without disabilities. Staff reviews and documents the requirement as part of the site-visit.

ITD notifies each grant recipient that the Division may be contacted by anyone alleging discrimination in service or employment, including Section 504 and ADA. Any written complaints alleging discrimination will be referred to the ITD Office of Civil Rights for investigation.

ITD reviews all specifications associated with vehicle purchases to ensure ADA compliance. ITD requires all vehicles purchased with FTA funding to be accessible and comply with ADA requirements. Exceptions will be made only when the applicant owns and operates other ADA accessible vehicles with which to provide equivalent services.

ITD will work with public transit providers to make them aware that all facilities should be accessible and any construction or remodeling should meet these standards.

DEBARMENT AND SUSPENSION

ITD complies with the federal requirements for disclosure for Debarment and Suspension. Each sub-recipient is required to certify in the grant agreement the organization and its principals meet the standards for debarment, suspension, ineligibility, and voluntary exclusions. ITD also requires sub-recipients to include language in any bids requiring any bidder to disclose whether they have been Debarred or Suspended from doing business with the federal government.

RESTRICTIONS ON LOBBYING

ITD includes information in the Program Funding Guide informing the applicant that if they receive more than \$100,000, they will be required to certify they meet the Restrictions on Lobbying. If federal funds are used sub-recipients would be required to submit the appropriate federal forms acknowledging the activity.

Sub-recipients are required to certify that no federal funds have been or will be paid to any person influencing or attempting to influence any member of Congress, congressional staff or officers, federal agency officers or

employees pertaining to federal assistance agreements. All bids for equipment prepared by these sub-recipients are required to contain this certification as well.

CHARTER RULE

ITD submits the charter bus agreement and assurance on behalf of the sub-recipients as part of the annual FTA Certifications and Assurances. ITD requires sub-recipients to certify to the state.

ITD has included information about the restrictions on chartering in the Program Funding Guide and has included further details in the grant agreement. ITD requires all Sub-recipients to abide by the conditions prohibiting the use of FTA funded equipment or facilities to provide charter services except under special limited exemptions as outlined in 49 CFR Part 604. The Sub-recipient must agree to abide by the conditions prohibiting use of FTA funded equipment or facilities to provide charter services, except as outlined below.

Charter services means transportation of a group of persons who travel together under an itinerary, either specified in advance or modified after leaving the place of origin, and who have acquired exclusive use of the vehicle for a common purpose under a single contract for a fixed charge. Service provided under contract to a social service agency is considered mass transportation, not charter service, if the service is under the control of the sub-recipient, is open door, and the sub-recipient can put any rider on the vehicle in addition to the agency's clients. The sub-recipient agrees that any and all charter service provided must, in addition to qualifying under an exception, be incidental charter service. Incidental Service is defined as charter service which (1) does not interfere with or detract from the provision of transportation services for which equipment or facilities were funded, and (2) does not shorten the useful life of the equipment or facilities.

All requests to provide charter service with FTA funded equipment and facilities must be submitted through FTA's charter registration website prior to performing the service. ITD reviews sub-recipient records onsite to verify no noncompliant charter activity has occurred.

SCHOOL TRANSPORTATION

ITD includes information in the Program Funding Guide informing the applicant they are restricted from using FTA funds or equipment to provide exclusive school busing operations. Sub-recipients agree to abide by the conditions prohibiting use of FTA funded buses, facilities, or equipment to engage in school bus operations for the exclusive transportation of school students, personnel and equipment except as outlined below. Exceptions to this general prohibition will be granted only under the following circumstances and those allowed under current Idaho Code:

The service being provided is considered to be tripper service, which means regularly scheduled mass transportation service which is open to the public and which is designed or modified to accommodate the needs of school students and personnel, using various fare collection or subsidy systems. To qualify for use in tripper service, vehicles:

- must be clearly marked as open to the public;
- may stop only at regularly scheduled stops; and
- must be listed as part of regular route service as indicated in published route schedules.
- Vehicles that carry designations indicating exclusive use by students or personnel cannot be considered to be in use for tripper service.

DRUG AND ALCOHOL MISUSE TESTING

ITD has adopted a Drug-Free Work Place Policy. The Division annually certifies compliance with the Federal Drug-Free Work Place Requirements to FTA. All sub-recipients are required to adopt and enforce a Drug Free Work Place Policy. Notices have been published and posted notifying employees of the requirements of the Drug-free Workplace Act. The program is administered by the Employee Safety /Risk Management Section of ITD, which assures that all grant sub-recipients have a board-approved, Drug-Free Workplace policy.

ITD does not directly operate public transportation service. Highway operations fall under the FMCSA drug and alcohol-testing regulations. All FTA Section 5311 funding sub-recipients are required to adopt compliant drug and alcohol testing program policies and process that are approved by its board. ITD staff will verify that each sub-recipient is in compliance per the FTA Drug and Alcohol Testing regulations in 49 CFR Parts 40 and 655. ITD will maintain current copies of each sub-recipient's board approved Drug and Alcohol Policies and Procedures and will review each provider annually to monitor for changes to policies or practices. Section 5310, 5316 and 5317 sub-recipients are not required by FTA to have drug and alcohol testing programs. However, drivers operating a Commercial Motor Vehicle as determined by FMCSA are subject to 49 CFR 382 and applicable Idaho Code. Providers receiving Sections 5311, 5310, 5316 or 5317 will be monitored under the Section 5311 program.

Testing is required in the following situations: Pre-employment (for drugs only); Reasonable suspicion; Post accident; Random; Return to duty; and Follow-up. In addition, transit systems may perform blind sample testing for their drug-testing program as a quality assurance measure for the testing laboratory being used. Employees affected by these regulations are those who perform "safety sensitive" functions within the transit agency including operators of revenue vehicles, CDL holders operating non-revenue vehicles and mechanics maintaining revenue vehicles or equipment used in revenue service. ITD will monitor Section 5311 drug and alcohol testing programs to verify all safety sensitive personnel are involved in the program and that contractors meet FTA requirements.

ITD will annually collect the Drug and Alcohol Management Information System (DAMIS) reports and assure approved reports are submitted by the March 15th deadline.

PROCUREMENT

ITD will ensure that all procurement complies with State of Idaho <http://adm.idaho.gov/adminrules/rules/idapa38/0501.pdf> and FTA standards FTA Circular 4220.1F.

ITD reviews all bid documents and specifications for compliance. Sub-recipients must acknowledge FTA regulations and procedures when they sign the grant. The sub-recipients under FTA programs procure equipment and services with ITD oversight and according to state procurement standards. ITD's Purchasing Section also reviews the consultation agreements to ensure overall state and U.S. DOT requirements are met. ITD assists and reviews all bid documents, providing technical assistance and oversight at each step to ensure purchases are made competitively, that the required language is included in the bid documents, and the bid process is in compliance with federal procurement policies.

Subrecipients that are public entities will follow the requirements that apply to states, called the Common Rule (CFR Part 18), plus will comply with the following requirements:

- Provide for full and open competition

- Exclude the use of in-state or local geographic preference
- Do not enter into any contract for rolling stock with a period of performance exceeding five years, exclusive of options without FTA approval
- Ensure that purchase orders and contracts executed using federal funds includes all clauses required by statutes, executive orders and implementing regulations
- Use competitive procurement procedures based on the Brooks Act when contracting for architectural and engineering services if the state has not adopted a statute governing procurement of such services. Oregon has adopted statutes that govern procurement of architectural and engineering services.

Circular 4220.1F applies to all subrecipients that are nonprofit agencies and that contract with outside sources under FTA assistance programs.

Additional requirements for the state and all subrecipients include:

- Maintain a written code of conduct governing the employees who engage in the award and administration of contracts
- Have written selection procedures
- Use the appropriate method of procurement
- Ensure the most economic and efficient purchase
- Develop an independent cost estimate
- Make awards only to responsible contractors who will perform the project under the defined terms and conditions
- Use competitive selection processes
- Conduct and document a price analysis for each procurement
- Have written protest procedures
- Maintain contract administration
- Maintain a complete record of procurement history

Sub-recipients may elect to purchase vehicles independently while staying in compliance with ITD oversight of the grantee equipment purchase process. Sub-recipients are required to include a “Buy America” provision and certification with their bidding documents for vehicles. Additional details of federal procurement requirements are in FTA’s Best Practices Procurement Manual. ITD has prepared a checklist to assure compliance with FTA’s pre-award audit requirements. The checklist addresses “Buy America”, Federal Motor Vehicle Safety Standards, Bus Testing, and the grantees own specifications. Sub-recipients are required to verify certified information on the checklist used during the visit at the manufacturer’s factory. ITD has a checklist for the grantee’s use in the post-delivery inspection of all vehicles. A copy of the completed checklists must be included with the request for reimbursement.

Sub-recipients are provided with the most current list of Disadvantaged Business Enterprises (DBEs,) as the information is updated. All procurements must be conducted to provide full and open competition to any firm choosing to register with the state.

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

ITD submits an annual program including goals for utilization of DBEs by the state and by entities exceeding the threshold for DBE Programs. The Division monitors the use of DBE firms and submits semiannual reports to FTA. PT encourages the use of DBE firms whenever possible within the restrictions of existing state purchasing requirements and purchasing contracts.

ITD encourages sub-recipients to use DBE firms whenever possible. ITD includes information about Disadvantaged Business Enterprise requirements in the Program Funding Guide. The ITD Office of Civil Rights - DBE Coordinator maintains a list of firms recognized by ITD as DBE firms. ITD makes this information available to sub-recipients when goods, services, and/or equipment are to be purchased. ITD will include information on sub-recipient contracting in the report to the FTA Regional Office

Sub-recipients in Idaho receiving more than the FTA threshold limit of \$250,000 are required to establish a DBE program. Contracts to purchase transit vehicles do not count toward the \$250,000 total. ITD works with these providers to ensure an appropriate program is in place, meeting all federal requirements. Sub-recipients are required to semi-annually report purchases made from DBE vendors or provide a report of their Good Faith efforts to locate and purchase from DBE vendors.

BUY AMERICA

ITD requires sub-recipients to comply with "Buy America" requirements when purchase price of the vehicles exceed \$100,000. Specific language is contained in the grant agreement and in the certifications and assurances acknowledged by the sub-recipient.

Information is provided to the sub-recipient by the Division of Public Transportation. A checklist is provided for the applicant to follow which includes information to be included in the Request for Bids and in the Contract. ITD reviews each step of the procurement process and all associated documents to ensure the sub-recipient complies with the Buy America provisions when required. Should the purchase of a vehicle fall below the small purchase threshold, the sub-recipient is required to complete a certification stating the procurement is exempt from the requirement. A copy of this certification is included in the Procurement Manual. The majority of the vehicles purchased with Section 5310 funds are for 15 –25 passengers and will not meet the \$100,000 minimum limits.

PRE-AWARD AND POST-DELIVERY REVIEWS

ITD conducts a review of the bid process and each bid to ensure that sub-recipients and bidders comply with the bid specifications and meet the federal requirements. ITD requires that the Request for Bids include assurances from the bidders that they meet all the federal requirements for Buy America and the Federal Motor Vehicle Safety Standards (FMVSS) and Altoona Testing. ITD will not certify the low bid until this process has been completed. Sub-recipients are required to conduct the post delivery reviews and provide documentation and checklists to the Division with the request for reimbursement. ITD staff will review the procurement process and monitor the pre-award and post-delivery purchaser's requirements and Federal Motor Vehicle Safety Standard compliance as part of a site-visit.

The Post-delivery review must include complete visual inspections and road tests to demonstrate that the vehicle meets the contract specifications. If the vehicle purchased is subject to FMVAA, the sub-recipient must verify that the FMVSS sticker is affixed to the vehicle. Staff tries to be available at the post-delivery review. If someone from ITD is not available, the sub-recipient is requested to have a third party present at the review and ITD reviews the review paperwork.

Should a single purchase of twenty or more vehicles occur, ITD requires the sub-recipient to conduct inspections of the equipment during each phase of the vehicle's construction.

Should any vehicle purchased be the first vehicle of a new model or a model with major changes in configuration, ITD would require a certification that the vehicle had been tested at a FTA approved testing facility.

SATISFACTORY CONTINUING CONTROL

PROPERTY MANAGEMENT

ITD becomes lien holder of first position and Loss Payee for all capital purchases where the fair market value is \$5,000 or more. Generally, the only equipment that falls in this category is vehicles. ITD retains the title and tracks the use of the vehicles and other equipment until the useful life has expired. Sub-recipients are responsible for licensing the vehicle and maintaining insurance on the vehicle to comply with Section 49-1229, Idaho Code. ITD currently has determined the following categories for useful life standards. When vehicles have reached either of these limits, ITD will release interest in the vehicle after review, and upon request of the sub-recipient.

- 35'-40' heavy duty transit bus and articulated buses – useful life 12 years or 500,000 miles
- 30' heavy duty transit bus – useful life 10 years or 350,000 miles
- 30' medium-duty transit bus – useful life 7 years or 200,000 miles
- 35'-35' light duty transit bus (body on chassis vehicles) – useful life 5 years or 150,000
- Other vehicles (e.g. small buses, vans, sedans - useful life four (4) years or 100,000 miles

ITD allows sub-recipients to include other agencies on the title to take advantage of better insurance rates. ITD requires that vehicle(s) be used for its original purpose; and further requires that sub-recipients follow state laws and procedures for disposing of equipment. Proceeds from the disposition of a vehicle are retained for transportation services.

ITD maintains manual files for each vehicle purchased with FTA funding. ITD collects information to meet the requirements of Section 40-514, Idaho Code. To meet FTA monitoring requirements, the data includes (but is not limited to):

- Sub-recipient name, address, phone number, and contact name;
- Vehicle make, year, vehicle identification number, and model;
- Location of the vehicle;
- Federal Grant number and State Agreement Number;
- Monthly reports on ridership, boarding, miles driven, and days of service;
- Date of last vehicle inspection.

ITD staff, or their designee, will conduct on-site vehicle inspections on an ongoing basis to verify the location, use, and condition of the equipment. As site visits are scheduled, reports are generated indicating the status of vehicles in the area associated with the site visits. An inspection form is generated for each vehicle including information on make, model, contact name, and location of the vehicle. This information is verified; and the condition and use of the vehicle are documented using a checklist developed by ITD. All of the information becomes part of the inventory record along with the certificate of insurance, a copy of the title, and other documents related to the vehicle. ITD requires that all vehicles purchased be maintained in accordance with detailed maintenance and

inspections schedules as provided by the manufacturer. The State reserves the right to take possession of any vehicles for which the department still holds title that is not maintained according to these standards.

ITD monitors the property to ensure that the property continues to be used for the original authorized purpose. Any construction or renovation of facilities must meet all federal, state, and local requirements as well as ADA compliance. Should the property be sold, ITD will work with the sub-recipient to make sure the money resulting from the sale remains in FTA transit projects.

When granted to nongovernment e.g. private not for profit organizations, for grant for land purchases or land used as local match, the property will secure the federal interest and be assigned an Economic Useful Life. The useful life will be the period over which an improvement or structure contributes to property value. This concept is used in conjunction with the concept of "Economic Age", which is defined as the age of a structure that is based on the amount of observed deterioration and obsolescence it has sustained, which may be different from its chronological age. Appraisers sometimes use an "age-life" ratio to estimate a building's depreciation. This factor is developed by dividing the structure's "Economic Age" by its "Economic/Useful Life". Available building cost services provide guidelines for estimating the economic life of property structures using various construction materials and architectural designs and thus assist in conducting this analysis. Useful life assumes a normal level of on-going maintenance of the structure. When granted to nongovernment organizations for grant for minor land improvements or building construction of small garages costing less than \$50,000, and no land is used as local match, the property will secure the federal interest by assigning a minimum useful life of twenty (20) years or more. When local government e.g. city, county, taxing districts, or Regional Transit Authority, are granted funding for real property or building, no lien will be secured by ITD; satisfactory continuing control will be guaranteed by the terms of the grant agreement and annual oversight and monitoring by ITD and FTA.

VEHICLE USE

Vehicles must be used primarily to provide transportation to targeted population set forth in FTA Circulars. Targeted populations are the general public under Section 5311 programs, primarily to provide transportation primarily to the elderly or persons with disabilities under the Section 5310 program, low-income individuals accessing job related serve or providing a reverse commute service under Section 5316, and the disabled under Section 5317. Sub-recipients may also use the vehicles to perform other eligible activities while serving to the general public or client populations or persons with disabilities in the community. ITD encourages sub-recipients to coordinate with others in the area to receive the most efficient use of the vehicle within the federal rules. ITD does not coordinate meal delivery, but allows sub-recipients to provide this service as long as it is incidental, and does not interfere or conflict with the transportation of passengers.

ITD does not currently have minimum use requirements for vehicles due to the extreme rural nature of the state and small size of many communities. ITD does monitor the monthly use of the vehicles and discusses the use of the vehicle during the vehicle inspection. ITD will contact the sub-recipient if the vehicle is not being used, or has been used improperly. Sub-recipients may transfer the operational control of the vehicle to another provider with prior written notification and approval from ITD.

In order to comply with Section 49-1229, Idaho Code, ITD requires sub-recipients to furnish public liability and property damage insurance and to keep such insurance in force at all times. Such public liability insurance will provide for a minimum limit of not less than \$500,000 for damages from bodily injury or death and will name ITD as an additional named insured.

ITD requires that all drivers at a minimum meet appropriate licensure requirements, have an appropriate Driver's License or Commercial Driver's License (CDL), and successfully completed courses for defensive driving, passenger assistance, and sensitivity training (PASS.) Sub-recipients maintain a driver's file and will make records available to the Department and FTA upon request. Mechanics driving vehicles designed to carry more than 15 persons are also required to have a CDL, and subject to Drug and Alcohol testing requirements. When a vehicle is used for interstate travel, persons driving vehicles designed to carry 9-15 passengers are required to have a medical examination per 49 CFR 391.43(b), maintain a driver's log and an accident and incident log will be kept per FMCSA regulations. These FMCSA requirements do not apply to vehicles providing intrastate transportation only.

Traditionally, ITD required sub-recipients to operate the vehicles they purchased. ITD may allow a sub-recipient to lease a vehicle to another eligible entity for operation. ITD requires prior approval to the lease and would review the terms of the lease before approving the agreement. If a vehicle is leased, ITD will continue to monitor the use of the vehicle as if the sub-recipient were operating the vehicle including monthly reports and periodic vehicle inspections.

MAINTENANCE

ITD requires all sub-recipients to have written maintenance plans for all vehicles purchased and that they are maintained in accordance with detailed maintenance and inspections schedules as provided by the manufacturer. ITD Staff reviews vehicle maintenance records as part of an on-site visit. The Department reserves the right to take possession of any vehicles for which the Department still holds title that is not maintained according to these standards.

DISPOSITION

Under the common rule (49 CFR Part 18), ITD uses, manages, and disposes of equipment acquired with Program funds in accordance with state laws and procedures. ITD does not own and operate equipment acquired with federal funds other than for funds primarily used to purchase computer and related equipment for staff directly involved in the day-to-day management of the programs.

Before the end of the useful life, should a vehicle be damaged to the extent it can no longer be used, ITD will receive the insurance proceeds. If the sub-recipient purchases a replacement vehicle, the proceeds will be forwarded to them upon receipt of evidence the replacement has been received, paid for, and legal ownership is vested in ITD. If the damaged vehicle is not replaced, ITD would retain the federal share of the equipment based on the value of the vehicle before the accident and remit the local share to the Sub-recipient. Any federal share retained by ITD would be used to provide transportation for the FTA programs.

CONSTRUCTION OR RENOVATION OF FACILITIES

Sub-recipients undertaking construction or renovation of facilities using FTA program funding are required to meet all applicable Americans with Disabilities Act and environmental requirements. In accordance with FTA and State of Idaho requirements; ITD requests copies of the plans and works with ITD Design Section, FTA Regional Engineer, FHWA Environmental, and impacted Local Officials to review plans to ensure compliance. The responsibility for the design of the project rests with the sub-recipient and ITD approves the project as long as local agreements and respective federal requirements are met. Title to the property is vested in the sub-recipient. ITD continues to monitor the use of the facility to ensure it is used for the purpose originally intended and authorized. ITD may

choose to consult the ITD Right of Way Section and/or others to review or prepare independent appraisals and associated activities.

Most projects and activities approved in Idaho do not normally involve significant environmental impacts. Planning activities, technical studies, preliminary design work, program administration, operating assistance, and transit vehicle purchases have been determined to have minimal or no environmental impacts and require no environmental documentation. The purchases of vehicles in Idaho approved under the capital program are small enough they meet the categorical exemption from both the National Environmental Protection Act and the State Environmental Protection Act.

New construction or expansion of transit terminals, storage and maintenance garages, office facilities, and parking facilities may be designated as categorical exclusions after FTA review and approval. ITD will work with FTA Region X Engineer, ITD Design Section and ITD Environmental Section on the process. The Division of Public Transportation has a Sub-MOU with the Idaho Division of Environmental Quality and will be in close contact with staff on public transportation issues affecting environmental concerns.

MAINTENANCE

ITD requires all sub-recipients to have written maintenance plans for all equipment and structures constructed with federal and state funds such as buildings and facilities and that they are maintained free of defects and graffiti to ensure the structure and surrounding area is in usable condition and is a safe environment.

SECURED INTEREST

The federal interest must be secured for land and permanent buildings purchased or improved with federal and state funds. ITD requires the secured interest for funding under for property \$200,000 will be by restrictive covenant and over \$200,000 by a lien filed with the property deed.

TRANSFER OF PROPERTY

ITD is able to transfer facilities and equipment acquired with FTA program assistance to any sub-recipient eligible to receive assistance. ITD must have the consent of the sub-recipient currently in possession of such facilities or equipment and must ensure that such property continue to be used in accordance with the requirements of the program. The entity receiving the property must comply with all state and federal requirements. The names of the entities involved in the transfer of property or equipment along with a description of the equipment or real property would be included in a new or revised program of projects. Such transfer of equipment may also require approval by the ITD Board, based on current policies; with input/advise from the Public Transportation Advisory Council and Interagency Working Group as appropriate.

COORDINATION AND PLANNING

COORDINATION

Coordination is a critical element in State and Program Administration in Idaho. The goal of coordination is addressed in state statutes, ITD Board Policy as adopted under IMAP and it is a major component of the planning, the grant application and approval processes.

Idaho State Code was amended in 2000, with the modification of Section 40-514, Idaho Code to address the need for additional emphasis on public transportation issues in the State. The code establishes the Public Transportation Advisory Council (PTAC) to advise the Department and assist in planning, resource identification, coordination, and evaluation of regional and local transportation systems. Idaho Code also establishes the Interagency Working Group (IWG) which is charged with the mission to develop strategies for eliminating procedural and regulatory barriers to coordination at the state level and to promote cooperation and collaboration among systems.

ITD also involves other advisory groups that coordinate, and collaborate to analyze and determine public transportation needs, resources, gaps in service, and possible strategies to address priority needs. Given the limited availability of local and state funds in Idaho, sub-recipients have always coordinated with numerous human service agencies in order to provide contract services and to obtain the necessary match for the FTA programs.

METROPOLITAN PLANNING ORGANIZATIONS

There are five Metropolitan Planning Organizations (MPOs) in Idaho:

1. Community Planning Association of Southwest Idaho (COMPASS,) serving the Urbanized portions of Ada County and Canyon County,
2. Bannock Planning Organization serves Pocatello and Chubbuck,
3. Bonneville Metro Planning Organization serving Idaho Falls, Ammon, Iona and Ucon
4. Kootenai Metropolitan Planning Association (KMPO,) serving the Urbanized portions of Kootenai County,
5. Lewiston-Clarkston Valley Metropolitan Planning Association (LCVMPO,) serving the urbanized portions of Nez Perce and Asotin Counties.

While providers do not use Section 5311 funding to operate within urbanized areas, they may use Section 5310, 5316 or 5317 funds to provide coordinated stops that connect rural and urban areas. MPOs may be the primary planning agency for a rural area as well as within the urbanized planning boundary. All grant applicants operating within a MPO planning boundary must work with the MPO to make sure the projects are included in the Transportation Improvement Program (TIP). ITD will consult with the MPOs as part of the planning and selection process. All grant applicants operating near an urbanized area are encouraged to contact and work with the MPO to coordinate services in the area.

Projects receiving grant funds are found in the Idaho State Transportation Improvement Program (STIP) found at the ITD Web Site (<http://www.itd.idaho.gov/planning/stip/index.htm>).

SECTION 5307 PROVIDERS

ITD also encourages applicants to contact and work with the Section 5307 providers in the local area. In a number of Idaho communities, the sub-recipient is also the contracted provider for Section 5307 services. This assists with coordination in the region and allows more efficient and effective use of federal funds in the area. Sub-recipients are encouraged to utilize common facilities whenever possible to expand the reach of public transportation services. ITD requires Sections 5310, 5316 and 5317 applicants to work with the urban and/or regional public transportation providers as well as the appropriate aging and adult services or other human service agency in their local area to coordinate services as part of the application process. This assists with coordination in the region and allows more efficient use of federal funds in the area.

REGIONAL PUBLIC TRANSPORTATION AUTHORITIES

Section 40-2109, Idaho Code establishes that the authority has exclusive jurisdiction over all publicly funded or publicly subsidized transportation services and programs except those transportation services and programs under the jurisdiction of public school districts and law enforcement agencies. ITD will consult with the RPTA on proposed projects within its jurisdiction.

COMMUNITY TRANSIT ASSOCIATION OF IDAHO

The Community Transit Association of Idaho (CTAI) is an association of organizations and individuals dedicated to promoting safe, accessible, and affordable public transportation for Idaho. CTAI designates a representative to serve on the Interagency Working Group, represents providers at meetings in the Welfare-to-Work arena, and works with ITD on submitting competitive grants for additional FTA Funds. CTAI also currently provides the administrative functions for Idaho's FTA Section 5309 efforts by the Idaho Transit Coalition.

MINORITY ORGANIZATIONS

ITD continues to work with organizations representing minorities. ITD actively solicits minority representation on the Public Transportation Advisory Council. ITD works with the Idaho Human Rights Commission, the Idaho Migrant Council, Native American organizations and others to notify minority organizations of the availability of funds and to assist them in applying for funds. ITD also includes minority organizations in planning activities and works with minorities as requested on public transit issues.

PRIVATE SECTOR PARTICIPATION

In accordance with FTA Circulars, applicants seeking capital funding assistance must provide reasonable public and direct notice to other transportation providers including private, for-profit; nonprofit; and public agencies regarding the proposed services and opportunities for private transportation providers to participate in such services. ITD encourages applicants to consider subcontracting with private for-profit transportation providers, when and where appropriate, to provide services. ITD also lists all known public transportation providers' contact information in the "How Do I Get There" section on the ITD Web Site (<http://www.itd.idaho.gov/PublicTransportation>) to encourage private sector participation.

LONG RANGE PLANNING AND CONSULTATION WITH RURAL ELECTED OFFICIALS

The ITD Transportation Planning and Programming Division coordinated a process for local officials to meet federal requirements. The Division participated in that process and the final document is available on the ITD Website under the Division of Planning (<http://itd.idaho.gov/planning/partners>).

LONG RANGE PLANNING PROCESS

The Idaho's Mobility and Access Pathway creates the basis for the long-range vision, objectives, and goals from aggregating prioritized coordination plans locally developed by Local Mobility Management Networks filtered through the District Coordination Councils, Public Transportation Advisory Council, and the Interagency Working Group into a statewide mobility plan. The State also completed updates to the Long Range Plan as required by federal requirements. The Division cooperates by providing contact information to make sure public transportation needs are included in the plan.

ADVISORY GROUPS

A variety of partners are involved in providing public transportation in this State. The following describes the basic roles and functions of some of the major federal, state, and local agencies in this partnership.

PUBLIC TRANSPORTATION ADVISORY COMMITTEE (PTAC)

Per Idaho Code 40-514, the Public Transportation Advisory Council advises the Idaho Transportation Department on issues and policies regarding public transportation in Idaho. The PTAC will participate in planning activities, identify transportation needs, and promote coordinated transportation systems. Before setting programs and priorities, the PTAC will seek pertinent information, facts, and data from local governments, agencies, and providers regarding rural public transportation issues. Appointed members are representatives of local governments and agencies, private organizations, citizen groups and private providers that have an interest in public transportation, and people with disabilities and the elderly who utilize public transportation. The Idaho Transportation Board will appoint members from recommendations submitted by said organizations, groups, providers, users and state agencies in each district.

The PTAC makes recommendations for projects and funding to the Idaho Transportation Board.

INTERAGENCY WORKING GROUP (IWG)

Per Idaho Code 40-514, the Director of the Idaho Transportation Department together with the directors of the affected state agencies will establish an Interagency Working Group (IWG) to advise and assist the Department in analyzing public transportation needs, identifying areas for coordination, and developing strategies for eliminating procedural and regulatory barriers to coordination at the state level. The group will undertake detailed work assignments related to transportation services which promote cooperation and collaboration among systems.

The working group is composed of a representative from the Office of the Governor and one staff representative from various public agencies which expend public funds for transportation services or associations representing public transportation interests.

ITD actively solicits representation from minority organizations, organizations for the elderly, and organizations for persons with disabilities on both the Council and the IWG. Idaho Code also establishes an Interagency Working Group comprised of state agencies receiving monies for publicly funded transportation. ITD works with these state agencies to identify areas for coordination and develop strategies for eliminating procedural and regulatory barriers to coordination at the state level. The agencies include the following:

- Idaho Office of the Governor
- Idaho Commission on Aging
- Idaho Head Start Association
- Idaho Department of Health and Welfare
- Idaho Division of Medicaid
- Idaho Department of Education
- Idaho Council on Developmental Disabilities
- Division of Vocational Rehabilitation and
- Idaho Department of Labor, Workforce Development Council.

- Ex Officio Member - [Idaho Department of Environmental Quality](#)
- Ex Officio Member – Department of Labor
<http://labor.idaho.gov/dnn/Default.aspx?alias=labor.idaho.gov/dnn/idl>

PLANNING

Beginning in 2007 Idaho undertook the monumental task to initiate a planning process called “Idaho Mobility and Access Pathway” (IMAP). IMAP’s approach to mobility in Idaho reflects the emergence of a new paradigm and implementation of true “Mobility Management” where Mobility Management is an institutional state of mind that emphasizes moving people instead of the mode of transportation.

Through IMAP the State and its Stakeholders developed seventeen “Local Mobility Management Network” plans. These plans are a deliberate effort to meet customers’ needs through the leadership, support, and coordination of local efforts and outlines how continuing to achieve mobility in Idaho can be pursued in the years to come.

LOCAL MOBILITY MANAGEMENT NETWORKS (LMMN)

Idaho’s seventeen LMMNs are the foundation of the mobility management network. LMMNs exist and develop by virtue of the individuals, stakeholders, and local leadership who establish, coordinate, and provide mobility management services within a meaningful service area. This service area extends through a geographic location that intersects with the neighboring mobility network. LMMNs are required to develop local coordination mobility plans that identify priorities and support proposed projects that meet or exceed SAFETEA-LU requirements.

To create the LMMNs plans ITD initially sent out public surveys and consulted with stakeholder groups. The public was then invited to attend numerous public meetings to actually develop the plan. The meetings publicized through advertising in local news publications, personal contacts, and emails through a wide distribution list that is comprised of the general public including users, agencies, transit providers, local public officials, advocacy groups, etc.

Local Mobility Plans are owned by the Local Networks. It is up to the membership of each local mobility management network to develop a methodology and the timing to update their plans and to decide what process they will follow to adopt their coordination plan. Each network must document the approach as a section within the plan. In adopting their plan, the local works must affirm that they have diligently attempted to represent all stakeholder groups within the network. Each plan must address the follow areas:

- Local Mobility Management Network System Map
- Intent
- Summer/Fall Plan Update Goals
- Local Mobility Plans and Funding Decisions
- Plan Update Methodology
- Planning Objectives – Local Mobility Plans
- Calendar
- Frequently Asked Questions (FAQ)
- Stakeholders and Perspectives to be Included
- Metropolitan Planning Organization (MPO) Involvement
- Sponsorship and Adopting the Local Mobility Plan

- Modes that must be Considered
- Values
- Mobility Needs
- Fundable Mobility Areas
- Mobility Services Vehicles, Equipment and Facilities
- Planning and Coordination
- Developing Strategies
- Methods and Rules of Prioritization
- Purpose of Priorities
- Enhanced Prioritization Methodology
- Comparison of Methodologies
- District Coordination Councils (DCC)

DISTRICT COORDINATION COUNCIL (DCC)

Each District will have a DCC that will facilitate coordination among networks by identifying gaps and solutions, connecting networks, and identifying opportunities to improve connectivity and making recommendations.

The DCC is chaired by the PTAC member for the District. Membership of the DCC is comprised of a representative from each LMMN as well as a local diverse group comprised of those similar to that which is represented on IWG, tribes, at large members who represent the general public, commuter and user perspective.

Additional duties of DCC members are to:

- Bring and represent the perspective of their agency and constituent group to the DCC,
- Work collaboratively with others to support the generation of the best possible district-wide mobility system
- Review grant applications forwarded by the Local Mobility Management Networks and makes recommendations based on the degree to which they address coordination criteria
- Support and promote IMAP participation in within their Districts
- Actively work within their agency and among others to coordinate and leverage agency mobility resource
- The DCC will not change a Network's Plan; however, they may initiate discussion around coordination opportunities.

PUBLIC TRANSPORTATION ADVISORY COUNCIL (PTAC)

PTAC is comprised of one individual from each District who provides representation from their Districts to ITD on behalf of stakeholders and consumers. They are collectively responsible for working as an independent and neutral representative of the District to identify gaps/make recommendations for connectivity and resolve inter-network issues.

INTERAGENCY WORKING GROUP (IWG) FOR PUBLIC TRANSPORTATION SERVICES

The IWG is comprised of a group of state agencies responsible for making transportation services available to their customers or for which mobility is essential to achieving customer objectives and consumer advocacy group representatives. The IWG provides leadership and works to ensure that their counterparts on the regional and

local level are involved in the IMAP process. IWG will evaluate the plan to ensure opportunities for interagency coordination are maximized including non FTA funds and programs, and addresses barriers to coordination.

ANNUAL PROGRAM OF PROJECTS DEVELOPMENT AND APPROVAL PROCESS

PROGRAM OF PROJECTS DEVELOPMENT

CALL FOR PROJECTS

ITD will issue a call for projects in early winter each year based on the prioritized strategies in the LMMN plans. ITD publishes the LMMN coordination plans, application, and Program Funding Guide which gives instructions for completing the applications, a discussion of the Program of Projects development, and the deadline for grant applications to be submitted on the www.mobilityidaho.org site. ITD also publishes notices in major newspapers throughout the state and emails notices to eligible organizations, interested stakeholders, minority organizations, and government officials. ITD will mail a hard copy to anyone who requests one.

APPLICATIONS

The LMMN plans provide the basis for funding decisions as mobility service providers are required to consult the respective local mobility plan if they are submitting a grant application for funding of a strategy. Applicants must identify a prioritized strategy identified in the LMMN coordination plan. Applicants will propose a project that will meet that strategy. Applicants must describe the services to be provided and the populations to be served in their grant applications.

Minority groups are encouraged to apply for funding. All applications and projects are selected without regard to race, color, or national origin and will provide information to individuals with Limited English Proficiency. Staff works with the Office of Civil Rights to ensure Title VI language is incorporated in the Grant Application and the Program Funding Guide.

All grant applicants are required to have contacted, coordinated, and worked with all transportation providers in their service area. They must describe the extent to which they coordinate transportation services with other transportation providers to reduce or eliminate duplication of services and to maximize the use of available resources within affected Local Mobility Management Network boundaries.

ITD provides technical support for applicants by holding frequent webinars where applicants can ask questions and get support with filling out their applications. ITD will posts frequently asked questions on the website based on the questions asked during the webinars.

Approximately five weeks before the application is due applicants are required to provide ITD a project list with the strategy(s) for which they are applying. DCCs will host a public coordination meeting to be held in each District where applicants will present their proposals. ITD publishes informational notices advertising these meetings in major regional newspapers. This notification includes a reference to where interested parties can find a list of projects applicants are seeking federal funds for and it notifies area operators that may be affected if the applicant is awarded a grant.

The purpose of this meeting is for applicants to present their projects and identify if there are any opportunities to coordinate. An additional hope is that if there are not projects proposed for a highly prioritized strategy(s) that an applicant may see this as opportunity to make a proposal.

PROJECT SELECTION CRITERIA

APPROVAL PROCESS

ITD receives grant application for logistical support and documentation purposes. Grant applications must be received by ITD by the closing date and time published each year in the Program Funding Guide. If the application is received after the closing time or the applicant proposes a project that is not identified in the LMMN Plan the application will not be considered for funding.

Applications are reviewed for completeness and to determine if applicants have met all criteria for eligibility. Applications which do not complete the mandatory information or meet the eligibility criteria are rejected and not considered for funding. ITD distributes application to the respective coordination body (DCCs and PTAC) to be evaluated. All DCC and PTAC members must sign a "Confidentiality and Conflict of Interest Statement" in order to ensure a fair and equitable evaluation process. DCCs and PTAC evaluate application based on responses on the application and the evaluation criteria published in the Program Funding Guide.

METHOD OF DISTRIBUTING FUNDS

EQUITY OF DISTRIBUTION

State funding levels for - Sections 5310 and 5311 funds are apportioned by a statewide population formula to the six ITD districts. Also, Section 5310 district allocations are based on the percentage of persons with disabilities in each district to the total number of elderly and statewide. Section 5311 is based on the percentage of the rural population of each district to total rural population to assure equitable funding around the state. This funding allocation was created by Idaho Transportation Board Policy (October 1995) to base the funding distribution on population by ITD Districts and to separate funding distribution formulas by grant program. Section 5316 and Section 5317 are separate from the population distribution formula.

FUNDING ALLOCATION

Each DCC makes project selections and funding recommendations based on the District allocation for Section 5311 and 5310 funds. DCCs make recommendations as to which projects they would like to fund for the Section 5316 and 5317 along with other funds designed for Public Transit projects. Recommendations are sent to PTAC who can either except the recommendations or change the recommendation of the DCCs.

PTAC reviews all of the six DCC recommendations and determines the funding levels for the recommended applicants for each program. PTAC makes the final project selections and funding recommendations. PTAC may request additional information from ITD records and other technical assistance while deciding which projects and the amounts of the grant awards. PTAC will evaluate and recommend awards based on the formula amount for each district and statewide funds available for programs.

PTAC sends their final recommendations for all projects to ITD. Staff notifies applicants of the PTAC recommendations. ITD staff also prepares a recommended Program of Projects for approval by the Idaho

Transportation Board at the June Board Workshop to be included in the public comment draft STIP available on the ITD website in July. Program funding is identified by District in the appropriate ITD District Section. The Rural Transportation Assistance Program (RTAP) and State Administration areas are listed in the statewide section of the STIP. ITD coordinates with the MPOs and the sub-recipient when a proposed project falls within the MPO's planning area to ensure the project is included in the Transportation Improvement Program (TIP). The projects are included in the STIP as approved by the ITD Board in September. Following federal approval of the STIP in December, staff begins entering projects in TEAM pending a signed grant agreement. The program year for grants begins on April 1 and concludes on March 31 of the following year.