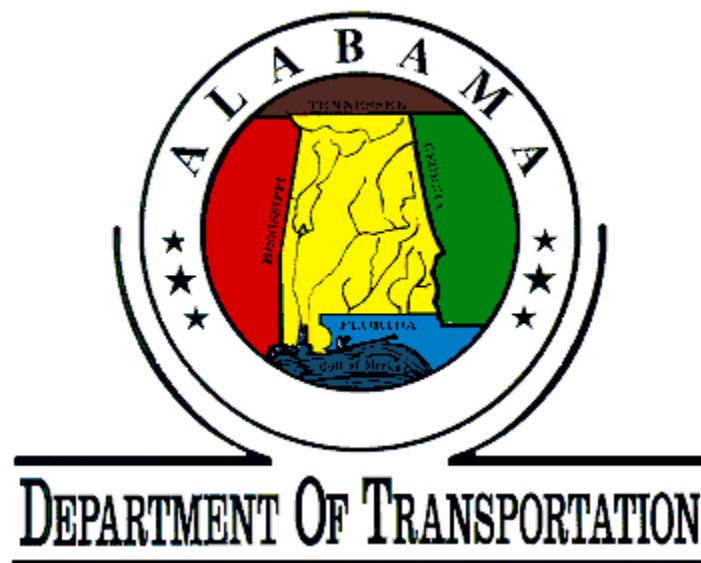


**ALABAMA DEPARTMENT OF TRANSPORTATION
LOCAL TRANSPORTATION BUREAU
Public Transit Section**

**FEDERAL TRANSIT ADMINISTRATION
FEDERAL FISCAL YEAR 2020
SECTION 5307 APPLICATION AND GUIDELINES
*(Includes Job Access and Reverse Commute)***



Dissemination Date: May 17, 2019
Due Date: June 28, 2019

INSTRUCTIONS

1 INTRODUCTION

This application package contains information and application forms for the **Federal Transit Administration (FTA) Section 5307 Public Transportation Program**. The Alabama Department of Transportation (ALDOT) administers the Section 5307 public transportation program for the FTA in urbanized areas in Alabama with populations below 200,000, unless otherwise specified. Federal urban transit program funds are provided to eligible applicants following submission and approval of an award application.

1.1 Required Exhibits

The Section 5307 program application comprises several narrative exhibits. These exhibits are described in detail in the following pages. The required exhibits in the application must appear in the order listed on the [Checklist](#) (see [Section 1.4](#) for details). Examples of several of the required exhibits are found in the application package. You may use the blank forms included with this application to aid in developing the required exhibits.

1.2 General Program Information and Requirements

Applicants are encouraged to review the most current *State Management Plan* at <https://www.dot.state.al.us/programs/PublicTransportationProgram.html> and visit the FTA Website at <https://www.transit.dot.gov/> to access current circulars and review the most current Master Agreement and other pertinent documents relating to the Section 5307 public transportation program before proceeding.

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

The Section 5307 Program permits required match to be derived from other unrestricted federal funds. Contract revenues from social service agencies may also be used as local match in the Section 5307 Program. Non-cash items such as donations of goods and services, volunteered services or in-kind contributions are eligible as local match for project expenses only if the value of each is formally documented and supported. Recipients may use funds from other Federal agencies (non-DOT) for the entire local match if the other agencies make the funds available to the recipient for the purposes of the project. **FTA funds cannot be used as match for Section 5307 program funds.** Even though funds may be available to urban transit providers through third party transportation service agreements with state agencies, local social service agencies and/or private social service organizations, FTA funds may not be used as match because they are derived from other DOT programs. Such funds may, however, be treated as farebox revenue.

1.3 Job Access and Reverse Commute (JARC) Activities

MAP-21 created a new eligible project category for “job access and reverse commute projects” under Section 5307. This category includes all types of projects that were formerly eligible under the Section 5316 Job Access and Reverse Commute (JARC) Program. Examples of eligible projects

are listed below. There is no requirement or limit to the amount of Section 5307 funds that can be used for these projects. As a result of the passage of MAP-21, activities formerly listed as eligible under the JARC Program will now be listed in the expanded list of eligible activities under Section 5307 and also under Section 5311.

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

A job access and reverse commute project is defined as:

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

Requests by eligible subrecipients for Section 5307 program funds to support JARC activities as administered by ALDOT will be considered on a case-by-case basis. In order for a job access and reverse commute proposal to be considered, projects must document that they meet the following requirements:

- Existing Services. Eligible job access and reverse commute projects must provide for the maintenance of eligible job access and reverse commute services. Recipients may not reclassify existing public transportation services that have not received funding under the former Section 5316 program as job access and reverse commute services in order to qualify for operating assistance. In order to be eligible as a job access and reverse commute project, a proposed project must qualify as a “maintenance project” as follows:
 - (a) Maintenance Projects: “Maintenance of transportation services” means projects that continue and maintain job access and reverse commute projects and services that received funding under the former Section 5316 program.
- Existing Reverse Commute Projects. Reverse commute projects are a category of job access and reverse commute projects that provide transportation services from urbanized and rural areas to suburban employment locations. Generally, these services increase the capacity of public transportation services operating in the reverse direction of existing peak services. Reverse commute projects may only qualify as job access and reverse commute projects under Section 5307 if they meet all other requirements, including having been designed to transport welfare recipients and eligible low-income individuals to and from jobs and employment related activities.

Applicants are encouraged to submit projects that meet the transportation needs to and from employment and also advance the principles of human services-transit coordination.

Examples include:

- Late-night and weekend service.
- Transit-related aspects of bicycling (i.e., adding bicycle racks to vehicles to support individuals that may use this mode for a portion of their commute).

- Intelligent Transportation System (ITS) and other forms of technology to help plan and operate coordinated systems i.e., Geographic Information Systems mapping, Global Position System technology, coordinated vehicle scheduling, dispatching, and systems to help track costs and billing.
- Supporting mobility management and coordination programs among public transportation providers and other human service agencies. Mobility management activities may include:
 - 1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, older adults, and low-income individuals.
 - 2) Support for short term management activities to plan and implement coordinated services.
 - 3) The support of state and local coordination policy bodies and councils.
 - 4) The operation of transportation brokerages to coordinate providers, funding agencies and customers.
 - 5) The provision of coordinated services, including the customer-oriented travel navigator systems and neighborhood travel coordination activities of the employer-oriented transportation management organizations and human service organizations.
 - 6) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among support programs.

Ineligible: Ineligible activities include, but are not limited to, gasoline vouchers.

MAP-21 and the FAST Act Eligible existing JARC activities will be considered on a case-by-case basis during the annual application process. The advertised Program of Projects (POP) must separately identify all JARC projects. The budget submitted by the subrecipient through the application process shall define the JARC category and amount of funds the subrecipient wishes to receive. Any variation shall require prior approval from ALDOT.

1.3.1 JARC BUDGET

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

1.3.2 JARC PUBLIC NOTICE

The advertised Program of Projects (POP) must separately identify all JARC projects. **The Public Hearing Notice will include a brief description of any Job Access and Reverse Commute (JARC) activities included in the Section 5307 Application.**

1.4 General Instructions and Format of the Application

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

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

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

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

* **Public Hearing:** A Public Hearing is required (see **Exhibit 5** for details).

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

1.5 Application Due Date

Applications must be received at the ALDOT Local Transportation Bureau no later than **June 28, 2019**.

Fiscal Year 2020 Section 5307 Application Checklist

Application Deadline: **June 28, 2019**

Applicant: _____

Exhibit	Required Application Documents	Page No.
1	Section 5307 Current Data Sheet	
2	5307 Application Letter	
3	Current System and Project Description Form	
	3.1. General description of the service area	
	(a) Service area population	
	(b) Brief History of System	
	(c) Mission Statement	
	(d) Current Year Goals and Objectives	
	3.2. General Description of applicant and subcontractors and copy of organizational chart(s)	
	3.3. General description of proposed transportation service	
	(a) Hours and days of operation including ADA paratransit service scheduling, if applicable	
	(b) Number of project vehicles in operation	
	(c) Number of back-up vehicles	
	(d) Eligible users of service	
	(e) Service changes from previous year	
	(f) Planned system changes for the coming year	
	3.4. Current fare structure, including Elderly, Disabled, and/or ADA Complementary Paratransit services	
	(a) Description of fare eligibility process and support documentation, if applicable	
	(b) Date of last fare increase	
	(c) Planned fare increases	
	3.5. Copy of system brochure	
	3.6. Describe efforts to market or promote system	
	3.7. Describe your method of implementing and announcing service changes and fare Increases	
	3.8. Describe coordination efforts	
	3.9. Safety, Security and Emergency Preparedness Plan (SSEPP) updates as applicable	
	3.10. Transit Security Planned Expenditures	
	3.11. Americans with Disabilities Act Compliance Documentation	
	(a) Copy of current ADA Complementary Paratransit Plan, if applicable	
	(b) Annual ADA Update and Certification Form	

Fiscal Year 2020 Section 5307 Application Checklist (continued)

Applicant: _____

Place completed "Checklist" in front of Exhibit 1

Exhibit	Required Application Documents	Page No.
4	Program of Projects and Budgets Program of Projects	
	Line Item Budget and Source of Budget Funds Sheet (Operations)	
	Line Item Budget and Source of Budget Funds Sheet (Capital and Preventive Maintenance)	
	Section 5307 Vehicle Request Budget Form	
	Local Match Commitment Letter and/or Local Match Certification	
	Resolution Authorizing Local Matching Funds	
	Approved Indirect Cost Rate Proposal, if applicable	
5	Public Participation Requirements Public hearing documentation from the most recent TIP Process	
	Notarized statement verifying publication (publisher's affidavit)	
	Copy of the notice as it appeared in the newspaper	
	Summary or transcript of the hearing signed by an official of the transit system	
	Copy of TIP pages showing projects	
6	Capital / Planning Program Requirements Project Implementation Schedule	
	Fleet Classification Form	
	Vehicle Inventory Form	
	Fleet Replacement Form	
	Vehicle Profile Sheet	
7	Complaint and Bid Protest Procedures "Complaint Policy and Procedures" (addresses complaints within and without the organization [(excluding Title VI)])	
	"Bid Protest Procedures"	
8	Authorizing Resolution	
9	Job Access and Reverse Commute (JARC) Part I: JARC Applicant Overview	
	Part II: JARC Project Narrative	
	Part III: JARC Project Budget for FY-2020	
	Operating Budget	
	Planning and Capital Budget	
	Section 5316 / 5307 Vehicle Request Budget Form	
	Mobility Management Budget	
Appendix	Charter Service Information (Provided as Information Only). This is not a Required Exhibit.	

EXHIBITS

EXHIBIT 1 – Section 5307 Current Data Sheet

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

INSTRUCTIONS

- 1**: Fill in award applicant name and address

- 2**: Fill in date of application and agency profile information

- 3**: Indicate any providers or subcontractors, other than applicant, that will receive funds from this application

- 4**: List the area(s) and congressional district(s) to be served by the project

- 5**: List service area population (numbers only)

- 6**: List hours and days of operation

- 7**: Complete the Funding Summary (round to **whole dollars**)

Exhibit 1: Section 5307 Current Data Sheet
(Do Not Include JARC Information on This Exhibit)

ALABAMA URBANIZED AREA PUBLIC TRANSPORTATION PROGRAM
 FISCAL YEAR 2020

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

7. Funding Summary (*Whole Numbers Only*):

Budget Items	A. Federal	B. Local	C. Farebox	D. Other	E. Total
1. Operating					
2. Planning					
3. Capital (including approved sub-categories)					
4. Total					

EXHIBIT 2 – 5307 Application Letter

This letter must state that the award applicant is applying for public transportation operating, planning, and/or capital assistance (including preventive maintenance) in accordance with Federal Transit Laws, as codified, 49 USC Section 5307, Financial Assistance for urbanized areas. It must also contain the following information:

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

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

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36110

A sample application letter follows.

Sample Section 5307 Application Letter
(Place on Applicant's Letterhead)

Date

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36110

Dear Mr. Phillips:

FY-2020 Section 5307 (Urbanized)TRANSIT PROGRAM APPLICATION

The **(Applicant)** is hereby applying for a Section 5307 **(operating/planning/capital)** award under 49 USC Section 5307, to assist in the operation of the **(Name)** Public Transit System for the period covering **October 1, 2019 to September 30, 2020**. The project application has been reviewed and approved by the **(applicant's governing authority)**. The requested amount of Federal assistance is as follows:

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

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

Respectfully,

Signature of Designated Official
Title

EXHIBIT 3 - Current System and Project Description Form

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

Current System and Project Description Form

3.1. General description of the service area:

- a) Service Area Population (**numbers only**):
- b) Brief History of System:
- c) Mission Statement:
- d) Current Year Goals and Objectives (*provide at least one goal and one objective*):

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

3.3. Provide a general description of proposed transportation service such as “subscription, fixed route, ADA paratransit, demand response”. Also provide specific route information (include schedules and maps, as appropriate).

- a) Hours and days of operation including ADA paratransit service scheduling, if applicable:
- b) Number of project vehicles in operation (numbers only):
- c) Number of back-up vehicles (numbers only):
- d) Eligible users of service:
- e) Service changes from previous year (if any):
- f) Planned system changes for the coming year (if any):

3.4. Current fare structure, including Elderly, Disabled, and/or ADA Complementary Paratransit Services, if applicable:

- a) Description of fare eligibility process (attach copy of fare application form for Elderly and Disabled and/or ADA transportation services and identification card, if applicable):
- b) Date of last fare increase:
- c) Planned fare increases (if any):

3.5. Attach a copy of your system brochure.

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

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

3.8. Describe your efforts to coordinate with and involve the area transportation providers in the urban transit service.

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

3.10. Any recipient of Urbanized Area Formula Award Program Funds must annually certify that it is spending at least one percent (1%) of such funds for transit security projects or that such expenditures for security systems are not necessary.

For subrecipients that spend the one percent, examples of appropriate security expenditures include:

- 1) *Facility perimeter security and access control systems (e.g., fencing, lighting, gates, and card reader systems)*
- 2) *Increased camera surveillance of an area in or adjacent to the system*
- 3) *Emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to the system*
- 4) *Security and emergency management planning*

5) *Training and drills (SAFETEA-LU expanded the definition of security related capital projects to include planning, training, and drills, such that these expenditures are now eligible expenses for subrecipients in UZAs over 200,000 population to apply towards the one percent for security requirement)*

6) *Any other project intended to increase the security and emergency management of an existing or planned transit system.*

There are three reasons that subrecipients may have for considering the one percent security expenditure to be unnecessary:

1) *A recent threat and vulnerability assessment identified no deficiencies*

2) *TSA/FTA Security and Emergency Management Action Items met or exceeded*

3) *Other. For the “other” category, the typical reason is that a subrecipient spends sufficient local, other FTA, or DHS funds on security projects and, therefore, does not need to spend formula award funds on security projects.*

Regardless of the reasons for deciding not to spend Section 5307 funds on transit-related security, subrecipients should provide information and documentation that supports their decision.

Will your agency expend 1% or more of the Section 5307 funds in this award application for security purposes?

If no, please provide a detailed response.

3.11. Americans with Disabilities Act Compliance Documentation:

Fixed Route Only: The DOT ADA regulations require public entities operating fixed route transit to provide complementary paratransit to persons with disabilities who are unable to use the regular fixed route system. Fixed route service providers must include a copy of the current **ADA Complementary Paratransit Plan** at this tab.

All Applicants: The **Annual ADA Update and Certification Form** (see next page) must be completed, signed, and included under this tab.

3.11. Annual Americans with Disabilities Act (ADA) Update and Certification Form

Transit Agency:		
Six (6) Service Criteria		Y/N
1. Service Area	Service to all origins and destinations within the defined area	
	Coordination with contiguous/overlapping service areas	
2. Response Time	Requests accepted during normal business hours on "next day" basis	
	Requests accepted on all days prior to days of service (e.g., weekends/holidays)	
	Requests accepted at least 14 days in advance	
	Trips scheduled within one hour of requested pickup time	
3. Fares	No more than twice the base fixed fare for eligible individuals	
	Compliance with companion fare requirement	
	Compliance with personal care attendant fare requirement	
4. Days and Hours of Service	Paratransit provided during all days and hours when fixed route service is in operation	
5. Trip Purposes	No restriction on types of trip purposes	
	No restriction by trip purpose in scheduling	
6. Capacity Constraints	No restrictions on the number of trips an individual will be provided	
	No waiting list for access to the service	
	No substantial numbers of significantly untimely pickups for initial or return trips	
	No substantial number of trip denials or missed trips	
	No substantial numbers of trips with excessive trip lengths	
	When capacity is unavailable, subscription trips are less than 50%	
CERTIFICATION OF PARATRANSIT PLAN		
The (transit agency name) hereby certifies that it has completed the 2018 Paratransit Review as required under 49 CFR 37.139(j) and finds it to be in conformance with the transportation plan developed under 49 CFR part 613 and 23 CFR part 450 (the FTA/FHWA joint planning regulation). This certification is valid for one year.		
Signed by:		

EXHIBIT 4- Program of Projects and Budgets

* **Public Participation Process:** Each award subrecipient is required to develop a Program of Projects (POP) and Budget that have undergone a public participation process. The award recipient must inform the public of the amount of funds available under the Section 5307 program and the capital, operating, and planning projects proposed to be undertaken. **The Public Hearing Notice will also include a brief description of any Job Access and Reverse Commute (JARC) activities included in the application, if applicable.** The public announcement that summarizes the Program of Projects (POP) will indicate where citizens can examine the proposed Program of Projects and budget in detail and how to submit comments on the proposed program and on the performance of the recipient. This notice is published in the general circulation newspaper in the service area of the recipient. If the community has a large minority of non-English speaking persons, the notice also should be published in a non-English publication. The subrecipient is required to consider comments from the public in preparing the final POP. In addition to the proposed POP, the subrecipient must make the final POP available to the public. A separate advertisement is required for both the proposed POP and the final POP unless the initial advertisement includes a statement indicating that the proposed POP shall become final unless amended as a result of the public participation process.

* **Consultative Process:** The subrecipient is required to develop the POP in consultation with interested parties, including private transportation providers. **The subrecipient may rely on the MPO to assist in this process.** A Transportation Advisory Committee of the MPO may be informed or used as a reviewer of the POP. Private providers should be involved throughout this process.

The requirement is that a consultative process be used to develop the proposed POP. Publication of the newspaper notice and the public hearing process can be a secondary means for consulting with interested parties, including private providers. **However, relying only on the public hearing process, which occurs after a proposed POP has been developed, is not sufficient.**

* **Coordination:** The subrecipient is required to ensure that the POP provides for coordination of federally assisted mass transportation services. This assurance is included in the Annual List of Certifications and Assurances. Coordination may occur at many levels, from simple information sharing to total consolidation of services.

* **Transportation Plans:** Capital, planning, and operating projects must be part of the current approved Transportation Improvement Program (TIP) and State Transportation Improvement Program (STIP). **Any proposed JARC projects must be separately identified in the Program of Projects before consideration by the MPO.** All urban area transit projects are included in the State Transportation Improvement Program. Please include a copy of the relevant pages from the most recent TIP.

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

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

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

*** Job Access and Reverse Commute (JARC) Activities:** MAP-21 created a new eligible project category for “job access and reverse commute projects” under Section 5307. This category includes all types of projects that were formerly eligible under the Section 5316 Job Access and Reverse Commute (JARC) Program. Examples of eligible projects are listed below. There is no requirement or limit to the amount of Section 5307 funds that can be used for these projects.

A job access and reverse commute project is defined as:

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

Requests by eligible subrecipients for Section 5307 program funds to support JARC activities as administered by ALDOT will be considered on a case-by-case basis. In order for a job access and reverse commute proposal to be considered, projects must document that they meet the following requirements:

- **Existing Services.** Eligible job access and reverse commute projects must provide for the maintenance of eligible job access and reverse commute services. Recipients may not reclassify existing public transportation services that have not received funding under the former Section 5316 program as job access and reverse commute services in order to qualify for operating assistance. In order to be eligible as a job access and reverse commute project, a proposed project must qualify as a “maintenance project” as follows:
 - Maintenance Projects: “Maintenance of transportation services” means projects that continue and maintain job access and reverse commute projects and services that received funding under the former Section 5316 program.
- **Existing Reverse Commute Projects.** Reverse commute projects are a category of job access and reverse commute projects that provide transportation services from urbanized and rural areas to suburban employment locations. Generally, these services increase the capacity of public transportation services operating in the reverse direction of existing peak services. Reverse commute projects may only qualify as job access and reverse commute projects under Section 5307 if they meet all other requirements, including having been designed to transport welfare recipients and eligible low-income individuals to and from jobs and employment related activities.

MAP-21 and the FAST Act Eligible existing JARC activities will be considered on a case-by-case basis during the annual application process. The advertised Program of Projects (POP) must separately identify all JARC projects. The budget submitted by the subrecipient through the application process shall define the JARC category and amount of funds the subrecipient wishes to receive. Any variation shall require prior approval from ALDOT.

* **Budget Details:** All applicants must submit project budget data showing detailed operating expenses and revenue. These data provide confirmation that adequate funds will be available to operate and maintain project equipment or vehicles. Additionally, the data provide a clear picture of the total budget as it relates to Section 5307 funding. The line items in the budget are used to identify specific operating expenses eligible for Section 5307 funding. **Adequate funds must also be allocated to the recovery portion of the operating budget to equate to 10% of the total operating cost.** Show operating expenses only; capital expenses are listed separately.

* **Sole Source Procurements:** Requests for sole source procurements shall be submitted and reviewed during the application process. Any requests (if applicable) shall have supporting documentation included with the Section 5307 application. Sole Source procurement must be approved by ALDOT in advance of the execution of any contracts and/or procurement of services or the agency will be responsible for all expenses associated with the sole source purchase.

* **Match and Other Requirements:** Each award recipient must demonstrate the ability to match and manage FTA award funds, to cover cost overruns, to cover operating deficits through long-term stable and reliable sources of revenue, and to maintain and operate federally funded facilities and equipment. Sample documentation of local match commitment is provided in this Exhibit.

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

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

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

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

<http://www.fhwa.dot.gov/cfo/2cfr200guidance.pdf>

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

* **“Associated Transit Improvements” (formerly “Transit Enhancements”):** The Fixing America’s Surface Transportation Act (FAST Act) eliminated the requirement to spend 1% of Section 5307 funds on Associated Transit Improvements. The provisions of the FAST Act apply to all unobligated funds from FY-2015 and prior years, as well as to FY-2016 funds. “Associated Transit Improvements” are briefly defined as: historic preservation of historic public transportation buildings, bus shelters, functional landscaping and streetscaping, pedestrian access and walkways, bicycle access, signage, and enhanced access to public transportation for persons with disabilities.

* **Questions about the Program of Projects (POP) and the Budget:** For additional information on these items, please call your designated Transit Section Program Manager.

* **Exhibit Description:** Local Match is documented by either a Local Match Commitment Letter or a Local Match Certification and the required “Resolution Authorizing Local Matching Funds”. Include the following as [Exhibit 4](#):

- * Program of Projects [[Sample for Anytown Provided](#)]
- * Line Item Budget and Source of Budget Funds Sheet (Operations) [[Sample for Anytown Provided](#)]
- * Line Item Budget and Source of Budget Funds Sheet (Capital and Preventive Maintenance) [[Sample for Anytown Provided](#)]
- * Section 5307 Vehicle Request Budget Form (*Include Form but state N/A if not applicable*)
- * Local Match Commitment Letter and/or Local Match Certification
- * Resolution Authorizing Local Matching Funds
- * Approved Indirect Cost Rate Proposal (if applicable)

Sample Program of Projects

Project No.:	UPT-XXX			
Applicant Name:	XYZ Agency			
Urbanized Area:	Anytown, Alabama			
Fiscal Year:	2020			
Project Information:	Operating, Capital and Preventive Maintenance			
	<u>Quantity</u>	<u>FTA Amount</u>	<u>Local Amount</u>	<u>Total Eligible Costs</u>
SCOPE				
30.00 OPERATING ASSISTANCE (local share includes 10% farebox recovery)	0	\$99,225.00	\$121,275.00	\$220,500.00
<u>ACTIVITY</u>				
30.09.01 OPERATING ASSISTANCE – 50% (local share includes 10% farebox recovery)	0	\$99,225.00	\$121,275.00	\$220,500.00
SCOPE				
117.00 OTHER BUS CAP. ITEMS -	0	\$16,000.00	\$4,000.00	\$20,000.00
<u>ACTIVITY</u>				
11.7A.00 PREVENTIVE MAINTENANCE – 80%	0	\$16,000.00	\$4,000.00	\$20,000.00
SCOPE				
111.00 BUS ROLLINGSTOCK -	3	\$112,400.00	\$28,100.00	\$140,500.00
<u>ACTIVITY</u>				
11.12.04 BUY REPLACEMENT <30-FT BUS – 80%	1	\$45,200.00	\$11,300.00	\$56,500.00
11.12.15 BUY REPLACEMENT VAN – 80%	1	\$33,600.00	\$8,400.00	\$42,000.00
11.13.15 BUY VAN FOR SVC EXPANSION – 80%	1	\$33,600.00	\$8,400.00	\$42,000.00
SCOPE				
114.00 BUS: SUPPORT EQUIP	1	\$1,500.00	\$167.00	\$1,667.00
<u>ACTIVITY</u>				
11.42.41 ACQUIRE-BICYCLE EQUIP – 90%	1	\$1,500.00	\$167.00	\$1,667.00

Sample Program of Projects (continued)

	<u>Quantity</u>	<u>FTA Amount</u>	<u>Local Amount</u>	<u>Total Eligible Costs</u>
114-00 BUS: SUPPORT EQUIP AND FACILITIES	0	\$59,200.00	\$14,800.00	\$74,000.00
<u>ACTIVITY</u>				
11.42.09 ACQUIRE - MOBILE SURV/SECURITY EQUIP – 80%	2	\$15,600.00	\$3,900.00	\$19,500.00
11.42.07 ACQUIRE - ADP HARDWARE – 80%	1	\$4,800.00	\$1,200.00	\$6,000.00
11.42.08 ACQUIRE - ADP SOFTWARE – 80%	1	\$38,800.00	\$9,700.00	\$48,500.00
<u>SCOPE</u>				
119-00 TRANSIT ENHANCEMENTS (BUS)	0	\$5,600.00	\$1,400.00	\$7,000.00
<u>ACTIVITY</u>				
11.92.02 PURCHASE BUS SHELTERS – 80%	2	\$5,600.00	\$1,400.00	\$7,000.00
Estimated Total Eligible Cost:				\$463,667.00
Federal Share:				\$293,925.00
Local Share:				\$169,742.00

SAMPLE LINE ITEM BUDGET AND SOURCE OF BUDGET FUNDS SHEET Operations

Sample Line Item Budget - Operations

URBANIZED AREA: Anytown, Alabama
 PROJECT NUMBER: UPT-00
 FISCAL YEAR: 2020

OPERATIONS BUDGET

Operations Manager	\$30,000.00
Secretary	\$25,000.00
Drivers	\$85,000.00
Fringes	\$45,000.00
Fuel	\$20,000.00
Tires	\$1,500.00
Rent	\$1,000.00
Insurance	\$11,000.00
Professional Services	\$1,100.00
Drug and Alcohol Testing	\$500.00
Tags and Titles	<u>\$400.00</u>
TOTAL	\$220,500.00

Sample Source of Budget Funds - Operations

URBANIZED AREA: Anytown, Alabama
 PROJECT NUMBER: UPT-00
 FISCAL YEAR: 2020

SOURCE OF BUDGET FUNDS - OPERATIONS

Total Operating Cost	\$220,500.00
Less Direct Operating Revenues (10%)	
Farebox:	\$17,950.00
Other Revenue	\$4,100.00
Net Operating Cost	\$198,450.00
Section 5307 Award (50% net costs)	\$99,225.00
Total Local Share (50% net costs)	\$99,225.00
(Contracts - \$36,000.00)	
(City of Anytown - \$63,225.00)	

SAMPLE LINE ITEM BUDGET AND SOURCE OF BUDGET FUNDS SHEET

Capital and Preventive Maintenance

****Note: Buses (shown in the Sample below) are listed for information only and do not reflect current prices****

Sample Line Item Budget - Capital and Preventive Maintenance

URBANIZED AREA: Anytown, Alabama
 PROJECT NUMBER: UPT-00
 FISCAL YEAR: 2020

CAPITAL AND PREVENTIVE MAINTENANCE BUDGET (Total Dollars)

Preventive Maintenance	\$20,000.00
Replace 1 Cut-A-Way Chassis Bus (21')	\$56,500.00
Replace 1 Mini-Van	\$42,000.00
Expansion-1 Mini-Van	\$42,000.00
Bus Support Equipment- Bicycle Racks (90:10)	\$1,667.00
Radios / GPS	\$19,500.00
Computer Hardware (Server)	\$6,000.00
Computer Software (Dispatch Software)	\$48,500.00
Bus Shelter	<u>\$7,000.00</u>
TOTAL	\$243,167.00

Sample Source of Budget Funds – Capital and Preventive Maintenance

URBANIZED AREA: Anytown, Alabama
 PROJECT NUMBER: UPT-00
 FISCAL YEAR 2020

SOURCE OF BUDGET FUNDS – CAPITAL AND PREVENTIVE MAINTENANCE

Total Capital and Preventive Maintenance Costs	\$243,167.00
Bicycle Racks at 90:10	\$1,667.00
Capital Items at 80:20	\$241,500.00
Section 5307 Award (FTA)	\$194,700.00
Local Share	\$48,467.00
(City of Anytown - \$48,467.00)	

FY-2020 SECTION 5307 VEHICLE REQUEST BUDGET FORM Agency Name: _____

(Form To Be Completed If Requesting Vehicles)

Vehicle Type <i>Price ranges are estimates and subject to change. Prices include wheel-chair stations only. Other options are not included.</i>	Designed Seating Capacity	Number of Wheelchair Stations Per Vehicle	Engine Type <i>G-Gas or D-Diesel</i>	Number of Each Type Vehicle Needed	Intended Use <i>R-Replacement E-Expansion N-New Service</i>
Mini Van \$38,500	6	1 Station Available	Gas only		
Modified Van \$51,493-\$64,157	15		Gas only		
Cut-A-Way Chassis Bus \$49,326-\$65,034	17		Gas only		
Cut-A-Way Chassis Bus \$51,747-\$69,935	21		Gas only		
Cut-A-Way Chassis Bus \$59,516-\$71,790	25		Gas only		
Cut-A-Way Chassis Bus \$80,000-\$85,000	25		Diesel only		
Cut-A-Way Chassis, HD \$83,674-\$95,247	28-30		Gas only		
Cut-A-Way Chassis, HD \$91,336-\$102,890	28-30		Diesel only		
TOTALS					

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

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

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

*****This page will not include JARC information, if applicable. The JARC Vehicle Request Budget Form is located in Exhibit 9.*****

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

Date

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36110

Dear Mr. Phillips:

Subject: Local Match Commitment

The **(Applicant)** is applying for a Section 5307 **(operations/planning/capital)** award to aid in the operation of the **(transit agency)**. The capital, planning, and/or operational expenses requested in this project have been reviewed and approved by the **(Applicant's governing body)**. We are requesting federal assistance in the amount of \$_____ for capital assistance, \$_____ for planning assistance, and \$_____ for operational expenses. Local assistance in the amount of \$_____ will be used as the non-federal match.

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

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

Sincerely,

Signature of Designated Official
Title

Sample Resolution Authorizing Local Matching Funds

RESOLUTION NO. _____

"SECTION 5307 URBANIZED AREA PUBLIC TRANSPORTATION"

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

WHEREAS, the **(Provider of Matching Funds)** recognizes that the requirements to obtain Section 5307 funds from the Alabama Department of Transportation include a local match of 50% for operating expenses and 20% for planning and capital expenses; and

WHEREAS, the **(Provider of Matching Funds)** recognizes that the local match will be a shared cost with other participating municipalities being responsible for providing an appropriate allocation of local non-federal funds to secure the operating of the Section 5307 Urbanized Area Public Transportation Program.

NOW, THEREFORE, BE IT RESOLVED, that the **(Provider of Matching Funds)** hereby commits the amount of \$_____ as local non-federal match for operations, planning and capital expenditures under the Section 5307 Urbanized Area Public Transportation Program during Fiscal Year 2020.

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

Elected Official

ATTEST:

Clerk

Exhibit 4 (continued)

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

EXHIBIT 5 - Public Participation Requirements

Eligible applicants must ensure that the public is aware of the urban transit project and has adequate input into the project. Eligible applicants must, therefore, initiate a public participation process as part of their urban transit program application requirements. The process must consist of, at a minimum, conducting a public hearing. **The Public Hearing Notice will also include a brief description of any Job Access and Reverse Commute (JARC) activities included in the application, if applicable.**

A public hearing must be held to allow all persons, including private transportation providers and new business entrants, equal opportunity to comment on the proposed transportation service. For operating applications, the service description must clearly indicate all service to be provided including open door contract service and any proposed service or fare changes. For capital applications, the capital items to be purchased and a brief description of planned construction projects must be included. The hearing must be advertised by public notice once in the local newspaper of widest circulation at least 7 days prior to the hearing. A sample public hearing notice is included in this section.

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

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

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

Include the following as [Exhibit 5](#):

- * Public hearing documentation from the most recent TIP Process
- * Notarized statement verifying publication (publisher's affidavit)
- * Copy of the notice as it appeared in the newspaper
- * Summary or transcript of the hearing signed by an official of the transit system
- * Copy of TIP pages showing projects

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

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

Application Due Date: Applications for current subrecipients must be **received** at ALDOT no later than **June 28, 2019**.

Any questions concerning these instructions should be directed to:

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1409 Coliseum Boulevard
Montgomery, Alabama 36110
(334) 242-6203 Telephone
(334) 353-6530 Fax

Sample

Public Notice and Proposed Program of Projects for FY-2020

The (**Applicant**) is applying to the Alabama Department of Transportation for a award to provide (Operational/Planning/Capital) assistance award under 49 U.S.C. Section 5307 of the Federal Transit Laws, as codified. The award will provide financial assistance for public transportation service for the residents of (**XYZ Urbanized Area**) during FY-2020.

The Funds will be used as federal assistance for:

	<u>Federal Share</u>	<u>Total</u>	
Operating	\$	\$	
Preventive Maintenance	\$	\$	
Bus Rolling Stock	\$	\$	
Support Equipment	\$	\$	
Job Access and Reverse Commute	\$	\$	[include JARC if applicable]

The total program of project cost is **\${Amount}**. Projects are funded at fifty/fifty (50/50) operating and eighty/twenty (80/20) capital. [Add statement about 90%/10% items if applicable]. The Federal Transit Administration (FTA) share for the total program of projects is **\${Amount}**. The remaining funds will be provided by the (**Funding Agency**).

Copies of the detailed service description, (**proposed changes**), and project budget may be obtained at the transit system office, (**Applicant Agency's Address**) between (**list daily hours of operation**).

A public hearing will be held on (**date**) at (**time**) in the (**meeting room**) at the (**facility**) for public comment. This notice shall constitute the final program of projects for the (**Applicant**) unless the scope of the project changes as a result of input gathered during the public hearing.

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

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

(Applicant Transit Agency's Name) does not discriminate against any individual on the basis of race, color, or national origin.

EXHIBIT 6 – Capital / Planning Program Requirements

Each award application for capital and/or planning projects will include a completed Project Implementation Schedule. This Schedule references the acquisition, construction and disposition of capital projects or funding of technical assistance projects. The Schedule should be monitored during the life of the project. Any changes to be made to the Schedule after award approval should be submitted to the Department by the 30th day following the end of each quarter.

Award recipients must maintain control over real property, facilities, and equipment and ensure that they are used in transit service. Sample documentation to ensure compliance with satisfactory continuing control requirements is provided below.

Include the following as [Exhibit 6](#):

- * Project Implementation Schedule
- * Fleet Classification Form
- * Vehicle Inventory Form
- * Fleet Replacement Form
- * Vehicle Profile Sheet
- * Non-Expendable Equipment Inventory Form

Required forms and instructions follow.

Project Implementation Schedule
(For Capital and/or Planning Awards Only)

1. Name of Applicant: _____
2. Contact Person and Telephone Number: _____
3. Schedule of Activities (use appropriate format):

A. EQUIPMENT PURCHASE

• Start date for preparing bid specifications:	
• Completion date for preparing bid specifications:	
• Bid advertisement date:	
• Bid award date:	
• Delivery date(s):	
• Acceptance date(s):	
• Estimated cost:	

B. TECHNICAL STUDIES

• Start date for agency projects:	
• Notice to Proceed date for all pass through projects (third party contracts)	
• Contract award date for all pass through projects:	
• Draft report completion date:	
• Final report completion date:	
• 100% completion date:	
• Estimated cost for 100% completion:	

c. DISPOSITION ACTIVITY (i.e., equipment or real property)

• Description of disposition action:	
• Starting date(s):	
• Ending date(s):	

4. Overall Project Completion Date:
5. Narrative explanations as required:

Note: Please enter "State Administered Activity" for those items implemented directly by ALDOT.

(Applicant)

FLEET CLASSIFICATION FORM

		<u>Before Award Approval</u>	<u>Amount of Change</u>	<u>After Award Approval</u>
I.	Active Fleet			
	A. Peak Requirement	_____	_____	_____
	B. Spares	_____	_____	_____
	C. Total (A+B)	_____	_____	_____
	D. Spare Ratio (B/A)	_____	_____	_____
II.	Inactive Fleet			
	A. Contingency Reserve	_____	_____	_____
	B. Pending Disposal	_____	_____	_____
	C. Total (A+B)	_____	_____	_____
III.	Total Fleet (I.C. + II.C)	_____	_____	_____

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

Complete the accompanying forms as indicated below:

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

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

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

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

FY-2020 ALDOT Transit Program Replacement Form

List of Vehicles to be Replaced

(If Applicable)

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

***Only ALDOT Transit vehicle**

Vehicle Profile Sheet

INSTRUCTIONS

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

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

FY 2020 Non-Expendable Equipment Inventory Form

Transit System _____

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

Exhibit 7 - Complaint and Bid Protest Procedures

Applicants must have written procedures describing the local mechanism for resolving private operator and passenger complaints or questions dealing with the fairness of local procurement procedures and decisions. Complaint Procedure(s) must include all of the following:

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

Sample "Complaint Policy and Procedures" and "Bid Protest Procedures" follow.

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

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1409 Coliseum Drive
Montgomery, Alabama 36110
(334) 242-6203 Telephone
(334) 353-6530 Fax

Include the following as [Exhibit 7](#):

- * Written Complaint Policy and Procedures
- * Written Bid Protest Procedures

Note that in some agencies, these Procedures may be combined into one document.

XYZ TRANSIT SYSTEM SAMPLE

COMPLAINT POLICY AND PROCEDURES

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

1. Sample Employee Complaint Policy

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

2. Sample Passenger Complaint Policy

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

authority should be consulted and the matter brought before the entire (Governing Authority) if necessary.

3. Sample Private Transit Operator Complaint Policy

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

4. Sample General Complaint Policy

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

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

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1409 Coliseum Drive
Montgomery, Alabama 36110
(334) 242-6203 Telephone
(334) 353-6530 Fax

Sample Bid Protest Procedures for XYZ Transit System

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

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

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

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

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

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

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

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

1. Issue a final written decision which responds in detail to each issue raised in the protest and includes a rationale for the decision rendered, or

2. Conduct, at XYZ TRANSIT SYSTEM's discretion, an informal hearing to allow the interested participating parties an opportunity to present their positions and supporting facts, documents, justification, and technical information. XYZ TRANSIT SYSTEM will advise all interested parties of the final decision in writing no later than five (5) working days from the date of the informal hearing.

2. Protests before Proposal Solicitation

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

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

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

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

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

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

4. Protests after Award

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

factors applied in the initial review of the bid/proposal. The bid/proposal will be evaluated by a panel designated by the XYZ TRANSIT SYSTEM.

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

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

5. Protests Pertaining To the Funding Of Unsolicited Proposals

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

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

Mr. D. E. Phillips, Jr., P. E.
State Local Transportation Engineer
Local Transportation Bureau
Alabama Department of Transportation
1409 Coliseum Drive
Montgomery, Alabama 36110
(334) 242-6203 Telephone
(334) 353-6530 Fax

EXHIBIT 8 - AUTHORIZING RESOLUTION

Resolution No. _____

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

WHEREAS, the Secretary of US DOT Transportation and the Director of the Alabama Department of Transportation are authorized to make awards for a mass transportation Program of Projects and Budgets;

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

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

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

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

1. That (Title of Designated Official) is authorized to execute and file (an) application(s) on behalf of (Legal Name of Applicant) with the Alabama Department of Transportation to aid in the financing of planning, capital and/or operating assistance projects pursuant to Section 5307 of the Federal Transit Act.
2. That (Title of Designated Official) is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation and the Alabama Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
3. That (Title of Designated Official) is authorized to furnish such additional information as the U.S. Department of Transportation and the Alabama Department of Transportation may require in connection with the application for the Program of Projects and Budget.
4. That (Title of Designated Official) is authorized to set forth and execute affirmative disadvantaged business enterprise policies in connection with the Program of Projects and Budget's procurement needs.

5. That (Title of Designated Official) is authorized to execute award agreements on behalf of (Legal Name of Applicant) with the Alabama Department of Transportation for aid in the financing of the planning, capital and/or operating assistance requested in the Program of Projects and Budget.

CERTIFICATION

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

If applicant has an official seal, impress here.

Signature of Recording Officer

Title of Recording Officer

Date

EXHIBIT 9 – Job Access and Reverse Commute (JARC)

Part I – JARC Applicant Overview

Are you applying for FY-2020 JARC Funding?	
<input type="checkbox"/> Yes (complete <u>all</u> of Exhibit 9).	
<input type="checkbox"/> No (If no, STOP HERE).	
Applicant Information	
Legal Name:	
Contact Person:	
Address:	
City/State/Zip Code+4::	Congressional District:
Federal Tax ID Number:	DUNS Number:
Telephone:	Fax:
Email:	Website:
List of Project Partners: (use additional sheet if necessary)	
<u>Organization</u>	<u>Contact</u>
<u>Address</u>	<u>Phone/Email</u>
1.	
2.	
Program (Check all that apply)	
<input type="checkbox"/> Section 5316/5307 – JARC Capital (80/20) <input type="checkbox"/> Section 5316/5307 – JARC Operating (50/50)	
Project Information	
Service Area(s):	
Project Type (Check all that apply)	
<input type="checkbox"/> Continuation of existing project: ____ <input type="checkbox"/> Expansion of an existing project: ____	
Estimated Number of People to be Served (monthly):	
<input type="checkbox"/> Low-Income ____ <input type="checkbox"/> Elderly ____ <input type="checkbox"/> Disabled ____ <input type="checkbox"/> Other ____	
Total JARC Federal Funds Requested: \$ _____	
Budget:	
Total Cost of JARC Project	\$ _____
Federal Funds for JARC	\$ _____
Local Funds for JARC	\$ _____

Part II – JARC Project Narrative

1.1 JARC Project Description:

Provide a summary description of the project.

1.2 JARC Goals and Objectives:

- A) Describe the target population to be served.

- B) Identify which strategy(ies) within the *Locally Developed, Coordinated Public Transit-Human Services Transportation Plan* this project addresses. List the adoption date and page number(s) from the *Locally Developed, Coordinated Public Transit-Human Services Transportation Plan* where the strategy is found.

- C) Describe the unmet transportation need that the proposed project seeks to address. List the adoption date and page number(s) from the *Locally Developed, Coordinated Public Transit-Human Services Transportation Plan* where the unmet need is found.

- D) Estimate the number of people within the target population that the project will serve. Briefly describe the rationale for the estimate (including total number of individuals to be served and average number of one-way trips provided per month).

- E) Explain how the project increases or enhances availability of transportation for the target population. Describe, if applicable, how the project will help meet transportation needs outside this population.

1.3 JARC Coordination:

- A) Describe how the project will be coordinated with other social service agencies and/or public transportation providers (e.g., sharing vehicles, dispatching, scheduling, maintenance, coordinating client trips, training, etc.).

- B) Identify partners/stakeholders and describe any private sector involvement. (Attach letters of support for each stakeholder.)

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

1.4 JARC Implementation:

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

1.5 JARC Managerial Capability:

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

1.6 JARC Fiscal Capability:

- A) Provide a complete budget including project revenues and expenditures in the format provided in **Part III. This budget will be for FY-2020 only.**
- B) Provide evidence of financial management capacity and stability of the local share. Include local match commitment letter(s) and your most recent audit report.

1.7 JARC Program Effectiveness:

- A) Identify performance measures to track the effectiveness of the service in meeting the identified goals.

- B) Describe the agency's plan for monitoring and evaluating the project.

- C) Indicate what steps will be taken if original goals are not achieved. If this is a continuation project request, please describe how you met your prior performance goals and objectives.

PART III – JARC PROJECT BUDGET FOR FY-2020

Operating Budget

(line items are examples only)

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

2 PART III – JARC PROJECT BUDGET FOR FY-2020 (continued)

Planning and Capital Budget

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

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

FY-2020 SECTION 5307 VEHICLE REQUEST BUDGET FORM (Form To Be Completed If Requesting Vehicles)

Agency Name: _____

<i>Vehicle Type</i> <i>Price ranges are estimates and subject to change. Prices include wheel-chair stations only. Other options are not included.</i>	<i>Designed Seating Capacity</i>	<i>Number of Wheelchair Stations Per Vehicle</i>	<i>Engine Type G-Gas or D-Diesel</i>	<i>Number of Each Type Vehicle Needed</i>	<i>Intended Use R-Replacement E-Expansion N-New Service</i>
Mini Van \$38,500	6	1 Station Available	Gas only		
Modified Van \$51,493-\$64,157	15		Gas only		
Cut-A-Way Chassis Bus \$49,326-\$65,034	17		Gas only		
Cut-A-Way Chassis Bus \$51,747-\$69,935	21		Gas only		
Cut-A-Way Chassis Bus \$59,516-\$71,790	25		Gas only		
Cut-A-Way Chassis Bus \$80,000-\$85,000	25		Diesel only		
Cut-A-Way Chassis, HD \$83,674-\$95,247	28-30		Gas only		
Cut-A-Way Chassis, HD \$91,336-\$102,890	28-30		Diesel only		
TOTALS					

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

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

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

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

PART III – JARC PROJECT BUDGET FOR FY-2020 (continued)

Mobility Management Budget

(line items are examples only)

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

NOTE: If you have any questions or need technical assistance with the application development process for the Section 5307 Application, please contact your respective Program Manager.

Appendix

Charter Service

(Provided for Information Only)

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

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

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

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

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

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

Section 5307 subrecipients doing any charter service under any of the allowable exceptions must file quarterly electronic reports with ALDOT utilizing the ALDOT Charter Service Reporting Form (provided in the current **State Management Plan**) within 15 days of the end of each quarter, listing each charter service provided and providing the specified detail in those cases where such is required. All such services must also be reported as charters on quarterly and year-end statistics reported as requested or required.

1 Exemptions

Exemptions: The charter service regulation **exempts** the following services:

- 1) **Transportation of Employees, Contractors, and Government Officials:** Subrecipients are allowed to transport their employees, other transit system employees, transit management officials, transit contractors and bidders, government officials and their contractors, and official guests to or from transit facilities or projects within its geographic service area or proposed geographic service area for the purpose of conducting oversight functions such as inspection, evaluation, or review.
- 2) **Private Charter Operators:** The prohibitions do not apply to private charter operators that receive, directly or indirectly, Federal financial assistance under the over-the-road bus accessibility program or to non-FTA funded activities of private charter operators that receive, directly or indirectly, FTA financial assistance.
- 3) **Emergency Preparedness Planning and Operation:** Subrecipients are allowed to transport their employees, other transit system employees, transit management officials, transit contractors and bidders, government officials and their contractors, and official guests for emergency preparedness planning and operations.
- 4) **Section 5310, 5311, 5316, and 5317 Recipients:** The prohibitions do not apply to subrecipients that use Federal financial assistance from FTA for program purposes, that is, transportation that serves the needs of either human service agencies or targeted populations (elderly, individuals with disabilities) under Section 5310, 5311, 5316, or 5317. Program purposes do not include exclusive service for other groups formed for purposes unrelated to the special needs of the identified targeted populations.
- 5) **Emergency Response:** Subrecipients are allowed to provide service for up to 45 days for actions directly responding to an emergency declared by the President, governor, or mayor or in an emergency requiring immediate action prior to a formal declaration.
- 6) **Recipients in Non-Urbanized Areas:** Subrecipients in non-urbanized areas may transport employees, other transit systems' employees, transit management officials, and transit contractors and bidders to or from transit training outside its geographic service area.

2 Exceptions

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

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

Record-Keeping After Providing Charter Service: Government organization's name, address, phone number, and e-mail address; the date and time of service; the number of passengers (also the

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

The subrecipient may petition ALDOT to petition FTA for additional charter service hours (more than 80 charter service hours annually). Refer to §604.6 for additional information.

2) Qualified Human Service Organization (QHSO):

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

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

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

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

3) Leasing of Equipment and Driver: A subrecipient is allowed to lease its FTA funded equipment and drivers to registered charter providers for charter service only if all of the following conditions exist:

- a) The private charter operator is registered on the FTA charter registration website
- b) The registered charter provider owns and operates buses or vans in a charter service business
- c) The registered charter provider received a request for charter service that exceeds its available capacity either of the number of vehicles operated or the number of accessible vehicles operated by the registered charter provider
- d) The registered charter provider has exhausted all of the available vehicles of all registered charter providers in the subrecipient's geographic service area

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

4) No Response by Registered Charter Provider: A subrecipient is allowed to provide charter service, on its own initiative or at the request of a third party, if no charter provider registered on the FTA's website responds to the notice issued by e-mail to registered charter providers in the geographic service area (pursuant to 604.14):

- a) Within 72 hours for charter service requested to be provided in less than 30 days, or
- b) Within 14 calendar days for charter service requested to be provided in 30 days or more.

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

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

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

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

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

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