



METRO

Capital Metropolitan Transportation Authority

Program Management Plan

For The

Austin Urbanized Area

Job Access and Reverse Commute (JARC) and
New Freedom Programs

Draft

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INTRODUCTION

The Program Management Plan (PMP) is a document that describes the designated recipient's policies and procedures for administering the Federal Transit Administration (FTA) Section 5316 Job Access and Reverse Commute (JARC) Program and the Section 5317 New Freedom Program. The PMP is in accordance with requirements identified in the programs' respective FTA Circulars C 9050.1 and 9045.1. This PMP is designed to meet federal requirements and facilitate Capital Metro's management and administration of the JARC and New Freedom programs. It will also serve as a guide to the general public and prospective applicants and to assist FTA in its oversight responsibilities by documenting Capital Metro's policies and procedures for administering these programs.

STATUTORY AUTHORITY

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, Pub. L. 109-059), enacted on August 10, 2005 and codified at 49 U.S.C Chapter 53, authorizes §5316, the Job Access and Reverse Commute (JARC) Program and §5317, the New Freedom Program. The JARC program is meant to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities. The purpose of the New Freedom program is to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society.

PROGRAM GOALS AND OBJECTIVES

The JARC and New Freedom programs will be administered towards the adopted goals and objectives identified in the Locally Developed, Coordinated Public Transit-Human Services Transportation Plan, *Regional Transportation Plan for the Capital Area*. The Regional Transportation Plan for the Capital Area identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.

The Capital Area Metropolitan Planning Organization (CAMPO) is the Metropolitan Planning Organization (MPO) for the Austin Urbanized Area serving the central Texas counties of Williamson, Travis and Hays. CAMPO is also the lead administrative agency for the Capital Area Regional Transit Coordination Committee (RTCC), created in June 2005 under the combined leadership of the Capital Area Council of Governments (CAPCOG) and the Texas Department of Transportation (TxDOT), Austin District, to provide a seamless coordinated transportation system to efficiently provide comprehensive and user-friendly public and private transportation services. Participants include representatives from more than 25 agencies and organizations that are responsible for providing public transportation services or health and human services, or that are interested in the coordination of public transportation and client transportation services in the Capital Area. The Capital Area includes a 10-county area that covers Llano, Burnet, Blanco, Williamson, Travis, Hays, Lee, Bastrop, Caldwell and Fayette counties.

While CAMPO has made coordination a priority since the inception of the JARC program, SAFETEA-LU mandates the participation and coordination of transportation and non-transportation organizations. The adopted Regional Transportation Coordination Plan for the Capital Area presents a strategy developed in coordination with various transportation, workforce and human service organizations, nontraditional transportation providers, and other

interested partners in the Capital Area. The overriding goal of this strategy was to eliminate transportation barriers that make it difficult for welfare recipients, persons with disabilities, the elderly, and other transit-dependent individuals to find and maintain employment, as well as access to employment and other necessary trips.

This planning process resulted in thirteen strategies, grouped into low, medium, and high priorities listed below, that will guide future regional planning efforts:

ADOPTED GOALS AND OBJECTIVES

Goal	Objective	
1		Preserve and expand transportation services for the public, especially those services that meet the critical needs of the transportation disadvantaged.
	1.1.	Evaluate if coordination among agencies and providers results in a better level of service for existing clients or provides additional services to serve currently unmet transportation needs.
	1.2.	Identify the additional transportation resources made available through coordination and a method of utilizing those resources for preservation and expansion of transportation services.
	1.3.	Annually evaluate and prioritize transportation coordination opportunities.
2		Maintain and improve the quality of transportation services for the public.
	2.1.	Identify, adopt and implement measurement of common performance indicators for a coordinated public transit system.
	2.2.	Propose, implement and evaluate demonstration projects based on the performance indicators.
	2.3.	Identify, adopt and implement minimum training, vehicle, service, operator, privacy and other safety standards and policies for participants in the coordinated public transit system.
	2.4.	Identify and provide annual training opportunities for participants in the coordinated public transit system.
2.5.	Standardize a feedback process to monitor and improve the performance of the coordinated public transit system on an on-going basis; prepare an annual report on the state of the coordinated system.	
3		Secure formal state and local agency agreements to implement coordinated transportation in the Capital Area.
	3.1.	Adopt the Recommended Regional Transit Coordination Plan.
	3.2.	Establish formal written agreements among participating agencies and programs outlining the decision-making process for implementing a coordinated system.
	3.3.	Secure the resources necessary to implement coordinated transportation services in the Capital Area region.
3.4.	Adopt inter-local, inter-agency agreements on cost sharing, funding mechanisms and arrangements for vehicle sharing.	
4		Reduce the duplication of transportation services for the public.
	4.1.	Identify and quantify real or potential savings gained from grouping trips funded by two or more agencies or programs.
4.2.	Identify operational and business functions of services that can be combined across agencies	
5		Increase efficiencies in transportation support services for the public.
	5.1.	Identify and coordinate maintenance and facility services among agencies.
	5.2.	Identify and reduce duplication in administrative services and reporting requirements.
5.3.	Develop a mechanism of regular communications between agencies.	
6		Increase public awareness of mobility options and improve access to transportation services for the public.
	6.1.	Develop and implement a multi-agency marketing plan that advertises the availability of coordinated public transit services.
	6.2.	Provide information and gather feedback on transportation coordination activities on a regular basis.
	6.3.	Provide targeted training and information materials about available transportation services.
6.4.	Create a user-friendly, single-entry phone and website access for trip planning, eligibility, and reservations.	
7		Address funding, regulatory, programmatic and geographic barriers to providing seamless transportation services for the public.
	7.1.	Adopt legislative and regulatory changes that remove regulatory barriers and support coordinated public transit services.
7.2.	Develop a consistent cost allocation model and formulas for funding grouped trips that is fair and cost effective.	
8		Further the state's efforts to reduce air pollution.
	8.1.	Reduce vehicle-miles of travel through the consolidation of trips.
	8.2.	Support the state's efforts to purchase more efficient transit equipment and fuels to improve transit vehicle emission characteristics.
	8.3.	Promote the use of more efficient technologies through the consolidation of resources.
8.4.	Reduce congestion by reducing the number of transit vehicles in service while carrying the same or greater number of person trips.	

ROLES AND RESPONSIBILITIES

Capital Metro was appointed by the Governor of the State of Texas as the designated recipient for JARC and New Freedom funding for the Austin Urbanized Area of central Texas. Capital Metro is a political subdivision of the State of Texas, created in accordance with Chapter 451 of the Texas Transportation Code and is governed by a seven-member appointed Board of Directors. Capital Metro, in partnership with CAMPO, will assume joint responsibilities for administration of the JARC and New Freedom programs.

CAMPO's primary responsibilities include:

- Notifying eligible local entities of funding availability;
- Developing project selection criteria;
- Determining applicant eligibility;
- Conducting an area-wide competitive selection process;
- Certifying fair and equitable distribution of funds resulting from the competitive selection process;
- Certifying that each project selected for funding was derived from the Regional Transportation Plan for the Capital Area; and
- Certifying that the Regional Transportation Plan for the Capital Area was developed through a process that included representatives of public, private, and non-profit transportation and human services providers and participation by the public.

Capital Metro's primary responsibilities involve the management of grants for projects selected for funding, including:

- Submitting an approved program of projects (POP) and grant application to FTA;
- Ensuring that all subrecipients comply with Federal requirements;
- Managing all aspects of grant distribution;
- Providing oversight for subrecipients receiving funds under the programs; and
- Submittal of reports that are required by FTA.

Coordination

The Capital Area Metropolitan Planning Organization (CAMPO) is the Metropolitan Planning Organization (MPO) for the Williamson, Travis and Hays Counties in central Texas. CAMPO was established in 1973 and is governed by the Transportation Policy Board (CAMPO Board) comprised of state, regional and local officials. The purpose of CAMPO is to coordinate regional transportation planning with counties, cities, the Capital Metropolitan Transportation Authority (Capital Metro), the Capital Area Rural Transportation System (CARTS), Texas Department of Transportation (TxDOT) and

other transportation providers in the region and to approve the use of federal transportation funds within the region.

At the direction of the Texas Transportation Commission (TTC), transportation stakeholders in the Capital Area formed the Regional Transit Coordination Committee (RTCC) to develop a plan for a seamless transportation system that identifies opportunities to enhance transportation services by promoting efficiencies, eliminating duplication, increasing coordination, and addressing service gaps. The RTCC members represent more than 25 agencies and organizations that are responsible for providing public transportation services or health and human services, or are interested in the coordination of public transportation and client transportation services in the Capital Area. The RTCC created the *Regional Transportation Plan for the Capital Area* as part of a statewide coordination effort that tasked each region in the State, as defined by the 24 council of government boundaries, to develop a transportation coordination plan based on local needs and priorities.

PROGRAM ELIGIBILITY AND REQUIREMENTS

Eligible Subrecipients

There are three categories of eligible subrecipients of JARC and New Freedom funds, which are no more restrictive than FTA requirements:

- State or local governmental authorities.
- Private non-profit organizations.
- Operators of public transportation services, including private operators of public transportation services.

In addition, applicants are strongly encouraged to partner with other entities, in particular with existing recipients of FTA funding in the region, in order to ensure a strong application as well as compliance with federal funding guidelines.

Eligible Projects

Job Access and Reverse Commute

Eligible projects may include, but are not limited to capital, planning, and operating assistance to support activities such as:

- a. Late-night and weekend service;
- b. Guaranteed ride home service;
- c. Shuttle service;
- d. Expanding fixed-route public transit routes;
- e. Demand-responsive van service;
- f. Ridesharing and carpooling activities;

- g. Transit-related aspects of bicycling (such as adding bicycle racks to vehicles to support individuals that bicycle a portion of their commute or providing bicycle storage at transit stations);
- h. Local car loan programs that assist individuals in purchasing and maintaining vehicles for shared rides;
- i. Promotion, through marketing efforts, of the:
 - (1) use of transit by workers with non-traditional work schedules;
 - (2) use of transit voucher programs by appropriate agencies for welfare recipients and other low-income individuals;
 - (3) development of employer-provided transportation such as shuttles, ridesharing, carpooling; or
 - (4) use of transit pass programs and benefits under Section 132 of the Internal Revenue Code of 1986;
- j. Supporting the administration and expenses related to voucher programs. This activity is intended to supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment to providers of alternative transportation services. The JARC program can provide vouchers to low-income individuals to purchase rides, including (1) mileage reimbursement as part of a volunteer driver program, (2) a taxi trip, or (3) trips provided by a human service agency. Providers of transportation can then submit the voucher to the JARC project administering agency for payment based on pre-determined rates or contractual arrangements. Transit passes for use on fixed route or Americans with Disabilities Act of 1990 (ADA) complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (Federal/local) match;
- k. Acquiring Geographic Information System (GIS) tools;
- l. Implementing Intelligent Transportation Systems (ITS), including customer trip information technology;
- m. Integrating automated regional public transit and human service transportation information, scheduling and dispatch functions;
- n. Deploying vehicle position-monitoring systems;
- o. Subsidizing the costs associated with adding reverse commute bus, train, carpool van routes or service from urbanized areas and nonurbanized areas to suburban work places;
- p. Subsidizing the purchase or lease by a non-profit organization or public agency of a van or bus dedicated to shuttling employees from their residences to a suburban workplace;
- q. Otherwise facilitating the provision of public transportation services to suburban employment opportunities;

- r. Supporting new mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a non-profit agency could receive JARC funding to support the administrative costs of sharing services it provides to its own clientele with other low-income individuals and coordinate usage of vehicles with other non-profits, but not the operating costs of the service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management 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 coordination services, including employer-oriented Transportation Management Organizations' and Human Service Organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers; (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 supporting programs; and (7) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of Geographic Information Systems (GIS) mapping, Global Positioning System technology, coordinated vehicle scheduling, dispatching and monitoring technologies as well as technologies to track costs and billing in a coordinated system and single smart customer payment systems (acquisition of technology is also eligible as a stand alone capital expense).

New Freedom

New Freedom Program funds are available for capital and operating expenses that support new public transportation services beyond those required by the Americans with Disabilities Act of 1990 (ADA) and new public transportation alternatives beyond those required by the ADA designed to assist individuals with disabilities with accessing transportation services, including transportation to and from jobs and employment support services. For the purpose of the New Freedom Program, "new" service is any service or activity that was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005, as evidenced by inclusion in the Transportation Improvement Plan (TIP) or the STIP. In other words, if not for the New Freedom Program, these projects would not have consideration for funding and proposed service enhancements would not be available for individuals with disabilities.

Eligible projects funded with New Freedom funds may continue to be eligible for New Freedom funding indefinitely as long as the project(s) continue to be part of the coordinated plan.

Both new public transportation services and new public transportation alternatives are required to go beyond the requirements of the ADA and must (1) be targeted toward

individuals with disabilities; and (2) meet the intent of the program by removing barriers to transportation and assisting persons with disabilities with transportation, including transportation to and from jobs and employment services. The list of eligible activities is intended to be illustrative, not exhaustive. Applicants are encouraged to develop innovative solutions to meet the needs of individuals with disabilities in their communities.

New Public Transportation Services Beyond the ADA

The following activities are examples of eligible projects meeting the definition of new public transportation.

- a. Enhancing paratransit beyond minimum requirements of the ADA. ADA complementary paratransit services can be eligible under New Freedom in several ways as long as the services provided meet the definition of “new:”
- b. Expansion of paratransit service parameters beyond the threefourths mile required by the ADA;
- c. Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
- d. The incremental cost of providing same day service;
- e. The incremental cost of making door-to-door service available to all eligible ADA paratransit riders, but not as a reasonable modification for individual riders in an otherwise curb-to-curb system;
- f. Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
- g. Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for common wheelchairs under the ADA and labor costs of aides to help drivers assist passengers with over-sized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600 lb design load, and the acquisition of heavier-duty vehicles for paratransit and/or demand-response service; and
- h. Installation of additional securement locations in public buses beyond what is required by the ADA.

Feeder services

New “feeder” service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.

Making accessibility improvements to transit and intermodal stations not designated as key stations

Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station,

so long as the projects are clearly intended to remove barriers that would otherwise have remained. New Freedom funds are eligible to be used for new accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail and rapid rail. This may include:

- a. Building an accessible path to a bus stop that is currently inaccessible, including curbcuts, sidewalks, accessible pedestrian signals or other accessible features,
- b. Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA,
- c. Improving signage, or wayfinding technology, or
- d. Implementation of other technology improvements that enhance accessibility for people with disabilities including Intelligent Transportation Systems (ITS).

Travel training

New training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.

New Public Transportation Alternatives Beyond the ADA

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

1. Purchasing vehicles to support new accessible taxi, ride sharing, and/or vanpooling programs. New Freedom funds can be used to purchase and operate accessible vehicles for use in taxi, ridesharing and/or van pool programs provided that the vehicle has the capacity to accommodate a passenger who uses a "common wheelchair" as defined under 49 CFR 37.3, at a minimum, while remaining in his/her personal mobility device inside the vehicle, and meeting the same requirements for lifts, ramps and securement systems specified in 49 CFR part 38, subpart B.
2. Supporting the administration and expenses related to new voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Only new voucher programs or expansion of existing programs are eligible under the New Freedom Program. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The New Freedom Program can provide vouchers to individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on pre-determined rates or contractual arrangements. Transit passes for use on existing fixed route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (Federal/local) match.

3. Supporting new volunteer driver and aide programs. New volunteer driver programs are eligible and include support for costs associated with the administration and management of driver recruitment, safety, background checks, scheduling, coordination with passengers, and other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of new enhancements to increase capacity of existing volunteer driver programs are also eligible. FTA notes that any volunteer program supported by New Freedom must meet the requirements of both “new” and “beyond the ADA.” FTA encourages communities to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.
4. Supporting new mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive New Freedom funding to support the administrative costs of sharing services it provides to its own clientele with other individuals with disabilities and coordinate usage of vehicles with other non-profits, but not the operating costs of the service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:
 - a. 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;
 - b. Support for short term management activities to plan and implement coordinated services;
 - c. The support of State and local coordination policy bodies and councils;
 - d. The operation of transportation brokerages to coordinate providers, funding agencies and customers;
 - e. The provision of coordination services, including employer-oriented Transportation Management Organizations’ and Human Service Organizations’ customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;
 - f. 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 supporting programs; and
 - g. Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of Geographic Information Systems (GIS) mapping, Global Positioning System Technology, coordinated vehicle scheduling, dispatching and monitoring technologies as well as technologies to track costs and billing in

a coordinated system and single smart customer payment systems (acquisition of technology is also eligible as a stand alone capital expense).

Administration, Planning and Technical Assistance

In the course of administering projects for subrecipients, the designated recipient (Capital Metro) may include up to 10 percent of the net application project amount to fund program administration costs including administration, planning, and technical assistance. Administration costs may be funded at 100% federal share. Allowable administrative costs may include, but are not limited to, general administrative and overhead costs, staff salaries, office supplies, and development of specifications for vehicles and equipment. Guidance on eligible costs can be found in the Office of Management and Budget (OMB) Circular A-87.

Local Share and Local Funding Requirements

Federal funding for capital, planning and operating expenses that support the development and maintenance of transportation services designed to transport low income individuals to and from jobs and activities related to their employment is available in the JARC program at no more than 80% of the net cost of capital and planning costs. The federal share of the eligible operating costs for the JARC program may not exceed 50% of the net operating costs of the activity.

New Freedom funds may be used to finance capital and operating expenses to provide new public transportation services beyond those required by the ADA. The federal share of eligible capital costs may not exceed 80% of the net capital costs of the program. The federal share of the eligible operating costs for the New Freedom program may not exceed 50% of the net operating costs of the activity.

All of the local share must be provided from sources other than federal Department of Transportation (DOT) funds. Possible sources of eligible local matching funds include: other non-DOT federal funds, dedicated tax revenues, private donations, revenue from human service contracts, net income generated from advertising, and concessions. The non-cash share such as donations, volunteer services and in-kind contributions is eligible to be counted toward the local match. The value of any non-cash share should be documented as representing a cost that would otherwise be eligible under the program, and must be included in the net project cost in the project budget.

PROGRAM OF PROJECTS, SELECTION CRITERIA AND APPROVAL PROCESS

While Capital Metro is the designated recipient of both the JARC and New Freedom programs, Capital Metro partners with CAMPO to conduct the project selection process for both programs. CAMPO is responsible for carrying out an open and fair application process which includes soliciting projects, project review, selecting qualified applicants, prioritizing projects for funding, and adding selected projects into the Transportation Improvement Program (TIP).

Application Process

CAMPO issues a call for projects annually, or as necessary per funding availability, and solicits grant applications for project proposals for the JARC and New Freedom grant programs within the Austin Urbanized area that meet the goals of these Federal Transit Administration programs. Notice of availability and applications are distributed

throughout the region to any and all interested parties and additionally, hosted on CAMPO's website.

CAMPO, in coordination with Capital Metro and TxDOT, also host several pre-application workshops to provide additional information about the programs and process, provide application guidance, and answer questions from prospective applicants. The following represents an example of the application process timeline:

Date	Milestone
March-August 2008	Staff Available to Meet With Potential Applicants to Answer Questions
May 30, 2008	Grant Application Available
June-July 2008	Pre-Application Workshops:
<i>June 26, 2008 2-4 pm</i>	<i>One Texas Center, Room 325, 505 Barton Springs Road, Austin</i>
<i>July 16, 2008 1-3 pm</i>	<i>Capital Metro, Board Room, 2910 E Fifth Street, Austin</i>
<i>July 22, 2008 9-11 am</i>	<i>One Texas Center, Room 325, 505 Barton Springs Road, Austin</i>
October 15, 2008	Applications Due by 5:00 pm
October-November 2008	Technical Review and Scoring of Applications
December 2009	Presentation to CAMPO Board
January 2009	Public Hearing
February 2009	CAMPO Transportation Policy Board Final Decision and Project Awards

Project Evaluation Criteria

After all applications are submitted, they are reviewed and scored by the CAMPO technical sub-committee. The proposed projects are evaluated based on their ability to address each of the following criteria identified in the application:

- Benefit (20 points)
- Sustainability (10 points)
- Coordination and Partnerships (20 points)
- Interconnectivity (15 points)
- Implementation of Capital Area Regional Transit Coordination Plan (10 points)
- Cost Effectiveness (15 points)
- Budget and Project Implementation (10 points)

In addition, applicants must be able to certify that they meet all related FTA requirements, ensure projects serve the Austin Urbanized Area, meet a minimum award threshold of \$50,000, and are consistent with the Regional Transportation Coordination Plan for the Capital Area. Each sub-committee members ranking is combined into an overall score, thus ensuring a fair and distribution of funds.

Approval

The prioritized list is then reviewed and recommended for approval by the Capital Area Regional Transit Coordination Committee (RTCC), and CAMPO's Technical Advisory Committee (TAC), if necessary, prior to final approval by the CAMPO Transportation

Policy board. An approved project list, or Program of Projects, including any pertinent information, is then forwarded to Capital Metro, TxDOT, and respective agencies.

Regional Transportation Improvement Program (TIP)

The TIP is the regionally agreed upon list of priority projects, as required by federal law. The TIP document must list all projects that intend to use federal funds, along with non-federally funded projects that are regionally significant. The projects are multi-modal; that is, they include bicycle, pedestrian, freight related projects, and innovative air quality projects, as well as the more traditional highway and public transit projects. JARC and New Freedom programs are lump-summed based on estimated total program funding as referenced in the most current authorizing legislation. Once the projects are approved through the application process, they are added individually in the TIP accordingly.

Grant Award

Based on the approved Program of Projects, Capital Metro will then prepare and submit a formal grant application to FTA through TEAM, FTA's online grant management system, for review and grant award.

Program Funds

The Federal Transit Administration apportions funds nationally by formula based on the number of welfare recipients and other individuals with lower incomes, and individuals with disabilities for JARC and New Freedom programs. Sixty percent of the funds under each program are apportioned to designated recipients (such as Capital Metro) in urbanized areas with population of 200,000 or more (such as the Austin Urbanized area). Twenty percent of the funds are apportioned to states for urbanized areas with population of 50,000 to 200,000. Twenty percent of the funds are apportioned to states for non-urbanized areas. The programs will be funded by the available amounts published in the Federal Register for FTA Fiscal Year Apportionments and Allocations and Program Information.

Transfer of Funds

Capital Metro does not currently have a policy to transfer any program funds to FTA Section 5311 or 5307 or allow for the transfer of flexible funds.

Private Sector Participation

Federal law requires the public to be involved in the transportation planning process, and specifically requires that private providers be provided an opportunity to be consulted in developing transportation plans and programs in both urbanized and rural areas. Capital Metro and CAMPO's public involvement process is proactive and provides complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement throughout the transportation planning and programming process.

CIVIL RIGHTS

Capital Metro and its subrecipients will certify compliance with the requirement of Title VI, Equal Employment Opportunity, (EEO), and Disadvantaged Business Enterprise (DBE) laws and regulations. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race,

color and national origin for programs and activities receiving Federal financial assistance. Six Federal laws enacted between 1964 and 1991 comprise the Federal Equal Employment Opportunity (EEO) program, which prohibit job discrimination passed on race, color, religion, sex, national origin, age, disabilities and provide for monetary damages in cases of intentional employment discrimination.

Title VI

To ensure compliance with DOT civil rights regulations (49 CFR 21.5(2), 49 CFR 21.5(7), and 49 CFR 21.9(b)), and the DOT Order on Environmental Justice, FTA requires Capital Metro to document that FTA funds are distributed without regard to race, color, and national origin. To fulfill this requirement, Capital Metro and its subrecipients are required to maintain a Title VI Program in compliance with FTA Circular 4702.1A entitled "Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients."

Equal Employment Opportunity (EEO)

Recipients and subrecipients with 50 or more employees that have received in the previous Federal fiscal year FTA grants, cooperative agreements, or contracts totaling over \$250,000, must develop and submit for approval to FTA an EEO program in accordance to FTA Circular 4704.1. Capital Metro is required to comply with this requirement and it also applies to contractors (with more than 50 employees) that are engaged in providing transit services and receive funds under federal grant assistance. Areas covered by the EEO program are specified in FTA Circular 4704.1, "Equal Employment Opportunity Program Guidelines for FTA Recipients." The required EEO components are outlined in Chapter III of FTA Circular 4704.1.

Disadvantaged Business Enterprise (DBE)

As Capital Metro receives planning, capital, and/or operating assistance and will award prime contracts exceeding \$250,000 in FTA funds in a fiscal year, DOT regulations require Capital Metro as the recipient to have a DBE program. Additionally, all subrecipients of Capital Metro that receive planning, capital, and/or operating assistance and will award prime contracts exceeding \$250,000 in FTA funds in a fiscal year must also have a DBE program.

Capital Metro has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the US Department of Transportation (DOT), 49 CFR Part 26. It is Capital Metro's policy:

- To ensure non-discrimination in the award and administration of DOT assisted and locally funded contracts
- To create a level playing field on which DBEs can compete fairly for DOT assisted and locally funded contracts
- To ensure that the DBE program is narrowly tailored in accordance with applicable law
- To ensure that only firms that fully meet 49 CFR part 26 eligibility standards are permitted to participate as DBEs
- To help remove barriers to the participation of DBEs in DOT assisted and locally funded contracts
- To assist the development of firms that can compete successfully in the marketplace outside the DBE program

The DBE Program is intended to provide contracting opportunities to small businesses owned and controlled by socially and economically disadvantaged individuals and women as required by the United States Department of Transportation's mass transit financial assistance programs.

Capital Metro exercises an active oversight role with regard to the DBE participation in the procurement process. Capital Metro requires that all subrecipients comply with 49 CFR Part 26 and, therefore, provides assistance to subrecipients in locating DBE subcontractors from which they are purchasing goods, services, or equipment.

Subrecipients are required to submit periodic reports on DBE utilization throughout the life of the contract in the form, manner and time prescribed by the Business Development Manager/DBE Officer.

Additionally, in accordance with FTA Circular 4716.1A, DBE Audit Requirements, all contractors on Capital Metro federally-funded projects with DBE utilization goals must submit a Vendor Payment Report form to Capital Metro with each invoice or request for payment. Subrecipients are required to submit these reports directly to Capital Metro.

SECTION 504 AND ADA REPORTING

Capital Metro agrees to comply, and assures the compliance of each third party contractor and each subrecipient at any tier of a project, with the applicable laws and regulations, discussed below, for nondiscrimination on the basis of disability.

1. Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended (29 U.S.C. 794), prohibits discrimination on the basis of disability by recipients of Federal financial assistance.
2. The Americans with Disabilities Act of 1990 (ADA), as amended (42 U.S.C. 12101 et seq.), prohibits discrimination against qualified individuals with disabilities in all programs, activities, and services of public entities, as well as imposes specific requirements on public and private providers of transportation.
3. U.S. DOT regulations implementing Section 504 and the ADA include 49 CFR parts 27, 37, and 38. Among other provisions, the regulations specify accessibility requirements for the design and construction of new transportation facilities; require that vehicles acquired (with limited exceptions) be accessible to and usable by individuals with disabilities, including individuals using wheelchairs; require public entities, including a private non-profit entity as a subrecipient providing fixed-route service, to provide complementary paratransit service to individuals with disabilities who cannot use the fixed-route service; and include service requirements intended to ensure that individuals with disabilities are afforded equal opportunity to use transportation systems. In addition, recipients of any FTA funds should be aware that they also have responsibilities under Titles I, II, III, IV and V of the ADA in the areas of employment, public services, public accommodations, telecommunications, and other provisions, many of which are subject to regulations issued by other Federal agencies.

PROJECT MANAGEMENT AND MONITORING

Certifications

Certifications and assurances are required for all federal grant recipients, subrecipients, contractors, and subcontractors with grants or contracts exceeding \$100,000. Each fiscal year, FTA publishes an Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements. Capital Metro submits their certifications and assurances to the FTA electronically through TEAM. Copies of signed certifications and assurances must be obtained by Capital Metro from all subrecipients prior to executing a subrecipient agreement.

Subrecipient Agreement

Capital Metro will develop and execute subrecipient agreements with all subrecipients awarded funding under the JARC or New Freedom Programs. The subrecipient agreements for capital and planning projects will detail the scope of work of the project. Agreements for operating assistance will outline the type of service provided by the subrecipient, the time period covered by the agreement, and the service area. All subrecipient agreements will include the funding amounts awarded. Any expenses incurred in excess of the budgeted amounts are the sole responsibility of the subrecipient.

Program Measures

Job Access and Reverse Commute (JARC)

FTA measures required to be reported for the JARC program are:

- a. Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of JARC projects implemented in the current reporting year.
- b. Actual or estimated number of rides (as measured by one-way trips) provided as a result of the JARC projects implemented in the current reporting year.

New Freedom

FTA measures required to be reported for the New Freedom program are:

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

Reporting Requirements

Subrecipients are required to report on various items on a monthly basis, at least once every quarter, as identified in the subrecipient agreement. In addition to the measures mentioned above under the section "Program Measures", the following performance measures shall be reported to the Capital Metro with the submittal of each monthly invoice where applicable:

- Passengers per day
- Average passenger revenue
- Net Cost per passenger
- Annual vehicle miles traveled
- Revenue service hours provided.

A brief narrative of monthly activities shall also be submitted by the grantee (with invoices) to Capital Metro. Information included in the narrative would contain such items as coordination efforts with employers or other transportation providers, marketing or public awareness efforts, service or schedule revisions made during the period. Capital Metro will utilize this information to prepare necessary quarterly financial and milestone reports submitted to FTA as required per FTA Circular 5010.1D, "Grant Management Requirements."

Performance Standards

All subrecipients are required to report performance on a monthly basis, at least once every quarter. Comparisons will be made among services based on the above reporting requirements. Since JARC and New Freedom services may vary widely in trip length and by time of day, it is recognized that some types of services will always be less financially productive but none the less important for access to jobs by those who rely on them.

Project Monitoring and On-Site Reviews

Capital Metro shall monitor subrecipients' compliance with Federal requirements through:

- Careful scrutiny of plans, reports, and certifications submitted to Capital Metro under the provisions of those regulations, and discussion with subrecipients to clarify all requirements.
- Review of monthly, quarterly and final reports and invoices sent for payment of costs incurred.
- Quarterly meetings with grant recipients, one of which may be a site visit.
- Reviewing and approving any materials developed by subrecipients in connection with their project. This shall include but is not limited to any Request for Proposals (RFPs) and 3rd party contractual agreements related to the project.

Throughout the project's progress, Capital Metro shall offer subrecipients program guidance and provide or arrange for technical assistance, should this be needed.

FINANCIAL MANAGEMENT

Accounting Process

All funding for expenses incurred under both programs is provided on a reimbursement basis. Capital Metro will reimburse the subrecipient with the federal funds based on the proportions identified on the grant agreement. Subrecipients will retain the original receipts for all eligible project expenditures. In the case of capital projects, subrecipients must attach copies of vendor invoices to reimbursement requests. Subrecipients receiving operations assistance should submit copies of all vendor invoices.

Procurement

Capital Metro as an FTA grantee uses its own procurement procedures reflecting applicable state and local laws and regulations, subject to the FTA requirements that the procedures ensure competitive procurement and conform to applicable federal law, including 49 CFR Part 18, specifically Section 18.36, and FTA Circular 4220.1F, "Third Party Contracting Guidance."

The procurement procedures used by subrecipients must ensure competitive procurement and conform to applicable federal law. The FTA requirements and standards apply to the procurement of all supplies, equipment and services funded by FTA. Purchasing of equipment may be done directly by the subrecipient, with Capital Metro oversight. The subrecipient will ensure that purchases are made competitively and that every contract that the subrecipient enters into contains all applicable federal and state required clauses, and any certifications required.

Vehicle Use

To the extent that subrecipients purchase vehicles for their JARC or New Freedom programs, vehicles must be maintained and used for the intended purpose under which they are purchased. Maximum use of vehicles is encouraged, first for program related purposes, then other federal programs and project purposes. Capital Metro is responsible for ensuring that the subrecipient is maintaining continuing control over vehicles and that the vehicles are being utilized for eligible public transit purposes.

If any vehicles are to be removed from service prior to the end of their useful life, the subrecipient must notify Capital Metro prior to doing so. The subrecipient will remit the federal share of the current market value of the vehicles to Capital Metro. If vehicles are to be removed from service at the end of, or after useful life, subrecipient will notify Capital Metro.

Capital Metro will maintain an inventory list of all vehicles purchased under the JARC and New Freedom Programs. Capital Metro will require all subrecipients to submit annual vehicle use reports (miles, hours, passengers, trip purpose) to ensure that vehicles are used in accordance with program requirements.

Maintenance and Disposition

Capital Metro is responsible for ensuring that all vehicles purchased with federal funds are maintained in good operating order. Capital Metro will require subrecipients to follow manufacturer's suggested maintenance schedules to maintain good working order. Capital Metro may also require subrecipients to perform pre-trip inspections of vehicles.

Capital Metro will audit maintenance records of vehicles, and may inspect vehicles during site visits.

Disposition at End of Useful Life

Capital Metro follows FTA guidelines for determining when a vehicle has reached the end of its useful life. A subrecipient may dispose of or utilize a vehicle for another purpose when the vehicle has attained its useful life. Useful life varies depending on the vehicle type. Consult FTA Circular 5010.1D, "Grant Management Requirements" for vehicle useful life guidelines.

Audit

Subrecipients are required to obtain audits of their expenditures and operations annually by an independent audit firm if their agency has expended in excess of \$500,000 in Federal funds. A copy of the audit report will be submitted to Capital Metro. Capital Metro will review the audit reports for compliance with the applicable OMB Circular. The subrecipient is required to resolve any audit findings.

Closeout

Capital Metro will initiate project closeout with subrecipients within 90 days after all funds are expended and all work activities for the project are completed, and similarly initiate program of project closeout with FTA within 90 days after all work activities are completed, following grant closeout procedures identified in FTA Circular 5010.1D, "Grant Management Requirements."

OTHER PROVISIONS

Buy America

Under the Buy America provision applicable to FTA grants, FTA funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States. Rolling stock (including train control, traction power and communication equipment) must be assembled in the United States and have a 60 percent domestic content to be considered a United States product. Capital Metro, in accordance with FTA regulations, requires as a condition of responsiveness, that a bidder submit with its bid a completed Buy America certificate.

Subrecipients that purchase rolling stock for use in JARC or New Freedom projects, must conduct pre-award and post delivery reviews to ensure compliance with specifications and Buy America requirements. Subrecipients will be required to have signed Buy America certificates for any qualifying procurements.

Environmental Protection

Any grants or proposals funded or submitted under this program will complete all assessments and submissions required by the National Environmental Protection Act (NEPA) for any capital project in accordance with FTA's environmental impact regulation (49 CFR part 622, referencing 49 CFR part 771), and guidelines referenced in the respective grant program circulars.

Restriction on Lobbying

Capital Metro, as a recipient of Federal grants and contracts exceeding \$100,000, must certify compliance with U.S. DOT's Restrictions on Lobbying, before it can receive funds. Specifically, Capital Metro must not use federal assistance to pay the costs of influencing any officer or employee of a Federal agency, Member of Congress, officer of Congress or employee of a Member of Congress, in connection with making or extending a Grant Agreement or Cooperative Agreement. In addition, Capital Metro is required to impose the lobbying restriction provisions on its subrecipients and third party contractors.

Drug and Alcohol Testing

Capital Metro, in accordance with 49 CFR Part 655, has a drug and alcohol testing program in place for all safety sensitive employees. The FTA-mandated drug and alcohol testing program is separate from and in addition to the provisions of the Drug-Free Workplace Act (DFWA). Capital Metro must require its contractors and subcontractors with safety sensitive employees to have a drug and alcohol testing program. Subrecipients will be required to submit their drug and alcohol policy to Capital Metro to be reviewed and approved.

Capital Metro will monitor the subrecipient's drug and alcohol program proactively over the course of the subrecipient agreement. At a minimum, the FTA recommends that each contractor be required to provide a copy of its policy; employee and supervisor training documentation; name and location of the collection site, laboratory, MRO, SAP; a description of its random selection process; quarterly management reports summarizing test results; and annual MIS reports. The information that Capital Metro requires will be clearly defined in the contract documents issued by Capital Metro and a conformed copy of the contract, including the specifications, maintained by Capital Metro.

Davis Bacon Wage Rates

The Davis-Bacon Act is applicable to all federally funded construction contracts in excess of \$2,000. This Act requires that each contract for the construction, alteration, or repair (including painting and decorating) of public buildings or public works within the United States shall contain a clause that no laborer or mechanic employed directly upon the site of the work shall receive less than the prevailing wage rate as determined by the U.S. Secretary of Labor. The minimum wages (including fringe benefits) are those determined by the Secretary of Labor to be prevailing for the laborers and mechanics employed on projects of a similar character in the area in which the work is to be performed. Subrecipients will be required to include the prevailing wage rates in contracts for construction in excess of \$2000. Additional guidance can be found in 29 CFR parts 1, 3 and 5.