

# **Federal Transit Administration Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C 5310)**

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## **Program Management Plan**

*Prepared by:*

**Planning and Grants Department**

**February 2024**

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that serve the transportation needs for the elderly and persons with disabilities, in cases where public transit was unavailable, insufficient, or inappropriate. With the passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991, funding for the 5310 Program was doubled and it became a statutory requirement to distribute funds by formula. Under ISTEA, public agencies also became eligible for funding in limited circumstances. No major program changes were made on the Transportation Equity Act for the 21st Century (TEA-21) that passed in 1998, but under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), passed in 2005, a requirement that projects must be derived from a locally developed, Coordinated Public Transit – Human Services Plan (Coordinated Plan) was put in place. In 2012, passage of the Moving Ahead for Progress in the 21st Century (MAP-21) Act brought about significant program changes. With the passage of MAP-21, the New Freedom program (Section 5317) was repealed and combined with the Federal Transit Administration’s (FTA) Section 5310 Transportation for the Elderly and Disabled Grant Program to create the new Enhanced Mobility of Seniors and Individuals with Disabilities Program. As a result of the change, activities previously eligible for New Freedom funding are now eligible for 5310 funding. Funds are now apportioned to large urban areas, small urban areas, and rural areas instead of solely to the states. MAP-21 required that not less than 55% of a recipient’s apportionment be used for traditional 5310 projects.

The Bipartisan Infrastructure Law (BIL), also referred to as the Infrastructure Investment and Jobs Act (IIJA) is the Department of Transportation’s current funding legislation signed into law on November 15, 2021. During the COVID-19 pandemic, FTA allocated 100% federal funding to the Section 5310 apportionments as well as supplemental funding to provide relief to transportation providers.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 provided emergency assistance for those affected by the COVID-19 pandemic for unprogrammed 2021 funds and 2022 apportionment funds with no local match requirement.

The American Rescue Plan (ARP) Act of 2021 provided additional pandemic-associated assistance for transportation systems at 100% federal share with no local match requirement. The Coronavirus Response and Relief Supplemental Appropriations (CRRSAA) Act of 2021 provided supplemental appropriations for COVID-19 relief at 100% federal share with no local match requirement.

### Local Goals and Strategies

Originally adopted by the STA Board of Directors on July 21, 2010, and most recently revised in May 2022, STA’s Comprehensive Plan, *Connect Spokane*, set forth a vision and policy framework to guide decisions made by its Board of Directors, staff, and partnering agencies for the next 30 years by means of coordinated regional planning efforts. Any further updates to *Connect Spokane* that impact the coordinated regional planning efforts will be updated in this PMP when available.

STA is actively involved with Spokane Regional Transportation Council (SRTC) in the local transportation planning process leading to the adoption and implementation of the Spokane County Public Transit-Human Services Transportation Plan (HSTP). The HSTP is required by state and federal agencies to demonstrate that appropriate coordination has occurred to develop regional programs and strategies which enhance transportation access, minimize duplication of services, and implement the most cost-effective transportation services using available resources. This planning process includes outreach to seniors and people with disabilities. The following HSTP strategies guide Section 5310 funding criteria:

- Maintain existing transportation services.
- Encourage service provider and public coordination.
- Educate the public on STA’s transit network by offering travel training programs and providing educational materials.
- Integrate subrecipient transportation services with Spokane Transit services.

- by eligible subrecipients, where applicable.
- Certify that all projects are derived from a locally developed coordinated public transit- human services transportation plan.
- Certify that, to the maximum extent possible, services under Section 5310 are coordinated with transportation services from other federal departments and agencies.
- Submit reports as required by the FTA.
- Oversee project audit and closeout.

### Responsibilities of 5310 Subrecipients

Subrecipients who receive funds from any federal transportation grant program must follow the OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200).

### Role of Spokane Regional Transportation Council

The Spokane Regional Transportation Council (SRTC) is the federally recognized metropolitan planning organization (MPO) and the state Regional Transportation Planning Organization (RTPO) for Spokane County.

SRTC is tasked with managing and updating the *Spokane County Public Transit-Human Services Transportation Plan* (HSTP). SRTC may assist with the evaluation and scoring of Section 5310 project applications. SRTC is also responsible for preparing, adopting, and amending the TIP.

### Regional Coordination

Spokane Transit Authority (STA) partners with Spokane Regional Transportation Council (SRTC) on regional planning efforts, including the development of the *Spokane County Coordinated Public Transit-Human Services Transportation Plan* (HSTP). STA does not intend to duplicate the planning and outreach processes of the HSTP; and will assist in implementation of HSTP goals and strategies which include management of the Section 5310 program.

## Section 3 - Local Share and Funding Requirements

Spokane Transit Authority (STA) follows federal guidelines in determining the local matching share for Section 5310 projects. The maximum federal match for eligible capital costs is currently 80 percent of the total cost with a minimum local match requirement of 20 percent. Operating projects require a 50 percent minimum local match. Subrecipients must provide documentation detailing the source and the amount of the local match to STA. STA may contribute local match to reduce or remove the local match responsibility of the awarded agency. STA may also use up to 10 percent of the total annual appropriation for administrative costs with no local match requirement.

### Exceptions

Local Share exceptions for projects that are subject to federal Americans with Disabilities Act of 1990 (ADA), or Clean Air Act (CAA) regulations are as follows:

1. Vehicle Acquisition: For purposes of complying with or maintaining compliance with ADA
2. (42 USC 12101 *et seq.*) or the CAA, the federal share is 85 percent. A revenue vehicle that complies with 49 CFR 38 may also be funded at 85 percent federal share.
3. Vehicle-Related Equipment and Facilities: For purposes of complying or maintaining compliance with the CAA (42 USC 7401 *et seq.*) and/or the ADA, the federal share is 90 percent (this includes clean fuel or alternative fuel vehicle-related equipment or facilities). FTA considers vehicle-related

general nature of the project must be shared-ride services to be considered eligible.

Taxi companies that provide exclusive-ride service are not eligible subrecipients by themselves. However, they may participate in the Section 5310 program as contractors. Exclusive-ride transportation providers may receive Section 5310 funds to purchase accessible vehicles under contract with the state, designated recipient, or an eligible subrecipient (C9070.1G Pg. III-5).

### Eligible Activities

Certain capital and operating projects are eligible to receive funding through the Section 5310 program within two funding categories: "Traditional" 5310 projects and "Other" 5310 projects. A minimum of 55% of the total 5310 Spokane Transit Authority (STA) appropriation must be reserved for "Traditional" 5310 projects with a maximum of 45% of total allocated 5310 funds allocated to "Other" 5310 projects.

Projects must clearly indicate whether they are applying as a "Traditional" 5310 project or "Other" 5310 project (even though projects may be eligible under both funding categories). STA will ensure that 55% of the total allocated funds are spent on "Traditional" 5310 projects.

### Traditional 5310 Projects

"Traditional" 5310 projects are defined as public transportation capital projects that are designed to meet the special needs of seniors and individuals with disabilities. Eligible projects must meet the definition of a capital project, as defined in 49 USC 5302 (link: <http://www.gpo.gov/fdsys/pkg/USCODE-2013-title49/pdf/USCODE-2013-title49-subtitleIII-chap53-sec5302.pdf>), and be carried out by eligible subrecipients. In addition, subrecipients must be able to prove that the project will primarily benefit seniors and persons with disabilities.

Traditional 5310 Projects include, but are not limited to:

- Vehicle purchases and preventive maintenance on purchased vehicles, including equipment/parts needed to support the vehicle.
- Passenger amenity purchases include the installation of benches, shelters, and other passenger amenities.
- Support facilities and equipment such as extended warranties, dispatch systems and other computer hardware and software.
- Acquisition of transportation services under contract by an eligible subrecipient including transportation projects that provide demand response service to seniors and people with disabilities.
- Mobility management and coordination programs.
- Additional traditional projects are as authorized by FTA Circular 9070.1G.; and
- Other capital expenses as defined in 49 USC 5302.

### Other 5310 Projects

"Other" 5310 projects are defined as capital or operating projects that exceed ADA requirements, decrease individuals' dependence on complementary paratransit services, or provide alternatives to public transportation to seniors and people with disabilities. A maximum of 45% of STA's 5310 annual appropriation can be allocated to "Other" projects. These projects must be targeted toward meeting the transportation needs of seniors and individuals with disabilities, although they may be used by the general public. Subrecipients must prove that the project will primarily benefit seniors and persons with disabilities in their application(s).

"Other" 5310 Projects include:

- Accessibility improvements to transit and intermodal stations include building an accessible path,

Nov	Begin process of awarding funds to subrecipients
Dec	Publish 5310 Program of Projects and submit to FTA

Spokane Transit Authority (STA) provides a competitive selection process to distribute Section 5310 funds fairly and equitably within the Spokane UZA. Projects are selected based upon the ability to meet the regional transportation needs listed within the Coordinated Public Transit- Human Services Transportation Plan (HSTP) (link: [https://www.srtc.org/wp-content/uploads/2018/11/Final-2018-CPT-HSTP\\_Board-Approved\\_110818.pdf](https://www.srtc.org/wp-content/uploads/2018/11/Final-2018-CPT-HSTP_Board-Approved_110818.pdf)).

### Call for Projects

If STA decides to issue a public call for projects, STA will verify the Section 5310 apportionment in the Federal register. The Call for Projects will include a public notification of the availability of funds. A description of how and when projects will be selected, including scoring criteria, will be included in the application and notification materials as follows:

1. STA will draft a public notice of funding opportunity for eligible applicants to be posted on STA's Section 5310 webpage at <https://www.spokanetransit.com/about-sta/section-5310-program>, in the local newspaper, and on Spokane Regional Transportation Council's website, along with the grant application.
2. Letters or emails of the public notice and the grant application will be sent to interested parties and potential applicants.
3. The public notice will be posted at least 30 days before the application deadline. In the case of a revised call for projects, the timeline may be expedited.
4. Prior to the application deadline, STA will host an informational meeting for potential applicants to answer questions about the program. Application materials will also be posted on STA's website.

STA will provide technical assistance to applicants, as needed.

### Private Sector Participation

An updated list of nonprofits and private providers of transportation that qualify as eligible Section 5310 subrecipients will be maintained by the Spokane Transit Authority (STA). STA will send a Notice of Section 5310 Funds Availability to all parties on this list. These organizations will have the opportunity to apply for project funding during the Call for Projects process. To encourage maximum private sector participation, STA will also hold an informational meeting during the Call for Projects process, to provide interested parties the opportunity to inquire about the Section 5310 program.

### Application Process

Applications submitted after the call for projects deadline will not be considered.

### Preliminary Proposal Eligibility Review and Risk Assessment

Preliminary proposals submitted on or before the deadline will be reviewed for initial eligibility. The applicant must submit basic project information, including project description, applicant information, relationship of the project to stated goals, anticipate project costs and funding request amount, the anticipated timeline and other information as outlined as the Preliminary Proposal form. This information will be used in an initial eligibility review and risk assessment as outlined below, and to aid STA in supporting applicants through the funding process.

- Equipment and Inventory Records (2 CFR 200.313)
- Current cost allocation plan, if applicable (for operating funds), approved by the applicant's cognizant agency within the last year.
  - Applicants who do not have a current federally approved indirect cost, may choose to use the 10% de minimis rate.

Applicants are encouraged to identify scaled funding options in case insufficient funding is available to fund a project at the full requested amount. If an applicant indicates that a project is scalable, the applicant must provide an appropriate minimum funding amount that will fund an eligible project that achieves the objectives of the program and meets all relevant program requirements. The applicant must provide a clear explanation of how the project budget would be affected by a reduced award. STA may award a lesser amount regardless of whether a scalable option is provided.

### Application Scoring

Project applications that meet the minimum criteria listed above will be evaluated by a committee comprised of representatives of STA, SRTC, and other pre-selected entity(ies) that do not have a conflict of interest. This committee will score the projects based on criteria listed below.

- Risk Assessment- 10 Points
  - Agencies will complete an organizational risk assessment which will be used by the evaluation committee to help assess the organization's capacity to manage federal funds
- Application Completeness- 10 points
  - To what extent are agency responses included for each application questions? Are any items missing or needing more relevant information? (3 points)
  - What required attachments did the agency submit for review/approval? Were any items missing or lacking information? (2 points)
  - What population(s) will the project serve? (5 points)
- Proposed Service Improvements- 25 points
  - Does the proposed project provide a service that directly benefits seniors and/or persons with disabilities? (5 points)
  - What barriers will this project seek to overcome in providing transportation options to seniors and individuals with disabilities? (10 points)
  - Based on the methodology and/or information provided, will the project provide a significant benefit to seniors and individuals with disabilities? (10 points)
- Regional Transportation Needs- 10 points
  - What specific needs/strategies from the Spokane County Coordinated Public Transit-Human Services Transportation Plan (HSTP) will this project meet? (10 points)
- Performance Measures- 20 points
  - Does the proposed project increase or enhance the availability of transportation services for seniors and/or individuals with disabilities? (10 points)
  - What methodology will be used to gather data regarding one-way trips provided quarterly for seniors and individuals with disabilities? (10 points)
- Management- 10 points
  - What qualifications/experience does the management team describe? (5 points)
  - If submitting a capital project, how will the agency continue or sustain this project after expiration? (5 points)
- Financials- 15 points
  - What other funding sources have been committed to this project? (5 points)
  - Is this project contingent upon other funding commitments? Indicate, if applicable, any

## Pre-award Authority

Pre-award authority is given to subrecipients under specific and limited circumstances to incur costs for eligible projects before a grant is awarded by FTA. Below are requirements that apply to pre-award authority (C9070.1G Pg. VIII-11).

1. Applicants must comply with all federal requirements, failure to do so will render a project ineligible for FTA financial assistance.
1. Reimbursement of pre-award costs is not guaranteed, and to be eligible for subsequent reimbursement, the project must have met all FTA statutory, procedural, and contractual requirements.
2. Pre-award funds are subject to the availability of funds and grant award.
3. Pre-award authority is triggered for certain projects when the award is approved by the Board and the following conditions are met:
  - a. STA has given approval for the subrecipient to use pre-award authority. Approval can be given through email to the subrecipient.
  - b. 5310 projects must be in the current annual STIP
  - c. 5310 apportionment must be published in Federal Register
  - d. The project must be categorically exempt as defined by FTA (mobility management and operating)
  - e. The subrecipient must be considered active under SAM and in good standing (not disbarred from federal grants)
  - f. Construction projects must have FTA environmental concurrence
4. FTA apportionment and Federal Register triggers pre-award authority for design and environmental work on the project

Following approval of project awards by the STA Board of Directors, STA will provide written confirmation and indicate the date in which pre-award authority will apply, which will be no earlier than the first day of the month following STA Board approval. Subrecipients incur expenses under pre-award authority at their own risk. Although funds have been obligated to the project, there are certain federal and state requirements that are required to submit requests for reimbursement. Subrecipients will be responsible for any expenses incurred under pre-award authority that are not in compliance with the executed agreement.

## Federal Funding Accountability & Transparency Act (FSRS)

FTA requires that recipients submit a report about each award over \$30,000 by the end of the month following the date of an executed agreement. Once STA submits an initial report, revisions can be made to add additional subawards or to change data previously submitted to reflect adjustments in subawards.

If STA allows a subrecipient to use pre-award authority, the deadline would be based on the date of the FTA obligation, since FSRS cannot accept subaward reports before the federal obligation is recorded in the system. The required data elements in FSRS are:

- Name of entity receiving subaward Doing Business As (DBA) Name
- DUNS of the entity and its parent and DUNS+4 (is used to identify specific units within a larger entity)
- Amount of subaward
- Funding Agency
- Program Source
- Subaward number (Note: assigned by recipient)



equipment.

## Vehicle Use

FTA encourages maximum use of vehicles funded under the Section 5310 programs. Vehicles are to be used first for program-related needs for which the grant is developed, and then to meet other transportation needs of other federal programs or project needs, if they do not interfere with the project activities originally funded. If any vehicles are to be removed from service prior to the end of its useful life, the subrecipient must notify Spokane Transit prior to doing so.

## Useful Life

STA adheres to the vehicle useful life criteria that are detailed in the current FTA Circular 5010.1E, Grant Management Requirements.

## Buses

1. Large, heavy-duty transit buses including over-the-road buses (approximately 35' – 40' or larger including articulated buses):  
At least 12 years of service or an accumulation of at least 500,000 miles.
2. Small size, heavy-duty transit buses:  
At least 10 years or an accumulation of at least 350,000 miles.
3. Medium-size, medium-duty transit buses:  
At least seven years or an accumulation of at least 200,000 miles.
4. Medium-size, light-duty transit buses:  
At least five years or an accumulation of at least 150,000 miles.

## Light Duty Vehicles (Vans)

*Other light-duty vehicles used as equipment and to transport passengers (revenue service), such as regular and specialized vans, sedans, and light-duty buses including all bus models exempt from testing in the current 49 CFR part 665 have a useful service life of at least four years or an accumulation of at least 100,000 miles, whichever comes first. (C5010.1E Pg. IV- 25)*

## Vehicle Title

STA will have continuing control over the vehicles and accepts the responsibility of ensuring that the subrecipient will continue to use the vehicle for a public transit benefit. Public benefit is defined under the Section 5310 Program as “transporting seniors and individuals with disabilities.” During the useful life of the vehicle, STA will be listed as the legal owner on the vehicle’s title and the subrecipient will be the registered owner. Once the useful service life requirement has been satisfied according to the Section 5310 Vehicle Procurement and Transfer for Qualified Subrecipients (**ATTACHMENT E**), STA will transfer title of the vehicle to the subrecipient.

## Maintenance and Disposition

Vehicles and equipment must be maintained in good operating order and subrecipients must follow the manufacturer’s suggested maintenance schedules. Spokane Transit Authority and its subrecipients will follow all required vehicle and equipment management and disposition procedures and guidance under the common rule found in 49 CFR 18.32 and applicable guidance in the current FTA Circular 9030.1E.

The subrecipient maintains responsibility for the repairs and maintenance of the vehicles and any extended or additional warranties must be reported to STA. This includes warranty claims, warranty repairs, proof of claim submittal(s) to manufacturers, and any steps taken to follow up on unpaid claims. STA currently provides oversight for subrecipient vehicles purchased with Section 5310 federal funding by

indicate whether they are using a federally approved indirect cost plan or a 10% de minimis rate allowed under 2 CFR Part 200. If subrecipients select to use the 10% de minimis rate option, they must indicate that they have never used a federally approved rate. STA will not accept indirect cost allocation plans that are not approved, in writing, by a federal agency. Grantees (STA) are responsible for negotiating these plans in advance of the executed agreement.

Spokane Transit Authority (STA) has decided not to include indirect expenses in its FTA application – therefore, subrecipient indirect costs will not be funded by STA; however, federally approved indirect cost rates and de minimis rates can be funded by FTA. Subrecipients are encouraged to contact STA planning staff during the application process for further clarification on allowable administrative expenses.

### Agreement Amendments

Depending on the funding available and the effectiveness of the project to continue to serve seniors and individuals with disabilities, STA may extend the agreement beyond the approved term. The subrecipient must request an agreement extension which will be reviewed and approved by the Principal Transit Planner. Once approved, STA Planning Staff will work with the Contracts Compliance Specialist to draft an agreement amendment. The subrecipient will review the draft and with acceptance of the new agreement term, it may be executed. The subrecipient must continue to comply with all previous financial, performance, and reporting requirements.

### Returned Funds

If 5310 funds are returned and/or if the agreement is terminated, STA will verify the total amount of funds to be returned internally with the Sr. Financial Services Manager and confirm this amount with the subrecipient. STA Planning Staff and Contracts Compliance Specialist will draft internal processing documents and an amendment for the agreement. This amendment shall be presented to the subrecipient for approval before a final draft is completed. The final documents shall be reviewed and approved by both the Principal Transit Planner and the Chief Planning and Development Officer. Once the amendment has been executed, the subrecipient will receive a copy for their records and STA will retain the original. STA will then notify FTA through a budget revision.

### Subrecipient Project Closeout

Spokane Transit Authority (STA) will initiate project closeout with subrecipients within 90 days after all work activities are complete and all funds as expended. STA will then initiate the full POP closeout with FTA within 90 days after all work activities contained within are completed. A final Federal Financial Report, final budget, and POP will be submitted electronically via the electronic grant management system at the time of closeout. (C9070.1G Pg. VI-15)

#### Grant closeout procedures:

Any deviation from the approved Section 5310 award must be documented in the closeout. STA will initiate the closeout electronically, by submitting the following information in TrAMS, as part of the closeout process: (C5010.1E Pg. III-19). This will include:

- Confirmation that activities are complete and if closeout Amendment will de-obligate any unexpended balance of federal assistance.
- A list of property acquired or improved in support of the Award that will continue to be within the purview of the Grant or Cooperative Agreement.
- A final Program of Projects (POP) and POP status report
- A final FFR, consistent with the reconciled Award Budget (e.g., de-obligation).
- A final narrative MPR indicating the actual completion date of each ALI and a discussion of each ALI contained in the final Award Budget.

seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.”

4. “Quarterly Progress Reports: Quarterly progress reports shall be submitted for the duration of the Agreement period and STA will provide subrecipients a template.”

## Section 9 - Civil Rights and ADA Reporting

In order to receive federal funding, Spokane Transit Authority (STA) is required to implement a Title VI program which is to be updated no less than every three years per the guidance of FTA C 4702.1B. This program can be found on the STA website and is a required part of the training for all public facing employees. Subrecipients awarded 5310 funding must submit Title VI Programs to STA in order to assist in compliance efforts. STA program staff will use the Title VI Checklist to ensure that Title VI Plans meet all requirements.

### Title VI Plan Requirements

- Subrecipients shall submit Title VI Programs to STA to assist with compliance efforts.
- Subrecipients may choose to adopt STA’s notice to beneficiaries, complaint procedures and complaint form, public participation plan, and language assistance plan where appropriate.
- Operational differences between STA and subrecipient may require, in some instances, that the subrecipient tailor its language assistance plan to meet the needs of the individuals being served.
- Subrecipients shall submit a copy of the board resolution, meeting minutes, or similar documentation as evidence that the Title VI Plan has been approved.
- Subrecipients shall develop and submit to the primary recipient a list of complaints, investigations, or lawsuits.
- Subrecipients that have transit-related, non-elected planning boards, advisory councils, or committees, the membership of which is selected by the subrecipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.
- Subrecipients must submit all the above information to STA on schedule and may be electronic at the option of the primary recipient.

### Title VI Plan Contents

Every Title VI Plan shall include the following information (C4702.1B Pg. III-2):

1. A copy of the subrecipient’s public notice that indicates they comply with Title VI and informs members of the public of their protections against discrimination afforded to them by Title VI.
  - a. Include a list of locations where the notice is posted.
  - b. Include Safe Harbor languages.
2. A copy of the recipient’s instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.
3. A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission.
  - a. This list should include only those investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin in transit-related activities and programs and that pertain to the recipient submitting the report, not necessarily the larger agency or department of which the recipient is a part.
4. Most recent census data to identify demographics of service area.
  - a. Include information on minority, language spoken at homes, and income.
5. A public participation plan that includes an outreach plan to engage minority and Limited English

with all of the following requirements under Title VI of the Civil Rights Act of 1964:

- Title VI of the Civil Rights Act of 1964 as amended (42 U.S.C. 2000d et seq.)
- U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of the Title VI of the Civil Rights Act,” 49 CFR part 21
- FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.”
- U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005)
- FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients.”
- U.S. DOT Order to Address Environmental Justice in Minority Populations and Low- Income Populations

As part of developing a Section 5310 agreement, STA will meet with each subrecipient to review and discuss applicable Section 504 and ADA requirements.

## Section 10 - Other Provisions

Grant Recipients will ensure compliance with all applicable federal regulations throughout the length of the project to include the following:

### Transfer of Funds

Safeguards will be followed to ensure that any transferred funds are used solely for Section 5310 projects. Funds transferred to other FTA programs are not permitted. Funds apportioned to large UZAs may not be transferred to other areas within the program, such as small UZAs or rural areas, but the State may transfer funds from small UZAs and rural areas to large UZAs if the State has established a statewide program for meeting the objectives of the Section 5310 program. STA may only transfer apportioned funds after consulting with responsible local officials, publicly owned operators of public transportation, and nonprofit providers in the area from which the funds to be transferred were originally apportioned.

### Environmental Protection

The Federal Transit Administration (FTA) has stated that most projects and activities funded through the Section 5310 program do not normally involve significant environmental impacts and are termed “categorical exclusions (CEs).” Projects that have been categorically excluded are exempt from the requirement to prepare an environmental assessment. Spokane Transit Authority (STA) will certify to FTA in the annual Certifications and Assurances that all projects in its application for Section 5310 funds are CEs under 23 CFR 771.117(c), unless otherwise noted.

For projects that will likely qualify as a CE under 23 CFR 771.117(d), including projects involving construction or expansion of facilities, STA and its subrecipients will provide documentation to FTA for approval that clearly demonstrates that the stated conditions or criteria are met and that no significant adverse effects will result from the project. For any projects awarded Section 5310 funding found not to be a CE, STA and its subrecipients will consult with FTA to complete all necessary documentation and reviews to conform to applicable environmental protections as required.

### Buy America

49 U.S.C. 5323(j) provides that, with exceptions, federal funds may not be obligated for public transportation projects unless steel, iron, and manufactured products used in such projects are produced in the United States. Buy America requirements apply to all purchases, including materials or supplies

## Attachments

The following list of attachments are incorporated by reference in the Spokane Transit Authority Section 5310 Program Management Plan. Please note that these documents include samples and are subject to revision.

ATTACHMENT A: Spokane Urbanized Area (UZA) Map

ATTACHMENT B: Section 5310 Designated Recipient Authorization

ATTACHMENT C: Subrecipient Monitoring and Oversight Procedures

ATTACHMENT D: Section 5310 Subrecipient Billing Standard Operating Procedures

ATTACHMENT E: Section 5310 Vehicle Procurement and Transfer for Qualified Subrecipients

This PMP references a variety of forms and documents that support the PMP but are not included in this document. The latest versions of the forms and documents can be found on STA's Section 5310 page:

<https://www.spokanetransit.com/section-5310-program>

NC  
JW

CHRISTINE O. GREGOIRE  
Governor



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December 20, 2012

Mr. Richard Krochalis  
Regional Administrator  
Federal Transit Administration  
Jackson Federal Building  
915 Second Avenue, Suite 342  
Seattle, WA 98174-1002

Dear Mr. Krochalis:

In accordance with the Federal Transit Act [49 USC Section 5302(4)], this letter identifies the Spokane Transit Authority as the designated recipient of FTA Section 5310 funds, for the Spokane urbanized area. This designation follows the concurrence of the Spokane Regional Transportation Council as the federally designated Metropolitan Planning Organization for Spokane County.

Sincerely,

A handwritten signature in cursive script that reads "Christine O. Gregoire".

Christine O. Gregoire  
Governor

cc: E. Susan Meyer, CEO, Spokane Transit Authority  
Kevin Wallace, Executive Director, Spokane Regional Transportation Council  
Paula Hammond, Secretary, Washington State Department of Transportation

DEC 26 2012 AM 11:30



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Implementation Date:	11/1/2020
Last Revision Date:	N/A

- DUNS/EIN number,
- Suspension/Debarment, DBE, and Title VI certifications,
- Buy America certification (for construction and vehicle procurement projects only),
- Documentation signed by the organization’s authorizing official (e.g. CEO or Board member) certifying the amount and funding source for the local share (match) commitment to include a clear description of any in-kind match contribution,
- Completed budget with sufficient narrative explanations for calculations used to determine the appropriate federal and local share of all project costs (by project type),
- Copy of the organization’s federally approved indirect cost allocation plan (if such costs are included in the budget),
- Copy of the organization’s most recent single audit (or audited financial statements, as applicable), including any management letters.

The Assistant Transit Planner shall provide a signed checklist to the Principal Transit Planner that includes a YES/NO response for each requirement listed above. The checklist will also be signed by the Principal Transit Planner and filed in the Section 5310 folder in share point. ***\*Only applications that meet these requirements will be forwarded to the scoring committee.***

If an application is not selected for consideration, the Principal Transit Planner will forward a letter to the organization listing the reason(s) for denial and the appeal process.

### Grant Application Scoring Procedures

Applications will be scored in accordance with criteria listed in Spokane Transit’s Section 5310 Program Management Plan. Two scoring checklists will be completed:

- 1) Project Application Checklist – which shall be completed by the Scoring Committee, and
- 2) Risk Assessment Checklist – which shall be completed by the Assistant Transit Planner and certified by the Principal Transit Planner.

Both checklists shall be completed prior to the Spokane Transit Planning & Development Committee meeting where Section 5310 funding recommendations are considered. Both checklists will be filed in the Section 5310 folder in share point.

### Grant Agreement Procedures

- 1.) The Assistant Planner shall submit the agreement template request to the Contract Compliance Specialist when:
  - A FAIN (Federal Award Identification Number) has been assigned in TrAMS to that fiscal year’s allocation, and
  - Funding recommendations have been approved by the STA Board.
- 2.) This request will be forwarded to the Principal Transit Planner with the following documentation: a screenshot from the System of Award Management (SAM) website that verifies that the

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The Assistant Planner will send a request for any project deliverables **within 90 days of when the agreement is executed**. This will include, but is not limited to:

- The organization’s Title VI Program Plan/Procedures, or
  - Certification from the subrecipient’s authorizing official stating that the organization has adopted STA’s Title VI Plan. Any modifications to this plan will be approved in advance.
- Also-
- Quarterly Reporting Schedule, template, and instructions
  - Monitoring Schedule

### Invoices

Requests for reimbursement will be directed to the Assistant Transit Planner for eligibility review and internal processing. Reimbursement requests shall include appropriate and sufficient documentation to verify that the expenses are both allowable and allocable. Any questions or concerns should be forwarded to the Principal Transit Planner for response.

### Monitoring Reviews

A monitoring schedule (and tracking sheet) shall be prepared and maintained by the Assistant Transit Planner. This tracking sheet shall include the dates, scope (vehicle records, financial, program performance), review status (open/closed), and contact information for each subrecipient.

Monitoring review summary letters shall be sent to subrecipients **no later than 30 days** after the monitoring review. These letters will include the date of the review, scope, and any findings or recommendations. These letters shall be signed by the Principal Transit Planner.

### Grant Closeout & Reporting

The Principal Transit Planner will review the Section 5310 tracking sheets and financial reports each quarter to determine the timing of each project year grant closeout. The Principal Transit Planner shall consult with the Accounting/Finance Manager to reconcile project and program financial grant balances, as needed.

The Assistant Transit Planner will be responsible for preparing the annual Section 5310 reports that are submitted to the FTA by the Principal Transit Planner in TrAMS.

The Assistant Transit Planner and the Principal Transit Planner will conduct a desk audit to see if any program or project deliverables are pending prior to closing out the grant in TrAMS.



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2. To ensure timely spend down of grant funding, reimbursements shall be made on a monthly basis, *unless prior written approval is provided by Spokane Transit Authority.*
3. Requests for reimbursement shall be submitted using the 'Section 5310 Project Billing Workbook' provided to the subrecipient by Spokane Transit Authority (see Billing Documentation Section below for details).
4. Requests for reimbursement will include actual amounts posted to the subrecipient's general ledger (as the primary source for all invoice amounts).
5. Requests for reimbursement shall clearly delineate the amount (and source) of all matching funds.

## Reasonableness Criteria

It is the policy of the Spokane Transit Authority to only reimburse subrecipient expenses that have been determined to be reasonable per 2 CFR Part 200.404 as follows:

"...In determining reasonableness of a given cost, consideration will be given to:

- (a) Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the non-Federal entity or the proper and efficient performance of the Federal award.
- (b) The restraints or requirements imposed by such factors as: sound business practices; arm's-length bargaining; Federal, state, local, tribal, and other laws, and regulations; and terms and conditions of the Federal award.
- (c) Market prices for comparable goods or services for the geographic area.
- (d) Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the non-Federal entity, its employees, where applicable its students or membership, the public at large, and the Federal Government.
- (e) Whether the non-Federal entity significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the Federal award's cost..."

Subrecipients who have questions regarding reasonableness of project costs are encouraged to contact STA *prior* to incurring the cost. Costs that are considered unreasonable will not be reimbursed.

## Allowable Use of Funds Segregating Unallowable from Allowable Costs

The following steps shall be taken to identify and segregate costs that are allowable and unallowable for each Section 5310 subrecipient agreement.

Prior to the first disbursement, the Assistant Planner will:

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12. The Assistant Transit Planner will sign the billing packet for approval and enter into Tyler Munis.

## Criteria for Allowability

It is the policy of STA to only reimburse expenses that have been determined to be allowable per executed agreements and 2 CFR Part 200 Subpart E – Cost Principles, General Provisions for Selected Items of Cost §200.420 - §200.476.

## Billing Documentation

Requests for reimbursement shall be signed by an authorized official of the subrecipient organization using the Section 5310 Invoice and Budget Reporting Workbook provided to the subrecipient by Spokane Transit Authority. Subrecipients will be required to submit a written explanation to address any line items in the Invoice & Budget Reporting Workbook that are not within 10% of the month's variance. This explanation shall be submitted along with the reimbursement request for the month that the variance occurs. The applicable page (for the month) shall be submitted electronically to Section5310@spokanetransit.com and will include supporting documentation as follows:

Salaries and Benefits – Time sheets and personnel activity reports shall serve as the basis for charging salaries and benefits directly to the Section 5310 project award.

Subrecipients are required to submit copies of time sheets and accompanying personnel activity reports with billing requests which reflect all project/program(s) directly benefitting from their time and effort. These time sheets shall be signed by both the employee and the employee's supervisor.

Mileage – Copies of mileage sheets which detail the date, purpose, miles driven, and unique participant identifier shall be submitted with each request for reimbursement. Mileage will be reimbursed at the applicable Federal rate.

Equipment – Copies of invoices.

*Equipment purchased for exclusive use on the federal award and reimbursed by STA shall be accounted for as a direct cost of that award (i.e., such equipment shall not be capitalized and depreciated).*

Other Costs – Other project costs (e.g., office supplies, marketing expenses, rent, utilities, etc.) must be identified in the executed agreement and/or project budget. Copies of invoices.

Subrecipients will be required to submit a Monthly Beneficiary Data Report on the 20<sup>th</sup> day of each month. This report will be required to process the reimbursement requests.

## (Local) Cost Sharing and Matching Funds Requirements

Any shared costs (matching funds), including cash and third-party in-kind contributions, will be accepted as part of the Section 5310 subrecipient's (local) cost share or matching requirement when such contributions meet all the following criteria:

# Spokane Transit Authority

Section 5310 Subrecipient Invoice

Approval Routing Form

Submitting Department: Planning and Development

Date:

Contact Person: Principal Transit Planner

STA Agreement #:

Project/Program Title:

**CONTRACT INFORMATION:**

	<i>(To be completed with 1<sup>st</sup> Disbursement)</i>	Staff Initials	Date
Contract Term:			
FTA Award # (FAIN):			
Project Type:			
Required Local Match %:			
Indirect Cost Rate (ICR) %:			
ICR Approval Date:			
General Ledger Verified			

**INVOICE BACKGROUND:**

	Yes	No	N/A	Staff Initials	Date
Allowable Costs					
Approved Line Items as listed in Section 5310 Project Billing Workbook dated:					
Approved Line Items					
Monthly Beneficiary Data Report Included					
Credits Included					
Match Contribution Verified					
Budget Variances < 10%					
Supporting Documentation Attached <i>(required)</i>					
Project Billing Ledger Attached <i>(required)</i>					

**SUMMARY:**

**Requested Action:**

Review Signatures:

\_\_\_\_\_  
Assistant Transit Planner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Principal Transit Planner

\_\_\_\_\_  
Date



## 1. Scope

Section 5310 is a federal grant program provided by the Federal Transit Administration (FTA). The goal of the FTA 5310 Program is to improve the mobility of seniors and individuals with disabilities by removing barriers to transportation services and expanding the transportation mobility options available. Eligible projects include the procurement of accessible vehicles and related equipment. Eligible applicants include private nonprofits organizations, states or local government authorities and operators for public transportation. This procedure covers the procurement, acceptance, registration, delivery, and transfer of vehicles for and to subrecipients that qualify under the Section 5310 program and applies to STA positions responsible for the procurement, acceptance, registration, delivery, and transfer of vehicles under this program.

## 2. Procedures

### Vehicle Procurement

- a. STA Assistant Transit Planner-Planning & Grants (PG) will work with the Washington State Department Enterprise Services (DES) vendor or other qualified vendor and subrecipient to identify the vehicle specifications.
- b. The DES or other qualified vendor will provide a quote/proposal to the Assistant Transit Planner-PG for the cost of the vehicle.
- c. The Assistant Transit Planner-PG will prepare an Approval Routing Form (ARF) which includes background and financial information of the project. It should be noted that in accordance with FTA Circular 9070.1G Section 16b(1), the federal share for vehicles complying with American Disability Act (ADA) requirements is 85% with a local match requirement of 15% from the subrecipient.
- d. The ARF will also include attachments as follows:
  - i. The executed Section 5310 Subrecipient Vehicle Purchase Agreement
  - ii. Independent Cost Estimate (ICE)
  - iii. Vehicle Quote
  - iv. System for Award Management (SAM) verification
- e. The ARF will be submitted to the Contracts Compliance Specialist to be routed for approval to the Principal Transit Planner-PG, Chief Planning and Development Officer, Senior Procurement Manager, Chief Financial Officer, and Chief Executive Officer.
- f. When the ARF is approved, the Assistant Transit Planner-PG may enter a purchase requisition in the enterprise resource planning (ERP) software system for the electronic routing of approvals.
- g. Email ARF to the Senior Financial Services Manager

### Vehicle Delivery and Acceptance

- h. The Assistant Transit Planner-PG will coordinate with the DES vendor or other qualified vendor for information on vehicle build process and estimated delivery.
- i. Once the build process is complete, the DES vendor or other qualified vendor typically notifies the Assistant Transit Planner-PG of the expected vehicle delivery date:
  - i. The Assistant Transit Planner-PG will inform the DES vendor or other qualified vendor of the delivery address (typically 1229 W Boone Ave., Spokane, WA 99201) and mention that all original documents must be submitted to STA.
  - ii. The Assistant Transit Planner-PG will notify the Senior Vehicle Maintenance Manager and Maintenance Administration Assistant of the expected delivery date.
  - iii. The Assistant Transit Planner-PG will notify the subrecipient of the expected delivery date and provide the Vehicle Identification Number (VIN) for insurance purposes and inform the subrecipient that they will be responsible for all subsequent fees.
- j. The DES vendor will submit an invoice to STA for the cost of the vehicle. The Assistant Transit Planner-PG will confirm Buy America requirements have been met before processing this invoice with the accompanying Purchase Order number.
- k. The Assistant Transit Planner-PG will request an invoice be issued from the Senior Financial

subrecipient's project file:

- i. Procurement ARF
  1. The executed Section 5310 Subrecipient Vehicle Purchase Agreement
  2. Independent Cost Estimate (ICE)
  3. Vehicle Quote
  4. SAM verification
- ii. DES invoice to STA
- iii. STA invoice to subrecipient for local match
- iv. Vehicle Condition Report
- v. Certificate of Origin
- vi. Bill of Sale
- vii. Receipt of Vehicle
- viii. Vehicle Registration
- ix. Odometer Disclosure/Title Extension Statement
- x. Local match payment (check)
- xi. Subrecipient proof of insurance
- xii. Vehicle Title Application
- xiii. Warranty documents (if applicable)
- xiv. Registration Certificate
- xv. Temporary Registration
- xvi. Copy of Receipt of Registration payment
- xvii. Signed Receipt of Vehicle document
- xviii. Photos of vehicle detailing its condition

**Vehicle Title Transfer to Subrecipient**

- z. The Assistant Transit Planner-PG shall continuously monitor the vehicle to determine the remaining useful service life and disposition of the Section 5310 funded vehicle. This is done by conducting on-site vehicle inspections, collecting vehicle mileage logs, and collecting maintenance records provided by subrecipient on a quarterly basis.
- aa. The Assistant Transit Planner-PG shall prepare and certify a project closeout checklist when the vehicle has reached the end of its useful service life. To determine the end of the vehicle service life, an odometer photo will be used to verify the useful service life mileage. Assistant Transit Planner-PG will review the Section 5310 Program Management Plan (PMP) to determine if the vehicle meets the service life or mileage transfer thresholds. This information is obtained from the referenced FTA Circular.
- bb. The Assistant Transit Planner-PG shall prepare an ARF including a short narrative summarizing the vehicle's purpose and use, title transfer justification, and supporting documentation that includes Section 5310 subrecipient agreement and project closeout checklist shall be approved by the Assistant Transit Planner-PG, Principal Transit Planner-PG, and Chief Planning and Development Officer.
- cc. The Assistant Transit Planner-PG shall submit a copy of the fully executed ARF to the Accounting Specialist to receive the vehicle's title.
- dd. The Assistant Transit Planner-PG shall obtain the Senior Procurement Manager's signature on the vehicle title.
- ee. The Assistant Transit Planner-PG shall meet with the subrecipient at the DOL to obtain a signature on STA's Transfer As-Is Document and make copies for STA's records prior to releasing the vehicle to the subrecipient.
- ff. The Assistant Transit Planner-PG will submit a copy of the fully executed documents including the ARF, copy of signed title, and a copy of the new title, which shows the subrecipient as the owner, to the Senior Financial Services Manager.
- gg. The Assistant Transit Planner-PG shall file a copy of the fully executed documents in the subrecipient's project closeout folder.