

# **PROGRAM MANAGEMENT PLAN**

## **Section 5310**

### **Enhanced Mobility of Seniors and Individuals with Disabilities Program**



## **Wichita Urbanized Area**

Wichita Transit

Updated August 2020

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**SECTION 5310  
ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES  
PROGRAM MANAGEMENT PLAN**

**1. BACKGROUND**

The Section 5310 grant program was established in 1975. The program started as a discretionary capital assistance program to award grants to private non-profit organizations 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 Section 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 21<sup>st</sup> Century (TEA-21) 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 21<sup>st</sup> 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 With the passage of MAP-21, the New Freedom program (Section 5317) was repealed and combined with the Federal Transit Administration's (FTA) Section 5310 Transportation for the Elderly and Disabled Grant Program to create the new Enhanced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 Section 5310 funding. Funds are now apportioned to large urban areas, small urban areas and rural areas instead of only to states. MAP-21 required that not less than 55% of a recipient's apportionment be utilized for traditional Section 5310 projects.

The Fixing America's Surface Transportation (FAST) Act is the Department of Transportation's current funding legislation signed into law on December 4, 2015. The FAST Act maintains the changes implemented under MAP-21 to the Section 5310 program. As funds were previously awarded directly made to and managed by the individual states, funding can now be made to metropolitan areas allowing for funding determinations to be made at the local level.

**2. PROGRAM GOALS AND OBJECTIVES**

This FTA program provides grant funding to improve mobility for seniors and individuals with disabilities. In general, the Section 5310 program provide funds to recipients to:

- a. Serve the special needs of seniors and individuals with disabilities beyond traditional public transportation service, where public transportation is insufficient, inappropriate, or unavailable (this is the traditional Section 5310 definition of which at least 55% of funds are to be spent);
- b. Carryout projects or programs that exceed the requirements of the Americans with Disabilities Act (ADA);
- c. Improve access to fixed-route service and decrease reliance on complementary paratransit;
- d. Provide alternatives to public transportation for seniors and individuals with disabilities.

Wichita Transit's goal for the program is to improve mobility for seniors and individuals with disabilities by removing barriers and expanding options. To accomplish this goal, FTA provides funds to carry out the projects planned and designed to meet the special needs of this population. Wichita Transit will update this management plan with special attention given to the Coordinated Plan, in order to make sure the Section 5310 funds are applied to needs identified in the region.

All projects selected for funding must meet the specific program eligibility requirements. They should also describe the means by which the proposed project might be: 1) sustained over the long term; 2) strive to serve hard-to-meet needs; and 3) provide services that are directed at underserved needs of the target populations for the Enhanced Mobility Program.

### **3. PROGRAM MANAGEMENT**

A Program Management Plan (PMP) was developed to guide the designated recipient in administering the Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) Program and award in the Wichita urbanized area. In the Wichita urbanized area, Wichita Transit is the designated recipient of Section 5307 urbanized area formula funds. Wichita Transit has the ability to carry out the responsibilities of the designated recipient for operating, planning and capital funds under the Section 5307 program, and therefore has the ability to carry out the Section 5310 Program as the designated recipient.

This (PMP) describes how Wichita Transit, the designated recipient, will manage the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49.U.S.C. 5310) for the Wichita Urbanized Area. As a Federal Transit Administration (FTA) requirement, the designated recipient must have a PMP on file with the regional office. Updates to the PMP are made regularly in effort to incorporate program changes or new requirements.

While Wichita Transit will manage the Section 5310 award as the designated recipient, the Wichita Area Metropolitan Planning Organization (WAMPO) is responsible for the development and maintenance of the region's Coordinated Public Transit – Human Services Transportation Plan (Coordinated Plan). Wichita Transit will participate in WAMPO committees responsible for maintenance of the Coordinated Plan. Wichita Transit will enter into a memorandum of understanding with WAMPO to administer a

competitive selection process, issue a call for eligible projects, and convene a project selection committee that will recommend projects for funding to the Wichita City Council. Wichita Transit will conduct oversight of sub-recipients and carry out the remaining responsibilities of the Section 5310 program, including the submission of grant applications, receiving and managing awards and implementing contracts with sub-recipients. Wichita Transit will be responsible for making sure the Section 5310 projects are in WAMPO planning documents.

As the designated recipient, Wichita Transit will use up to 10% of the award amount for administrative purposes. Wichita Transit will use the administrative portion to pay for expenses incurred by both Wichita Transit and WAMPO for program management. The 10% eligible for administrative purposes will be calculated annually based on the submission of annual awards.

Wichita Transit will only accept funding requests for the Section 5310 program from eligible recipients that were reviewed through the selection process. Refer to section 6 for eligible activities and section 7 for selection criteria.

Subrecipients will be responsible for meeting the requirements of the FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program and 2 CFR Chapter I, Chapter II, Part 200, 215, 220, 225, and 230: Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards. 2 CFR Chapter I, Chapter II Part 200, et al. is commonly referred to as the Super Circular and replaced 49 CFR Part 18 & 19 or the Common Grant Rule, which is referred to in the 5310 Circular. The following requirements apply under the Section 5310 program:

A. Capital Reserve Accounts

Capital reserve accounts are allowed to be used to replace existing Section 5310 funded equipment as long as no funds from FTA or the sale/lease of FTA funded property is used.

B. Procurement

Any procurement using Section 5310 funds must meet the FTA procurement requirements in C 4220.1. Agreements and purchases over \$25,000 will be subject to the debarment and suspension regulations. Contractors and vendors must not be debarred, suspended or on the excluded parties list in order to be eligible to receive federal assistance. The System for Award Management (SAM) will be checked before award.

C. Financial Management

Wichita Transit, the designated recipient, will be responsible for the financial management of the award program. Requirements of the Super Circular must be met. Wichita Transit will follow the internal control, cash handling, documentation and recordkeeping procedures set by the City of Wichita. The Section 5310 program and the Office of Management and Budget (OMB) cost

principals will be used to determine allowable costs. Wichita Transit will report financial information quarterly through TrAMS and use ECHO to draw down federal funds to reimburse expenditures. Sub-recipients must provide a DUNS number to be eligible for award, and Wichita Transit will report subawards over \$25,000 under the Federal Funding Accountability and Transparency Act (FFATA). The DUNS number is required to make a FFATA report and therefore no entity without a DUNS number will be eligible to receive funds. All awards are subject to audit through Wichita Transit. For recipients that receive more than \$750,000 in federal funds from all sources, an A-133 audit is required and shall be provided to Wichita Transit upon completion.

#### D. Equipment Management, Use and Maintenance

**Management:** Facilities and equipment are allowed to be transferred to other eligible Section 5310 recipients with the consent of the current possessor of the equipment or facilities. The use must meet the requirements of the Section 5310 program for a transfer to be allowed, and the transfer must be reflected in the program of projects. Recipients of vehicles or equipment are responsible for keeping proper records including any applicable procurement documents, maintenance records, agreements with Wichita Transit, insurance documentation and inventory listings. Sub-recipients must show proof of insurance that is adequate for accident liability, general collision and replacement of the Section 5310 funded asset.

**Use:** The stated FTA useful life for vehicles will be used for vehicles purchased under the Section 5310 program. Wichita Transit will be listed as the lienholder for vehicle registration. Wichita Transit will hold the title until the useful life has been reached. When vehicles reach the useful life, the vehicle lien will be released. Subrecipients may not sell or dispose of a vehicle while Wichita Transit holds the lien.

Vehicles and equipment funded under the Section 5310 program must only be used for Section 5310 transportation programs. Vehicles may be made available for other purposes as long as they do not interfere with the program. Recipients of vehicles or equipment must comply with all applicable State of Kansas, Federal Transit Administration and Federal Motor Carrier regulations in regards to operations. Any lease of vehicles must be approved by Wichita Transit and meet the requirements of the Section 5310 Program: C 9070.1G.

**Maintenance:** The subrecipient in coordination with the Wichita Transit will develop a maintenance program with minimum requirements for preventive maintenance upon purchase of the vehicle. Wichita Transit and the subrecipient will consult the manufacturer's suggested maintenance plan when developing requirements. Equipment and vehicles purchased under the Section 5310 program must be kept in good operating condition and all ADA features on vehicles must be promptly repaired. If ADA features have failed, the recipient must make reasonable accommodations for individuals who would

use the ADA features. Wichita Transit will inspect vehicles annually and make onsite visits to review records to make sure the minimum requirements are being met and vehicles are in good operating condition.

E. Reporting Requirements:

Wichita Transit will be required to report on milestone progress and financial status quarterly through TrAMS. Subrecipients will be required to turn in milestone progress reports by the 15<sup>th</sup> of the following months: January, April, July, and October. Any revision in project activities or budgets must be approved by Wichita Transit and submitted in the quarterly report following approval. All civil rights (Title VI, EEO, DBE) compliance issues or complaints must be submitted to Wichita Transit with quarterly reports.

F. Triennial and other FTA Reviews

Wichita Transit is subject to an FTA Triennial Review every three (3) years and other reviews at any time. Other reviews include: financial management review, procurement review, drug and alcohol compliance review, or various civil rights compliance reviews. Subrecipients are subject to all reviews through Wichita Transit.

#### **4. PROGRAM ADMINISTRATION ROLES AND RESPONSIBILITIES**

The FTA headquarters and regional office provides overall policies, guidance, oversight and support for the Section 5310 program.

Wichita Transit and WAMPO share responsibilities through an interagency memorandum of understanding in effort to meet the needs of the Wichita Urbanized Area utilizing Sections 5310 funds. As the designated recipient, Wichita Transit will be responsible for managing the award and perform several administrative functions. Wichita Transit will coordinate with WAMPO and other agencies involved in maintaining the Coordinated Public Transit-Human Services Plan (Coordinated Plan). WAMPO is the lead agency responsible for maintaining the Coordinated Plan, although other transportation providers are stakeholders of the plan and provide input during plan updates. WAMPO will manage the project selection process for the Section 5310 program. Project selections are made via evaluation criteria in the Coordinated Plan.

The following is a description of the roles and responsibilities for the administration of the Section 5310 for Wichita Transit, WAMPO and program subrecipients:

<b>Roles and Responsibilities for the FTA Section 5310 Program</b>			
	WAMPO	WICHITA TRANSIT	Program Subrecipients
Maintain the Program Management Plan		X	
Participate in drafting and be in agreement with the Memorandum of Understanding.	X	X	
Develop the Region's Coordinated Public Transit – Human Services Plan in partnership with area transportation and human services providers and stakeholders	X	X	
Develop and ensure the competitive selection process for the Section 5310 Program projects involve partnership with area transportation and human services providers and stakeholders	X	X	
Involve all affected parties in the notification and selection process	X		
Assemble the Project Evaluation Committee	X		
Issue the Call for Projects	X		
Manage meetings of the project selection committee	X		
Certify that any project recommended for funding is consistent with the Region's Coordinated Human Services Public Transportation Plan developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and non-profit transportation and human services providers, and other members of the public	X		
Determine applicant eligibility	X	X	
Certify allocations are fair and equitable	X	X	
Incorporate selected projects into the metropolitan Transportation Improvement Program (TIP)	X	X	
Prepare the Program of Projects for submission to FTA	X	X	
The City of Wichita Council will act upon the approved program funding selections and approve the application and filing of the Section 5310 program grant		X	
Apply for and receive the FTA award for approved projects		X	
Ensure compliance with federal program guidelines and requirements through inter-local agreements or sub-recipient agreements and meetings		X	
Monitor project activity through periodic site visits to those transit providers that receive Section 5310 funding		X	
Receive, verify, and submit for reimbursement from FTA all eligible project expenses		X	

Receive financial and progress status reports from all sub-recipients		X	
Complete financial and progress status reports in the FTA electronic award management system		X	
Complete other such award administrative actions as necessary to ensure project completion in accordance with federal rules, regulations and circulars		X	
Oversee Audits and Close Outs - Recipients that expended \$750,000 or more in a year in federal financial assistance are required to obtain a single audit in accordance with OMB Circular A-133. Wichita Transit must receive the A-133 single audit reports within nine (9) months of the end of the recipient's fiscal year. If there are findings relative to federally funded activities, any resolutions thereof should be provided to Wichita Transit. Award closure is initiated as soon as all available funds have been expended and the project is considered complete		X	
Comply with all federal and Wichita Transit program, financial and audit requirements and provide the necessary certifications from the recipient's board or management body			X
Evidence demonstrating compliance with all requirements including Civil Rights, Title VI, EEO, DBE, Section 504, and ADA requirements, as required			X
Execute necessary subrecipient or interagency agreements			X
Submit performance/ progress reports on a quarterly basis to Wichita Transit			X
Collect and submit data on required Section 5310 Program performance measures			X
Submit detailed information on program expenses as part of funding requests including formal documentation of all required local match funding			X
Project records will be maintained and reports will be provided to Wichita Transit as required to verify project utilization			X
Provide annual project updates to the Wichita City Council and WAMPO Transportation Policy Body	X	X	

## **5. COORDINATION**

The Coordinated Plan must be developed with involvement from seniors and individuals with disabilities, along with transportation and human services providers. In the Wichita Metropolitan area, WAMPO leads the planning process for this plan. The WAMPO Public Participation Plan outlines the goals and strategies associated meaningful public engagement and updates to the Coordinated Plan.

Eligible projects must be included in the Metropolitan Transportation Plan (MTP), the local Transportation Improvement Plan (TIP) and the Statewide Transportation Improvement Plan (STIP). The TIP will be used as the Program of Projects (POP) for the Wichita Metropolitan area. The Coordinated Plan should be the guiding document for selected projects.

To ensure private participation in the maintenance of the Coordinated Plan and in the call for projects process, Wichita Transit and WAMPO will work with urbanized area transportation/human services providers and stakeholders. All updates to the Coordinated Plan will be made under the direction of a regional steering committee that may include regional planning partners, transportation/human services providers, and other stakeholders. The Coordinated Transit District #9 (CTD) will receive notice of the call for projects for the Section 5310 program. WAMPO will publish additional notices to the public to try to reach other providers, including private operators that are not represented by the CTD. Other than public notices in newspapers and on websites, WAMPO will reach out to organizations that may not directly provide transportation but are considered stakeholders. The list will include but is not limited to:

- Wichita – Sedgwick County Access Advisory Board
- Access to Health Transportation Committee
- Sedgwick County Developmental Disability Organization Affiliate Network

## **6. ELIGIBLE SUBRECIPIENTS**

Any state or local government authority, private non-profit organization, and/or operator of public transportation with the Wichita urbanized area is eligible to apply for grant funding. Transportation service shall be designed to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate.

## 7. ELIGIBLE TYPES OF PROJECTS

Wichita Transit is the designated recipient of Section 5310 funding for the Wichita urbanized area. The designated recipient is responsible for the management of the Section 5310 program and distributing funds to subrecipients. The designated recipient is also responsible for the selection of projects and may use a competitive selection process to select projects.

### **Traditional** Section 5310 Projects (at least 55% of total funding)

- a. Private nonprofit organizations
- b. State or local governmental authorities that:
  1. Is approved by the state to coordinates services for seniors and individuals with disabilities,
  2. Certifies there are no nonprofit organizations readily available to provide the service.

### **Non-Traditional** Section 5310 Projects (up to 45% of total funding)

- a. state or local government authorities
- b. private nonprofit organizations
- c. Operators of public transportation, including taxi operators that provide shared ride services to the general public.

Other Section 5310 projects include those that meet the needs of seniors and individuals with disabilities that exceed the ADA minimum requirements, improve access to fixed route services, or provide alternatives to public transportation.

Both traditional and other non-traditional Section 5310 projects should be designed to meet the transportation needs of seniors and individuals with disabilities, and not just include these individuals. Services may be used by the general public.

Section 5310 funds can be used for capital and operating expenses for projects that support transportation services specific to seniors and individuals with disabilities.

No less than 55% shall be available for traditional Section 5310 projects. More than 55 percent of the apportionment may be spent on traditional Section 5310 projects. In addition to the traditional Section 5310 capital projects, the apportionment may be used for other projects not considered traditional Section 5310 projects:

- a. Exceed the ADA minimum requirements,
- b. Improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service, or
- c. Provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Non-traditional Section 5310 projects may only use up to 45% of the apportionment. Projects may be used by the general public, but must be planned, designed and carried out to meet the transportation needs of seniors and individuals with disabilities.

Projects must be clearly identified as traditional Section 5310 projects or non-traditional Section 5310 projects in applications.

**Eligible Capital Expenses that Meet the Requirement for Traditional Section 5310 Projects. Capital items other than vehicles must be related to or for Section 5310 funded vehicles.**

- a. Acquisition of, expansion, or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs;
- b. Vehicle rehabilitation or overhaul
- c. Preventive maintenance
- d. Radios and communication equipment
- e. Vehicle wheelchair lifts, ramps, and securement devices
- f. Purchase and installation of benches, shelters, and other passenger amenities
- g. Extended warranties that do not exceed the industry standard
- h. Computer hardware and software
- i. Transit-related intelligent transportation systems (ITS)
- j. Dispatch systems
- k. Fare collection systems
- l. Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish criteria for determining cost effectiveness in accordance with FTA regulations, "Capital Leases," 49 CFR part 639 and OMB Circular A-94, which provides the necessary discount factors and formulas for applying the same;
- m. Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary paratransit services when provided by an eligible recipient or subrecipient as defined in section 5 of this chapter, above. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital

eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;

- n. Support for 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 Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinate usage of vehicles with other nonprofits, but not the operating costs of 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, seniors, 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 passengers;
  - (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 standalone capital expense).

- o. Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA-complementary paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient/subrecipient as defined in section 5, above, and is included in the coordinated plan.

Since the 55 percent requirement is a floor, and not a ceiling, the activities listed above are eligible expenses for all funds available to a recipient under Section 5310. For example, mobility management and ITS projects may be eligible under both categories; the difference to note, in order for the project to qualify toward the 55 percent requirement, is that the project must meet the definition of a capital project, be specifically geared toward the target population, and carried out by an eligible subrecipient, which is limited for this category of projects. The list of eligible activities is intended to be illustrative, not exhaustive. FTA encourages recipients to develop innovative solutions to meet the needs of seniors and individuals with disabilities in their communities and discuss proposed projects with FTA regional staff to confirm eligibility.

### **Other Eligible Capital and Operating Expenses**

- a. General. Up to 45 percent of a rural, small urbanized area, or large urbanized area's annual apportionment may be utilized for:
  - (1) Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
  - (2) Public transportation projects (capital and operating) that exceed the requirements of ADA;
  - (3) Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or
  - (4) Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.
- b. Public Transportation Projects that Exceed the Requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA.
  - (1) Enhancing paratransit beyond minimum requirements of the ADA. ADA-complementary paratransit services can be eligible under the Section 5310 program in several ways:
    - (a) Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;

- (b) Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
  - (c) The incremental cost of providing same day service;
  - (d) The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
  - (e) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
  - (f) Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations, 49 CFR part 38 (i.e., larger than 30" × 48" and/or weighing more than 600 pounds), and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600-pound design load, and the acquisition of heavier duty vehicles for paratransit and/or demand-response service in order to accommodate lifts with a heavier design load; and
  - (g) Installation of additional securement locations in public buses beyond what is required by the ADA.
- (2) Feeder services. Accessible "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.
- c. Public Transportation Projects that Improve Accessibility. The following activities are examples of eligible projects that improve accessibility to the fixed-route system.
- (1) 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. Section 5310 funds are eligible to be used for 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 curb cuts, 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 ITS.
- (2) Travel training. 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.
- d. Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities with Transportation. The following activities are examples of projects that are eligible public transportation alternatives.
- (1) Purchasing vehicles to support accessible taxi, ride-sharing, and/or vanpooling programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to part 38 to remain in his/her personal mobility device inside the vehicle.
  - (2) Supporting the administration and expenses related to 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. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and 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 predetermined rates or contractual arrangements. Transit passes or vouchers 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 volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, and coordination with passengers, other related support functions, mileage

reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. 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.

- e. Limits on operating assistance. Given the 55 percent requirement for traditional Section 5310 capital projects, a recipient may allocate up to 45 percent of its apportionment for operating assistance. However, this funding is limited to eligible projects as described in 49 U.S.C. 5310(b) (1) (B-D) and described in this section (b, c, and d), above. Operating assistance for required ADA complementary paratransit service is not an eligible expense.

For more information on eligible projects, please see Chapter III of FTA Circular 9070.1G

## **8. PROJECT SELECTION CRITERIA AND METHOD OF DISTRIBUTING FUNDS**

Wichita Transit is the designated recipient and responsible for carrying out the Section 5310 program in the Wichita Urbanized area. Because Wichita Transit is also an eligible recipient of Section 5310 funds, WAMPO will collaborate with Wichita Transit and administer the selection process. Project administration funds will be shared with WAMPO to help cover WAMPO's cost of administering the selection process.

- a. Public Notice of Funds Available: WAMPO will release a call for projects every two years. The public notice is translated to Spanish and Vietnamese based on the Wichita Transit and regional Title VI Plans. Notices will then be distributed through various outlets in order to notify eligible subrecipients in the area. WAMPO will advertise the notice in the following ways.
  - 1. Advertise in the Wichita Eagle and the Community Voice
  - 2. Notify the provider stakeholders listed in the WAMPO Coordinated Plan and those on the Paratransit Council.
  - 3. Distribute notice through WAMPO distribution list and list on WAMPO and Wichita Transit's websites.
- b. Make applications available for potential subrecipients: WAMPO will disseminate the application and public notice to providers and potential applicants via e-mail. Copies of the application will be made available online at [www.wampo.org](http://www.wampo.org), [www.wichitatransit.org](http://www.wichitatransit.org), and in hard copy format by request.
- c. Create Project Selection Committee: WAMPO will convene a project selection committee including members of the community that are stakeholders but not eligible applicants.

- d. Determine applicant and project eligibility: WAMPO will collect all applications and determine which applications are eligible for review based on the eligible project and subrecipient criteria listed in sections 5 and 6 of this plan.
- e. Project Selection Process: WAMPO will manage the process for evaluating and ranking applications. The selection committee will rank the applications based on the criteria below in section f. WAMPO will then organize interviews for each applicant, if needed.

Based on the rankings, the project selection committee will form a recommendation of projects and funding levels for award. The projects selected will be submitted for inclusion in the TIP (Transportation Improvement Plan) by WAMPO. Upon approval of the TIP by Transportation Policy Body, the TIP will be sent to the Kansas Department of Transportation for inclusion in the STIP. Wichita Transit uses the WAMPO TIP process to meet the Program of Projects requirement for public participation.

- f. Project Selection Criteria: The project selection criteria is based on eligible projects that best meet the goals and objectives of the Coordinated Plan. The below criteria will be used to “score” each project proposal. Each proposal will have a maximum of 100 points available among the criteria areas. Scores in each area will range between zero and the max available points, with zero being the criteria that has not been addressed.

CRITERIA

- 
- 1. Demonstration of Need (up to 10 pts)
- 
- 2. Addresses Accessibility and/or Collaboration Goals (up to 50 pts)
- 
- 3. Meets Specific Needs of older adults/people with disabilities (up to 30 pts)
- 
- 4. Coordinated Transit District #9 Member Status (up to 10 pts)

In additional to the criteria listed above, the Coordinated Plan lists specific strategies and recommended actions designed to meet the goals and objectives of the urbanized area. These strategies and actions will be used as an additional resource to help clarify regional priorities and the scoring criteria during the selection process.

- g. Project Application and Selection Schedule: WAMPO will make a call for projects every two years following the general schedule listed below. The schedule and frequency of the call for projects may change due to the availability of Federal funds or local conditions. A schedule will be included with each call for projects.

<b>Month</b>	<b>Activity</b>
October	Call for projects
October	Application Workshop
December 31	Application due date
January	Committee review and applicant interviews
February	Funding recommendations submitted for inclusion in the TIP
March	Grant applications presented to the Wichita City Council for authorization to submit a grant to FTA
April-May	Proposed TIP public comment and review period and recommended action by the WAMPO Transportation Advisory Committee (TAC)
May-June	WAMPO Transportation Policy Body (TPB) consideration of proposed TIP and submission for inclusion in the STIP
May-June	FTA approval and execution of grant agreements
June	Subrecipient pre-award audit and/or training
June (July 1 <sup>st</sup> contract)	Wichita Transit notifies subrecipients of award and develops contracts with subrecipients for Section 5310 funding

Though a competitive selection process is not required, Wichita Transit plans to distribute funds through a competitive selection process, but holds the right to distribute funds in an alternative way certified to be fair.

## **9. LOCAL SHARE REQUIREMENTS**

The awarded agency will be responsible for all match requirements. A cash match is required. No in-kind match will be allowed. For capital projects, the match requirements are at least 20% and for operating, the match requirements are at least 50%. If eligible, non-DOT Federal funds may be used at a source of match for Section 5310 funds.

There are two exceptions to these matching requirements. Vehicles purchased that comply with the Americans with Disabilities Act (ADA) or the Clean Air Act (CAA) are eligible for an 85% Federal share and 15% matching share. Vehicle-related equipment and facilities that comply with the CAA or are required by the ADA are eligible at a 90% Federal share with the 10% local match.

## **10. PROJECT ADMINISTRATION AND PLANNING**

The Section 5310 Program allows for up to 10% of the annual apportionment to be used for administrative, planning and technical assistance costs. Wichita Transit plans to share the 10% allowable apportionment with WAMPO to help cover the cost of the administration of the selection process. Wichita Transit will use the administrative portion to help cover the costs of managing the program. Wichita Transit will manage grants, process billings, submit reports and inspect vehicles. Wichita Transit also plans to provide technical assistance and training for applicants as needed, and will manage oversight activities as required by the FTA.

## **11. SUBRECIPIENT OVERSIGHT**

Wichita Transit is responsible for ensuring that all subrecipients comply with FTA requirements. This is monitored by activities such as:

- Annual single audit reports submission
- Annual vehicle inspections and preventative maintenance documents review
- Annual Drug & Alcohol Program Management Information System (MIS), if applicable
- Quarterly grant reimbursement request with supporting documents
- Quarterly grant funded vehicle mileage and condition reporting
- Quarterly civil rights lawsuit information reported to Wichita Transit
- Periodic desk audits and site visits to all subrecipients to provide compliance reviews
- Update Title VI/LEP Plans every three years
- Update Equal Opportunity plan every three years, if applicable

All awarded agencies will be required to complete a pre-award questionnaire before Wichita Transit signs agreements for funding. Training is available for subrecipients that will include an overview of compliance, reporting, and reimbursement request requirements. The pre-award questionnaire will be a risk assessment to determine the level of oversight required for each subrecipient.

Wichita Transit's compliance reviews through desk audits and site visits provide opportunities for subrecipients to technical assistance on how to meet and maintain federal requirements. Wichita Transit strives for all subrecipients to have project success and remain eligible for future Section 5310 funding.

## **12. REPORTING & PROGRAM MEASURES**

In accordance with state and federal requirements, each subrecipient must report financial and operating data on the use of funds and equipment purchased with Section 5310 funds on a quarterly basis.

FTA will require that performance measures be established to measure the performance of the program. Wichita Transit will be required to submit the data to FTA for the following measures:

### **Traditional Section 5310 Projects**

- (1) Gaps in Service Filled. Number of seniors and individuals with disabilities that would not have had mobility without the implementation of a traditional Section 5310 project.
- (2) Ridership. Number of one-way trips provided to seniors and individuals with disabilities through traditional Section 5310 projects.

### **Other Section 5310 Projects**

- (1) Enhancements to services that impact transportation for seniors and individuals with disabilities.
- (2) Enhancements to physical infrastructure that impact transportation services for seniors and individuals with disabilities through other 5310 projects.
- (3) Number of one-way trips provided for seniors and individuals with disabilities through other Section 5310 projects.

The Section 5310 reporting requirements must be submitted to Wichita Transit electronically, no more than 15 days after the end of each quarter as long as you have an active Section 5310 funded vehicle or projects.

**Section 5310 vehicle awarded under Capital project**, you must submit quarterly reports until there is no longer a lien on the title of vehicle to the subrecipient (typically at least 4 years for smaller vehicles). Once a Wichita Transit/FTA-funded vehicle has reached the end of its useful life, it no longer needs to be reported except in the context of questions addressed to the subrecipient's client transportation program as a whole.

**Section 5310 Operating or an ongoing Capital project**, such as preventive maintenance or mobility management activities, must submit quarterly reimbursement request and reports, and until all awarded funds are expended and closed out.

Reimbursement request should include:

- (1) Line item list of expenses
- (2) Current and cumulative costs

- (3) Current and cumulative cost share/match
- (4) Clear indication that minimum required match has been met
- (5) Sufficient supporting documentation/evidence that all reimbursement & cost share items listed have been specifically incurred and paid.
- (6) Certification, signed by an official who is authorized to legally bind the organization, as required by 2 CFR 200.412(a):

*“By signing this report, I certify that to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).”*

Subrecipients must maintain back-up documentation on file that supports the data reported in the quarterly report.

### **13. CIVIL RIGHTS**

Wichita Transit and subrecipients will be subject to Civil Rights statutes and regulations. Subrecipients will be required to certify that they do not discriminate on the basis of race, color, religion, national origin, sex, age, and disability. They will also be required to comply with Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity requirements of Title VII of the Civil Rights Act of 1964, and in the facilitation of the Disadvantaged Business Enterprise Program. Verification of compliance with regulations will take place during the preaward audit. Wichita Transit will provide guidance, templates, etc to ensure subrecipients meet federal regulations. The certification will be part of the subrecipient contracts and monitored for updates.

- a. Title VI: Wichita Transit and subrecipients are required to comply with Title VI of the Civil Rights Act of 1964, as amended by assuring that no person is excluded or denied the benefits of programs or activities assisted with federal funds. Furthermore, Wichita Transit and subrecipients must make efforts to improve access to those people with Limited English Proficiency (LEP). Subrecipients may use Wichita Transit’s LEP Plan located in the Title VI Program as a guide to providing more access to those with limited English proficiency. Also, Wichita Transit and subrecipients will have to address Environmental Justice in programs, policies and activities that are carried out.
- b. Equal Employment Opportunity (EEO): Wichita Transit has enacted policy to provide equal opportunity to all employees and applicants for employment without regard to race, color, religion, national origin, sex, ancestry, disability, sexual or

affectional preference, marital status, or age, except where age is a bona fide occupational qualification, and the obligation to provide equal opportunity for employment includes, but is not limited to:

1. Recruitment, advertising, or solicitation for employment,
2. Hiring, placement, upgrading, transfer, or demotion,
3. Treatment during employment,
4. Rates of pay or other form of compensation,
5. Selection for training,
6. Layoff, termination or reinstatement, and
7. Complaint procedures.

Wichita Transit and subrecipients must undertake affirmative action, to make known that equal employment opportunities are available on the basis of individual merit, and to encourage all persons to seek employment and to strive for advancement on this basis. Subrecipients should have an EEO policy that meet the federal regulations.

- c. Disadvantaged Business Enterprise (DBE): Wichita Transit will use its DBE Program and most current DBE goals to carry out the federal requirements for DBE. The Department of Transportation (DOT) has a national goal of spending 10% of federal DOT funds with DBE firms. State and local agencies set their own goals based on past expenditures and the availability of DBE firms working in the contract areas. Wichita Transit's DBE program and goals will be referenced in subrecipient's contracts. Wichita Transit has the responsibility to facilitate participation of DBE subrecipients in the Section 5310 program. Subrecipients have the responsibility to ensure nondiscrimination in the award of subagreements made under the Section 5310 program.
- d. Section 504 and ADA: Wichita Transit and subrecipients receive federal financial assistance and are prohibited from discriminating on the basis of disability. Specific requirements apply to providers of public transportation, including requirements for facilities and vehicles, and the requirement to provide complimentary public transportation offering individuals with disabilities an equal opportunity to use public transportation. Complimentary services must be equivalent to the fixed route in regard to schedules, response times, geographic areas of service, hours and days of service, availability of information, reservations capability, constraints on capacity or service availability, and restrictions based on trip purpose. In addition to transportation service and accessible vehicles and facilities, other responsibilities under the ADA are described in Titles I, II, III, IV, and V.

## 14. OTHER PROVISIONS

Wichita Transit certifies each year its compliance with applicable federal regulations. Subrecipients will be responsible for meeting federal requirements for the Section 5310 program. Requirements include but are not limited to Procurement Restrictions, Drug and Alcohol Testing, Drug-Free Workplace, Restrictions on Lobbying, and Safety and Security. A complete list of applicable Federal Regulations can be found in the Section 5310 Circular9070\_1G dated 4-20-15 at the following link in Chapter VIII:

<https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/enhanced-mobility-seniors-and-individuals-disabilities>

Or go to the Federal Transit Administration page and search the circulars for Section 5310 'Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance'.

All subrecipients must be in full compliance with applicable federal regulations and the Section 5310 Circular.



# ATTACHMENT B

Capitol Building  
Room 241-South  
300 SW 10th Street  
Topeka, KS 66612



Phone: (785) 296-3232  
Fax: (785) 368-8788  
governor.ks.gov

Sam Brownback, Governor

October 3, 2016

Mr. Mokhtee Ahmad  
FTA Regional Administrator Region VII  
Federal Transit Administration Region VII Office  
901 Locust Street  
Suite 404  
Kansas City, MO 64106

Dear Mr. Ahmad,

As Governor of the State of Kansas and in compliance with the Fixing America's Surface Transportation Act (FAST Act), do hereby designate Wichita Transit as the designated recipient to administer the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. 5310). Wichita Transit will serve as the designated recipient for the urbanized area for Federal Transit Administration Section 5310 funds. This designation was endorsed by the Wichita Area Metropolitan Planning Organization Policy Board, acting as the designated policy board of the MPO on July 12, 2016.

As the designated recipient, Wichita Transit will be responsible for administering the program by ensuring that all subrecipients comply with Federal requirements, notifying eligible local entities of funding availability, developing a program selection processes, determining project eligibility, and developing the yearly program of projects. We thank Wichita Transit for their leadership and ongoing contribution in supporting their area's efforts to reduce congestion, enhance safety, and provide individual mobility.

Should you have any questions related to this matter, please contact Cory Davis, Comprehensive Transportation Planning Manager, by phone at (785) 296-7984 or by email at [coryd@ksdot.org](mailto:coryd@ksdot.org).

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Sam Brownback". The signature is written in a cursive, flowing style.

Sam Brownback  
Governor

cc: Richard Carlson, Interim Secretary, Kansas Department of Transportation  
Mike Moriarty, Chief, Bureau of Transportation Planning  
Davonna Moore, Assistant Chief, Bureau of Transportation Planning  
Cory Davis, Comprehensive Transportation Planning Manager  
Mike Spadafore, State Public Transportation Manager

# ATTACHMENT C

The Subrecipient Checklist is subject to change based on subrecipient characteristics and FTA regulations.

## Master List of Support Documentation

- A-133 Single Audit.
- Proof of on-going awareness program (A1)
- Drug-free workplace policy (A2)
- Example of employee receiving Drug and Alcohol Policy (B6)
- Example of new position Drug and Alcohol statement (B7)
- Pre-employment Drug Testing Acknowledgement form (B8)
- Random selection notification form (B19)
- Written standards of conduct (C2)
- Selection Procedures (C4)
- Title VI Policy (D)
- Procurement Policy (F1)
- System to review procurement requests (F3)
- Procurement written selection process (F4)
- Standard From LLL (H1&2)
- Maintenance Plan (J1)
- National Transit Database year end reporting (M1)

## Site-Visit Checklist

- Drug and Alcohol Records
  - 1 year: records of negative drug and alcohol test results
  - 2 year: records related to the collection process and employee training
  - 5 year: records of covered employee verified positive drug and alcohol tests results
  - 5 year: documentation of refusals to take required drug or alcohol tests
  - 5 year: records of covered employee referrals to the SAP
  - 5 year: copies of annual MIS reports
- Equal Employment Opportunity Signs posted in conspicuous area
- Set 30-day follow-up date on any found disparities.

## ATTACHMENT D

### SECTION 5310 PROGRAM SCORING RUBRIC

The following information expands the detail associated with the updated scoring criteria for the *Enhanced Mobility of Seniors & Individuals with Disabilities - Section 5310* FTA grant program for the urbanized area. For more information on Section 5310 program funding visit:

[www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310](http://www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310)

The below Section 5310 Scoring Rubric content will be used as the primary decision-making tool for all proposed urbanized area Section 5310 projects.

Please use the below criteria to “score” the project proposal. The project sponsor has a maximum of **100 points** available among the below listed criteria. Each of the below listed criteria has an associated “max points possible” listed in parentheses. Score each area between zero and the max available points, with zero being the criteria that was not addressed or satisfactory.

CRITERIA

5. Demonstration of Need (up to 10 pts)

6. Addresses Accessibility and/or Collaboration Goals (up to 50 pts)

7. Meets Specific Needs older adults/ people with disabilities) (up to 30 pts)

8. Coordinated Transit District #9 Member Status (up to 10 pts)

The following table highlights how the updated scoring criteria connects to the updated strategies:

Criteria	Strategy Connection
Demonstration of Need	General Criteria
Accessibility & Collaboration	<i>Accessibility Connection:</i> Removing barriers that make transportation prohibitive for older adults and people with disabilities.
	<i>Collaboration Connection:</i> Transportation Collaboration & Mobility Management
Meeting the Specific Needs	<i>Collaboration Connection:</i> Removing Barriers, Transportation Collaboration & Mobility Management
Coordinated Transit District #9	General Criteria

The following tables define each of the updated Section 5310 scoring criteria:

Criteria	Criteria Summary
<b>Demonstration of Need</b>	<p>Project proposals should include a clear and concise description of need. This should include a description of the estimated number of people to be served distributed by target population (older adults, people with disabilities, general population etc.). The identification of need should summarize the gaps between current conditions and desired conditions or "wants."</p>
<b>Accessibility</b>	<p>Projects that minimize barriers to transportation for older adults and people with disabilities. This could include:</p> <ul style="list-style-type: none"> <li>▪ Projects or services designed and carried out to meet the specific transportation needs of older adults and/or people with disabilities.</li> <li>▪ Projects that meet the needs of older adults and/or people with disabilities when other services are unavailable, insufficient, or inappropriate.</li> <li>▪ The exploration or the provision of transportation service(s) where service gaps are present.</li> <li>▪ Solutions that address transportation needs outside of "normal" operational hours, days, times, and/or locations.</li> </ul>

Criteria	Criteria Summary
<p><b>Collaboration</b></p>	<p>Projects that involve the collaboration/coordination with agencies, jurisdictions, and/or businesses to support the transportation needs of older adults and people with disabilities. This could include:</p> <ul style="list-style-type: none"> <li>▪ Exploring or implementing cost-effective methods for collaboration to ensure the needed transportation options are provided.</li> <li>▪ Transportation providers coordinating rides to popular destinations (and stops along the way) in order to maximize efficiency and rider options.</li> <li>▪ Partnerships with nursing homes, assisted living centers, and/or other senior/disability care agencies.</li> <li>▪ Collaboration designed to overcome the potential disconnects for individuals needing transportation to suburban jobs and services.</li> <li>▪ Projects that study the feasibility of urbanized area transfer points and/or locations and cost-effective options for riders and agencies involved.</li> <li>▪ Projects that explore the feasibility of regional express bus/commuter service to employment centers.</li> <li>▪ Mobility Management Projects <ul style="list-style-type: none"> <li>- Service Development (vehicles, movement of people) to understand the Family of Services, coordinate resources, Link systems to people, and to develop new creative options.</li> <li>- System Management to plan and manage demand. Considerations could include land use, transit oriented development, livable communities, green, HOV, regulatory barriers, telecommuting etc.</li> <li>- Transportation educational programs that educate the public on public transportation and associated benefits.</li> </ul> </li> </ul>

Criteria	Criteria Summary
<p><b>Meeting Specific Needs</b></p>	<p>The project/service meets the specific transportation needs of older adults/people with disabilities. Projects could increase the ability of older adults and/or people with disabilities to meet the following needs:</p> <ul style="list-style-type: none"> <li>▪ Banking and Shopping/Retail</li> <li>▪ Church attendance</li> <li>▪ Employment</li> <li>▪ Entertainment &amp; Civic Activities</li> <li>▪ Medical &amp; Therapy Appointments</li> <li>▪ Visiting Family</li> <li>▪ Other Routine or Specialized Needs</li> </ul>

<p><b>Coordinated Transit District Participation</b></p>	<p>Scoring is based on the organization's status as a Coordinated Transit District #9 (CTD) member and participation at regular meetings.</p>
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