SECTION 5303 – METROPOLITAN PLANNING PROGRAM

Prepared by the Division of Intermodal Programs

Georgia Department of Transportation

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TABLE OF CONTENTS

1.0 Introduction 4

1.1. Purpose of the General Program Management and Individual Program Manuals 4

1.2. Overview of Funding Programs 5

1.3 Roles and Responsibilities **..... 8**

2.0 Program Management and Administrative Requirements 9

2.1. Program Management 9

2.2. Grant Administration 13

2.3. Reporting 25

2.4. Financial Management 35

2.5. Audits 44

2.6. Procurement/Contracting 47

2.7. Grantee Self-Certification 56

2.8. Public Involvement 56

2.9. Planning and Coordination 59

2.10. Labor Protection 61

2.11. Environmental Protection 62

2.12. Civil Rights, Title VI 63

2.13. Americans with Disabilities Act 69

2.14. Grant Protest Procedures 76

2.15. Charter Service 76

2.16. School Transportation 76

2.17. Lobbying 77

2.18. Debarment and Suspension 78

3.0 Satisfactory Continuing Control 79

3.1. Management of Equipment and Real Property 79

3.2. Maintenance of Equipment and Real Property 85

3.3. Disposition of Equipment and Real Property 87

3.4. Buy America Provisions 87
3.5 Project Management plan.....89
4.0 Other Provisions.....90
4.1. Drug and Alcohol Testing..... 90
4.2. Drug-Free Workplace..... 90
4.3. Safety and Security..... 90
4.4. ITS Architecture 90
4.5. ARRA.....92
5.0 Exhibits.....93
Exhibit 1: Standard Definitions.....94
Exhibit 2: Checklists.....102
Exhibit 3: Forms (unnumbered)

1.0 INTRODUCTION

The Georgia Department of Transportation (GDOT) manages state portions of Federal Transit Administration (FTA) Section 5303, 5307, 5309, 5311, 5316, and 5317 programs in the State of Georgia. FTA requires that each state adopt policies and procedures to administer FTA programs. This document serves as a general program manual for policies and procedures common to all FTA programs administered by GDOT. It works in concert with individual program manuals for each of the FTA programs which define policies and procedures specific to those programs.

On July 6, 2012, President Barack Obama, signed the Moving Ahead for Progress in the 21st Century (MAP-21) bill into law . FTA Programs are authorized by Congress under the **MAP- 21.** MAP-21 will take effect on October 1, 2012. Until then, FTA will continue to manage agency programs under existing law (SAFETEA-LU), which expires on September 30, 2012. , P.L. 112-141. It should be noted that under MAP -21, the 5316 and 5317 Programs are consolidated under other federal programs (5310 and 5307). **This General Program Manual will be updated by January 2013 following further federal programs guidance. The individual 5316 and 5317 Program Manuals will be retired when Map-21 takes effect.**

Program administration by GDOT follows all FTA requirements including those contained in FTA Circulars, Policy Letters and other significant guidance. Grant recipients are encouraged to consult these materials on FTA's website in support of their programs.

1.1. Purpose of the General Program Management and Individual Program Manuals

The General Program Management Manual (GPMM) was developed in 2011 as part of GDOT's annual update to its program management manuals. The 2011 update process included an extensive compliance review conducted under the assumption that GDOT's other program documents including the current State Management Plans and Administrative Guides would be eliminated. During the review, important areas of regulatory content were identified in the soon to be retired State Management Plans and Administrative Guides. Reviewers concluded that numerous compliance issues would arise if important elements of the State Management Plans and Administrative Guides were not carried into the new program management manuals. The Reviewers also identified an opportunity to address areas of duplication and redundancy in the content of the various documents by merging information from the various manuals into a single program management manual.

This GPMM, therefore, is designed to include policies and procedures common to all FTA programs administered by GDOT and is based on a combination of policies and procedures previously found in GDOT's program manuals, State Management Plans and Administrative Guides. During the update process, the individual program manuals were preserved, but streamlined to eliminate duplicative text. As a result of these improvements, the previous State Management Plans and Administrative Guides can be retired and the GPMM and individual program manuals will serve as a consolidated and simplified set of governing documents for managing GDOT's state portion of the FTA programs.

The GPMM and Program Management Manuals work in tandem to provide GDOT staff and Subrecipients the information needed to efficiently administer state portions of the FTA programs. Users of these manuals should consult both the GPMM and the individual program manuals. As a guide, the following areas are addressed in the respective documents.

The GPMM provides:

- The overview of FTA programs that are administered by GDOT
- Responsibilities of GDOT staff when administering grants
- Responsibilities of subrecipients as GDOT grantees
- Checklist and forms to help adhere to FTA requirements
- General programmatic and regulatory information common to all programs

The manuals provide:

- Information, checklists and special forms needed for specific FTA programs

1.2. Overview of Funding Programs

GDOT manages five FTA programs:

Metropolitan Planning Program (Section 5303). This program provides funding to support cooperative, continuous, and comprehensive planning for making transportation investment decisions in metropolitan areas. Funding is available for planning activities that:

1. support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
2. increase the safety of the transportation system for motorized and nonmotorized users;
3. increase the security of the transportation system for motorized and nonmotorized users;
4. increase the accessibility and mobility of people and for freight;
5. protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
6. enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
7. promote efficient system management and operation; and
8. emphasize the preservation of the existing transportation system.

Funds are apportioned annually by a formula to States that include consideration of each State's urbanized area population in proportion to the urbanized area population for the entire nation as well as other factors. States receive no less than 0.5 percent of the amount apportioned. These funds are sub-allocated by States to Metropolitan Planning Organizations (MPOs) by a formula that considers each MPO's urbanized area population, their individual planning needs, and a minimum distribution. For more information, please refer to the Joint Planning Regulations at 49 CFR part 613 and FTA Circular 8100.1. To be eligible for funding under these programs, projects and strategies must come from the applicable transportation planning process.

Urbanized Area Formula Program (Section 5307). The Urbanized Area Formula Program makes Federal resources available to urbanized areas and to the Chief Executive Officer of a State (Governor) for transit planning, capital, and operating assistance in urbanized areas. An urbanized area is an incorporated area with a population of 50,000 or more that is designated as such by the Bureau of the Census.

For urbanized areas with a population of 200,000 or more, Urbanized Area Formula Program funds are apportioned and flow directly to a designated grantee(s) selected by the Governor to apply for and receive Federal funds. For urbanized areas under 200,000 in population, the funds are apportioned to the Governor of each State for distribution, unless such an area has been designated as a transportation management area at the request of the Governor and the MPO. These areas also

receive apportionments directly. Guidance for Section 5307 is found in FTA Circular 9030.1. To be eligible for funding under this program, project and strategies must

come from the applicable transportation planning process and contained in a local Transportation Improvement Plan and State Transportation Improvement Plan.

Capital Investment Program (Section 5309). The Section 5309 Capital Investment Grants Program funds three different programs: (1) fixed guideway modernization in areas with populations over 200,000 with fixed guideway segments at least seven years old (based on a formula); (2) construction and extension of new fixed guideway systems (New Starts, Small Starts, and Very Small Starts Programs); and, (3) purchase of bus and bus related equipment and facilities in both urbanized and nonurbanized areas (Bus and Bus Facility Program). States and local governmental authorities are eligible applicants for Section 5309 funds. Eligible applicants may apply for Section 5309 bus grants on behalf of private non-profit agencies, private providers of public transportation services, and public subrecipients.

Many recipients look to the Bus Capital Program to supplement vehicles acquired under formula programs or to construct facilities. While distribution of capital program funds is often determined according to Congressional direction, FTA encourages States to apply on behalf of nonurbanized areas and transit operators to apply in behalf of nonprofit agencies in their service area that receive earmarks.

Guidance for Section 5309 is found in FTA Circular 9300.1. To be eligible for funding under this program, projects and strategies must come from the applicable transportation planning process.

Nonurbanized Area Formula Program (Section 5311). This program provides formula funding to States for the purpose of supporting public transportation in population areas of less than 50,000. It is apportioned in proportion to each State's nonurbanized population and density factors. Each State prepares an annual program of projects (POP), which must provide for fair and equitable distribution of funds within the States, including Indian reservations, and must provide for maximum feasible coordination with transportation services assisted by other Federal sources.

Funds may be used for capital, operating, and administrative assistance to State agencies, local public bodies, and non-profit organizations (including Indian tribes and groups), and operators of public transportation services. The State must use 15 percent of its annual apportionment to support intercity bus service, unless the Governor certifies that these needs of the State are adequately met. Guidance for Section 5311 is found in FTA Circular 9040.1. To be eligible for funding under this program, projects and strategies must come from the applicable transportation planning process.

Job Access and Reverse Commute Program (Section 5316). The JARC formula grant program aims 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 nonurbanized areas to suburban employment opportunities. Funds from the JARC program are available 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 and to support reverse commute projects.

Of the total JARC funds available, FTA apportions 60 percent among designated recipients in large urbanized areas; 20 percent to the States for small urbanized areas; and 20 percent to the States for rural and small urban areas under 50,000 in population. JARC funds are apportioned by formula. The formula is based on the ratio that the number of eligible low-income individuals and welfare recipients in each area bears to the number of eligible low-income individuals and welfare recipients in all such areas.

Up to 10 percent of the recipient's total FY apportionment may be used to fund program administration costs including administration, planning, and technical assistance. SAFETEA–LU requires that projects selected for funding under the New Freedom program be derived from a locally developed, coordinated public transit human services transportation plan.

Guidance on the JARC program is contained in FTA Circular 9050.1.

New Freedom Program (Section 5317). The New Freedom formula grant program aims to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society. New Freedom program funds are available for capital and operating expenses that support new public transportation services beyond those required by the ADA and new public transportation alternatives beyond those required by the ADA designed to assist individuals with disabilities with accessing transportation services.

Of the total New Freedom funds available, FTA apportions 60 percent among designated recipients in large urbanized areas; 20 percent to the States for small urbanized areas; and 20 percent to the States for rural and small urban areas under 50,000 in population. New Freedom funds are apportioned among the recipients by formula. The formula is based on the ratio that the number of individuals with areas. Up to 10 percent of the recipient's total FY apportionment may be used to fund program administration costs including administration, planning, and technical assistance. SAFETEA–LU requires that projects selected for funding under the New Freedom program be derived from a locally developed, coordinated public transit human services transportation plan. Guidance for the New Freedom Program is contained in FTA Circular 9045.1.

1.2.1. Local Match Requirements

The table below illustrates match requirements by project type in Georgia. State share is dependent upon availability. The sources of state funding may differ for capital and operating assistance programs. Operating assistance may be funded through general revenues; capital assistance may be funded through bond revenues. All of the local share must come from non-DOT sources, except for Federal Lands Highway Program funds. SAFETEA-LU permits the use of the following as local share: cash (or in-kind contribution); non-Federal funds, contract revenue from state, local or private social service organizations; non-farebox revenues from transit operations (e.g. advertising and concession revenues); real property integral to the project; and toll credits. Farebox revenue cannot be used as local match, but can be used to reduce the net operating cost of a project. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service.

Project Type	Federal Share	State Share*	Local Share
Operating	Up to 50%	-	50% or more
Capital	80%	10%	10%
ADA Capital	90%	5%	5%
CAA Capital	90%	5%	5%
Bicycle Facilities	90%	5%	5%
Planning	80%	10%	10%

* This funding is based on availability. If the Department cannot provide the match, it is the subrecipient's responsibility to pay the State share percentage.

1.3 Roles and Responsibilities

The Georgia Department of Transportation has the following responsibilities:

- Administer FTA grant programs by reviewing applications, monitoring quarterly reports and project progress;
- Prepare electronic grant applications for funding projects, using FTA's TEAM system;
- Hold periodic workshops/training sessions to assist local areas with questions on program specific issues and requirements;
- Prepare procedural manuals to guide the local areas through the grant process from application through successful project completion and closeout;
- Contract with FTA and with local areas;
- Prepare the Rural Transportation Improvement Program (RTIP) as the rural component of the Statewide Transportation Improvement Program (STIP), and the rural Program of Projects (POP);
- Allocate available funds in a fair and equitable manner;
- Develop and apply evaluation criteria to select projects for funding;
- Negotiate and execute grant contracts between GDOT and local subrecipients;
- Process reimbursement payment requests from subrecipients, and preparing requests for federal reimbursement;
- Monitor and evaluate the local provision of transportation under the program, including data collection and compilation, reporting to the FTA, and ensuring compliance with the state and federal regulations.

The grant subrecipient has the following responsibilities:

- Identify and prioritize new projects;
- Carry out the transit planning work programs;
- Work closely with the transit operator to evaluate transit operations and finance;
- Implement projects in accordance with the specific program requirements set forth herein;
- Implement projects in accordance with other applicable Federal and State requirements applicable to the FTA programs (acquisitions/procurement, public participation, NEPA etc.);
- Provide quarterly status reports on projects to the State program manager regarding project activities, budget, schedule and scope;
- Submit quarterly reports, reimbursement requests, project closeout letters and other reports/requests in accordance with reporting requirements set forth herein; and
- Program capital projects in the area's RTIP or TIP for inclusion in the Statewide Transportation Improvement Program (STIP), to ensure the project is eligible for Program funding.

2.0 PROGRAM MANAGEMENT AND ADMINISTRATIVE REQUIREMENTS

This chapter describes the responsibilities of GDOT's Division of Intermodal and its subrecipients to assure that the general requirements of 5303, 5307, 5309, 5311, 5316, and 5317 are met.

The requirements for the FTA programs are defined by 49 USC Chapter 53 and are detailed by the program circulars and the FTA master agreement, which is the agreement between GDOT and the FTA. There are additional requirements that may apply to a subrecipient, depending on the type of service provided and the type of organization, which may not be defined by the FTA and would be required by other laws, rules, and policies.

Subrecipients must comply with all applicable requirements. Additional requirements that apply to specific programs are located in the individual program manuals.

A complete list of the program references and requirements is found in each of the FTA circulars.

2.1. Program Management

Requirements

GDOT must demonstrate its capacity to manage FTA funded programs in accordance with sound management practices, applicable laws and regulations and in conformance with GDOT's established procedures for grant applications and agreements. Details regarding these requirements as well as GDOT's compliance with these requirements is defined in the following sections.

2.1.1. Organization and Staffing

GDOT is the agency designated by the Governor of the State of Georgia to administer the state portion of the FTA Section 5303, 5307, 5309, 5311, 5316, and 5317 programs. The Commissioner of GDOT has identified the Division of Intermodal as the unit responsible for oversight of these programs.

GDOT has the responsibility for administration of the federal transit programs. The Transit Program of the Division of Intermodal has been assigned this responsibility and the Transit Program Manager has the overall responsibility for administering the programs. At GDOT, the Division of Intermodal performs program management functions through the efforts of a staff that includes both regionally-based staff in the GDOT District Offices around the State, and the program staff in the Atlanta headquarters office. GDOT staff involved with the programs include the Transit Program Manager, public transportation coordinators, Transit Planners, and the Risk and Fleet Manager and the Rail Safety Oversight Manager.. Each position's key responsibilities are summarized below.

While the procedures contained within this manual and the individual program manuals identify specific roles, GDOT and the Division of Intermodal reserve the right to exercise flexibility in delegating assignments. The staff performing the various roles and functions identified within these manuals may change from time to time, depending on program staffing needs.

Transit Program Manager

The Transit Program Manager has oversight responsibility over the entire program, supervises staff, submits FTA quarterly reports and grants, and makes policy decisions.
Communication between the Transit Program Manager and the Transit Planners includes weekly face-to-face meetings of the entire headquarters program staff, monthly teleconferences with the Public Transit Coordinators (located in GDOT District offices), and continuous e-mail and telephone contact—in addition to the formal reporting mechanisms related to the various program elements (RTIP, grant applications, monthly reporting in RMIS, monthly reimbursement requests, compliance monitoring, drug and alcohol compliance, etc.).

Transit Planners

The Transit Planners serve as GDOT transit representatives for several assigned urban MPOs, and provide program oversight and management to Section 5303, Section 5307, Section 5309,Section 5316 and 5317 Programs. As can be seen, they perform specialized overall program functions and have geographic coverage responsibilities. The Transit Planners perform the following state-level roles with regard to the transit programs:

- Distributing the local grant application package;
- Compilation of the statewide POP and application to FTA,
- Project review to ensure consistency with adopted Coordinated Service Plans.
- Management of the project evaluation and selection process for transit projects.
- Conveying program requirements to local subrecipients and third-party operators - Notification of the non-participating but eligible agencies of availability of transit program funding for the upcoming year and the completion of site visits for various transit programs,
- Amendments to and revisions of grant budgets within FTA's Transportation Electronic Award and Management (TEAM) system,
- Reporting Milestone Progress Reports (Quarterly Reports) in the TEAM system
- Updating of the GDOT Transit website and fact book,
- Fair and equitable distribution assessment from TIP data,
- Review of reimbursement requests for transit programs.
- Updating the General Program Management Manual, individual program manuals, and the schedule of program activities,
- Preparation of the annual list of projects for FTA Section 5333(b) labor requirements to FTA and U.S. Department of Labor,
- Provision of technical assistance to local subrecipients on questions and issues that arise during the course of program administration.
- Coordination with DHS Coordinated Transportation program administration of the Section 5310 program, and with other aspects of the Coordinated Transportation program that may be involved in Section 5316 and 5317 and other projects.
- Monitoring compliance with FTA and GDOT program requirements, including Drug and Alcohol program compliance; insurance compliance; reporting and financial compliance, ADA, maintenance, procurement, title VI, buy America, debarment and suspension, lobbying, school bus, drug free workplace, half far and charter bus and

- Attending regional coordination meetings with the DHS when required to support projects.

Public Transportation Coordinators

GDOT also implements public transportation programs through the efforts of seven Public Transportation Coordinators (PTCs—also known as District Representatives or Reps). Their primary role is the implementation of the Section 5311 program of rural public transportation through site visits and at a minimum bi-weekly contact with subrecipients and/or Counties within their Districts. Their primary role with regard to other programs arises from their role representing GDOT on the Regional Transportation Coordinating Committees (RTCCs) across the State, and through their
work supporting local Section 5311 applications, contracts, reimbursements, vehicle inspections, and compliance monitoring—to the extent that other federal transit program projects are operated by or involve Section 5311 operations.

Additional Public Transportation Coordinator duties include but are not limited to:

- Preparation of the annual list of projects for FTA Section 5333(b) labor requirements to FTA and U.S. Department of Labor,
- Provision of technical assistance to local subrecipients on questions and issues that arise during the course of program administration.
- Monitoring compliance with FTA and GDOT program requirements, including Drug and Alcohol program compliance; insurance compliance; reporting and financial compliance, ADA, maintenance, procurement, Title VI, Buy America, debarment and suspension, lobbying, school bus, drug free workplace, half fare and charter bus and
- Conveying program requirements to local grantees and third-party operators - Notification of the non-participating but eligible agencies of availability of transit program funding for the upcoming year and the completion of site visits for the Section 5311 transit program.
- Attending regional coordination meetings with the DHS when required to support projects.
- RMIS reporting on transit projects.

Fleet and Risk Manager

The TVOT reports to the Transit Program Manager. This position is responsible for central procurement of all Section 5311and it involves working with the Georgia Department of Administrative Services (DOAS) on the procurement process, including development of vehicle specifications, inclusion of FTA required language in the solicitation and contract documents, pre- and post-delivery vehicle certifications, Buy America certification, post-delivery inspections and paperwork, maintaining the statewide vehicle inventory in the RMIS, processing vehicle dispositions, and managing and maintaining the statewide lease fleet.

Rail Safety Oversight Manager

The Rail Safety Oversight Manager reports directly to the TPM and ensures State compliance with FTA's safety oversight of rail fixed guideway systems. The RSOM's duties include, but are not limited to, representing the department's compliance responsibilities during emergencies,

derailments, accident/incidents, etc... in association with rail transit agency operations, conducting rail Triennials, and ensuring rail transit agency's System Safety Program Plans and System Security Plans are compliant.

Other Roles of the Office of Intermodal Programs: Contracts and Fiscal Services

The Contracts and Fiscal Services unit parallels the Transit Program and other modal programs as an administrative unit under the Division of Intermodal. The Contracts and Fiscal Services Manager, the Contracts Administrator and the fiscal analyst (who also perform these functions for all GDOT transit programs) have key roles in financial administration for programs, including accounting, local contract (grant agreement) preparation, local payment processing, FTA billing, and grant close-out. Specific activities under each of these functions are described elsewhere in this document.

2.1.2. Other Support Divisions Within GDOT

In addition to Division of Intermodal staff defined above, staff from the following divisions and offices have responsibilities relating to the management of FTA programs at GDOT:

- Equal Employment Office
- Office of Financial Management
- Division of Procurement
- Governmental Affairs

2.1.3. State Management Plans

GDOT is required to update its state management plan and procedures to accurately reflect its practices.

This GPMM, in combination with the individual program manuals, constitute the State Management Plan for the section 5311 and 5316/5317 programs. Policies and procedures for the Section 5303, 5307 and 5309 grant programs are also contained within this GPMM and applicable program manuals.

Program Management Procedures

Working with the Transit Planner or Public Transportation Coordinator, the Transit Program Manager:

- Begins the review and revision process for the GPMM and program manuals which is **updated annually** to reflect changes in the State and Federal policies and program guidance.
- Ensure that the Manual addresses the information requested in the suggested topics in a form readily accessible to GDOT and FTA staff, potential subrecipients, and the public.
- Provide subrecipients with updates to the Procedure Manuals which outline all the other pre-requisites for submitting a grant application.

2.2. Grant Administration

GDOT is responsible for managing the entire grants process including determination of eligibility, oversight of the selection process, providing technical assistance, determining technical, managerial and financial capacity of Subrecipients, securing signed certifications and assurances from Subrecipients and timely closeout of grants. There are four major stages in accomplishing these responsibilities:

- Pre-Award
- Award
- Post-Award
- Closeout

Pre-award requirements for planning and applications procedures tend to be program-specific, and are spelled out in detail in the individual program manuals. Pre-award requirements relating to certifications and assurances, Title VI submissions, authorizing resolutions and technical, financial and legal capacity are defined herein.

Similarly, most of the requirements and procedures in the award, post-award and closeout stages are common to all programs. Therefore, to reduce duplication and redundancy, these stages are also contained herein. To accommodate the occasional exception to this organizational structure, the individual program manuals contain a single heading for the Award, Post-Award and Closeout stages with program-specific requirements (where applicable) and references to the GPMM for common requirements.

Requirements

Under each of these major stages are a number of activities and processes that must be completed in order to award grants to eligible recipients and to administer these grants according to federal regulations. Requirements and procedures common to all of the GDOT programs are defined below. Program-specific requirements are described in the individual program management manuals.

2.2.1. Selection and Eligibility

Selection and eligibility requirements and procedures are defined in the individual program manuals for each program.

2.2.2. Certifications and Assurances

Applicable certifications and assurances are published in the Federal Register annually. This register contains FTA's comprehensive compilation of the certifications and assurances to be used in connection with all Federal assistance programs. The most current Certifications and Assurances are available in the Appendices of this manual. FTA does not require that the annual certifications and assurances be submitted to them. GDOT does require that this information be submitted to the Intermodal office with the annual application process.

2.2.3. Legal, Financial, and Technical Capacity

GDOT is responsible for ensuring that subrecipients have the legal, financial and technical capacity to carryout FTA funded projects. Basic Requirements include: Grantees must be eligible and authorized to request, receive and dispense funds, the authority to take actions on the grantee's

behalf must be properly delegated and executed, grantees must demonstrate ability to match and manage FTA grant funds and conduct and respond to applicable audits and grantees must have the ability to implement and manage
grants properly.

2.2.4. Technical Assistance

The GDOT through its Atlanta office, District offices, workshops and seminars provides technical assistance in the preparation of grant applications as well as program development, administration and operation. The Department utilizes 15 percent of apportioned funds for administration, planning and technical assistance in support of these programmed activities. Funding for additional technical assistance and training is provided through the Rural Transportation Assistance Program (RTAP). Other eligible assistance categories under RTAP include research, support services as well as program reserves (not to exceed ten percent of RTAP allocation)

Planning and technical/management assistance is provided to subrecipients through the transit planners in the Atlanta headquarters office. The planners provide support to the Public Transportation Coordinator located in each GDOT District Office by assisting with:

- Preparation and updating of the RTIP
- Technical assistance or management help (subrecipients are encouraged to contact their District Public Transportation Coordinator for assistance first, and then program staff in Atlanta can provide additional support)
- Assistance as a resource in the preparation of the local grant application

In addition to this direct program assistance, GDOT has also been engaged in the development of a computer-based planning tool, the Multimodal Transportation Planning Tool. This is a computer program or model that allows users to access GDOT data, analyze current conditions, and evaluate potential transportation improvements. It includes a transit module that enables the user to estimate the potential demand for rural public transportation, determine vehicle requirements, estimate capital costs, and describe the economic impact of establishing rural public transportation. The model works at the county level, and is applicable to those areas that do not already have rural public transportation. It is available from GDOT on a CD that includes the needed data bases, and comes with a manual.

2.2.5. Grant Obligation and Award

The Award stage has the least number of steps in the life of a grant. However, this stage is very important as it serves as the basis for how the post-award activities are defined and carried out.

This stage includes only two activities – Obligation/Award and Execution. Once a completed application receives final concurrence and the funds are reserved, grant funding is then obligated to GDOT and the grant is executed.

By executing the grant, GDOT agrees to all of the terms and conditions contained in the grant agreement and the FTA Master Agreement. GDOT can then develop and execute contracts with subrecipients.

2.2.6. Oversight

The Division of Intermodal is required to assure that subrecipients comply with federal and state requirements. This is accomplished through a project monitoring performed by division staff or its delegates.

The goal of oversight is to assure that the agency (GDOT) and the grant recipients have appropriate, adequate internal controls to assure that the subrecipient is meeting the terms and conditions of the grant award(s).

When a monitoring activity identifies an issue related to capacity, eligibility or compliance, Division staff works with the subrecipient to determine whether the condition actually exists and, if so, determines a plan of corrective action and technical assistance.

The Division of Intermodal will also conduct a site visit at least every five years for subrecipients that are considered low risk. Agencies that are high risk will be reviewed at a minimum of every three years, or more frequently as needed. Risk Assessment Forms will be completed by the PTC's, TP's and Fiscal Services. Each will complete their assigned section. Subrecipients may receive a site visit based on the agencies risk level.. Risk level is determined by the factors below:

- History of poor performance, e.g., untimely reporting, low quality reports
- Financial stability is questionable
- Prior oversight findings
- Awards to agency are high dollar amounts
- Percentage of award(s) to subrecipient's total budget
- Subrecipient experience: inexperienced subrecipient or inexperienced/new staff, or lacking sufficient administrative staff
- Complexity of requirements, meaning the level of knowledge and implementation
- Press coverage regarding an operational or fiscal issue
- Single audit findings and corrective action plans
- High profile programs, i.e., with significant public interest, or interest of Congressional delegation or Georgia legislature
- Request of subrecipient
- Changes in the subrecipients program

Based on the assessment, the division will prepare a review schedule for a 24-36 month period. Once the schedule is established, the agencies to be reviewed will be notified. Site review materials are sent to the agencies. Reviewers will use a standard form site review questionnaire that includes major compliance areas, and areas of interest to the division. The Site Review Questionnaire is posted on the division website, and may be updated from time to time. Agencies are encouraged to use the Site Review Questionnaire to perform a self assessment prior to the site visit.

Agencies Receiving Triennial and Other Reviews from FTA: TPC and/or PTC may choose not to perform onsite reviews of any 5311 agency that receives a triennial or other review directly from FTA based on its receipt of 5307 and 5309 funds. The agency will be asked to submit the FTA review findings and subsequent compliance reports. The division will evaluate the triennial reviews for any substantive findings that may affect the 5316 and 5317 programs, and will follow-up with the agency as required.

2.2.7. Reviews

GDOT conducts compliance reviews of each subrecipient. The time period of reviews vary as to the level of risk each subrecipient has. A review shall occur at a minimum of every 5 years for each subrecipient regardless of their risk level. The reviews are conducted include all FTA required programs in the following major areas:

- Legal
- Financial
- Technical
- Satisfactory Continuing Control
- Maintenance
- Procurement
- Disadvantaged Business Enterprise (DBE)
- Buy America
- Suspension/Debarment
- Lobbying
- Planning/Program of Projects
- Civil Rights (Title VI)
- Public Participation Process for Fare and Service Changes
- Half Fare
- Americans with Disability Act (ADA)
- Charter Bus
- School Bus
- National Transit Database
- Safety and Security
- Drug Free Workplace
- Drug and Alcohol Program
- Equal Employment Opportunity
- Intelligent Transportation Systems (ITS) Architecture

More details about the GDOT Annual Review can be found in the Application Guides. For further information on specific requirements in these areas, refer to the FTA Grants Management Workbook – New Grantee Workbook at http://www.fta.dot.gov/documents/NewGrantee_Workbook.pdf.

For high risk subrecipients, compliance reviews will be performed within annually. For medium risk subrecipients, reviews will be performed every three (3) years. Complete compliance reviews are conducted by GDOT Transit Planner or Public Transportation Coordinator every five (5) years for low risk subrecipients.

2.2.8. Force Account Activities

Work performed by the state's or a subrecipient's work force on capital projects, other than grant administration, that is included in an approved grant is "force account" work.

Force account work may consist of design, construction, refurbishment, and inspection, and construction management activities. Incremental labor costs from flagging protection, service diversions or other activities directly related to a capital grant may also be defined as force account work. Force account work does not include grant or project administration activities which are otherwise direct project costs. Force account can include major capital project work on rolling stock. An example is preventative maintenance activities on buses and rail cars.

Reimbursement of force account work is subject to the state providing the force account plan and justification, including documentation equivalent to a sole source justification, stating the basis for a determination that no private sector contractor has the expertise to perform the work. Reimbursement of such expenses is subject to FTA's prior review of the state's force account plan and justification when the total estimated cost of force account work under the grant equals $10,000,000 or more. Justification may be on the basis of cost, exclusive expertise, safety and efficiency of operations, or union agreement.

Reimbursement for force account projects below this threshold must be supported by GDOT's force account plan and justification, which is located here: http://www.dot.state.ga.us/doingbusiness/thesource/specs/ss109.pdf and abides by FTA C. 5010 1.D. No plan or justification is required if the force account work to be performed under the grant is less than $100,000. Note that the amount of the project funded under a grant, not the total cost of the project, is used when determining whether the threshold is met for a force account plan.

2.2.9. Capital Leasing

Subrecipients may use program funds to lease capital assets in compliance with FTA capital leasing guidelines including cost effectiveness analysis. Capital leases must comply with 49 CFR Part 639, "Capital Leases" and Office of Management and Budget Circular A-94 which prescribes discount rates to be used in cost effectiveness calculations for capital leases.

2.2.10. Oversight of Capital Projects

The GDOT Transit Planners are responsible for the oversight and management of transit construction projects under their programs. FTA offers two documents, Project and Construction Management Guidelines and the Construction Project Management Handbook for detailed guidance on the development and management of construction projects.

Management of progress payments is a key component in the oversight of construction projects. To encourage compliance, the Transit Planner should promptly reject all submittals that do not adhere to the contract requirements.

The Transit Planner is responsible for oversight of the construction work in progress through holding the contractors accountable to the terms of their contracts. This oversight is achieved by monitoring:

- Payments
- Schedules
- Subsystem inspection and testing
- Quality assurance
- Documentation of construction (As-built drawings, Quality Control Inspections , Deficiency lists)

If disputes or law suits arise as a result of construction issues, the Transit Program Manager (after briefing by the Transit Planner) must notify the FTA Regional office through the Milestone/Progress Reports or through separate correspondence, where applicable.

2.2.11. Closeout

Since most budgets are based on a 12-month period, the Intermodal Programs require all Public Transportation providers to submit a final reimbursement and have the contract ready for close-out within 90 days of the contract/budget expiration. For a contract to be closed-out all necessary reimbursements must have been submitted and payments made against the contract. Request for contract/budget close-out must be made on County/City letter head, duly signed by authorizing personnel and submitted to the appropriate Public Transportation Coordinator or Transit Planner for processing. Once the contract/budget close-out letter is processed, no further claim or reimbursement can be made against the contract.

PROCEDURES

2.2.12. Pre-award Procedures

Specific responsibilities for the pre-award phase are defined in program manuals. General responsibilities are described below.

Transit Planner or Public Transportation Coordinator responsibilities:

- Ensure that the subrecipient completes all relevant certifications and assurances by the established deadline each year with the submission of each application, including proper signatures.
- The Transit Planner or Public Transportation Coordinator ensures that subrecipients have completed the FTA Certifications and Assurances and includes all certifications and assurances in the application as a required condition of grant award.
- Once the Transit Planner or Public Transportation Coordinator receives the certification, he/she electronically submits the appropriate certifications and assurances for all new grants that GDOT expects FTA to make during that fiscal year.
- The Transit Planner or Public Transportation Coordinator must enter into TEAM, Certifications and Assurances for GDOT within 90 Days of the publication in the Federal Register, usually in January or prior to or concurrent with the first grant application for the fiscal year, whichever comes first.
- The FTA Regional Office checks that Annual List of Certifications and Assurances have been properly executed by GDOT and that GDOT is following its certification, prior to grant submission.

- The Transit Planner or Public Transportation Coordinator must ensure that the required documentation and submissions concerning civil rights (see Section 3.12) are completed by each subrecipient.

- The FTA Regional Office staff ensures that the required documentation and submissions concerning civil rights are completed by the grantee and recorded in the Recipient's information under the Civil Rights tab in TEAM.
- The Transit Planner or Public Transportation Coordinator must ensure that signed labor protection documents required by DOL are collected from each subrecipient for submission to FTA prior to the draft grant application.

- The Transit Planner or Public Transportation Coordinator ensures that the required documents and pre- requisites about legal, financial and technical capacity are completed and included in the draft application for grant funds on an annual basis.

Subrecipient responsibilities:

- Submit the annual certifications and assurances as required by FTA to GDOT Division of Intermodal each year.
  - Subrecipients are expected to provide certifications and assurances for all programs for which the applicants intend to seek FTA assistance in each funding period.
- Use the certifications and assurances form to document their certifications and assurances as required by GDOT as part of a complete submission of the grant application.

- Have an authorized elected official and attorney sign or PIN certifications and assurances.

2.2.13. Grant Award Procedures

Below are the procedures to be followed:

-

Once the FTA approves GDOT's grant application including the program of projects (POP's) for the 5311 and 5307 programs, FTA provides notification of approval to GDOT.

- FTA Regional Office staff notifies GDOT Intermodal Programs by e-mail of grant approval.
  - The Grant Agreement includes the notification of award and the approved project budget. Special conditions of the approval may be included in the award, the current Master Agreement, and the electronic grant (screen).
- Once GDOT receives the notification of grant award, the GDOT Division Director executes the grant in TEAM. The electronic execution of the Grant Agreement signifies the grant is active and post-award grant requirements apply. GDOT can also check the status of grant applications in TEAM to determine when it has been awarded.

2.2.14. Grant Administration Procedures

Transit Planner or Public Transportation Coordinator Responsibilities:

- Enters into a written agreement with each subrecipient, contractor, or lessee that includes the federal requirements.
- TP determines that subrecipients have the financial capacity to carry out the grant program. The determination is made on an ongoing basis, based on application for funds, site reviews and desk reviews of reports and other grant-related documentation. Subrecipient programs are reviewed at least once every three years.

Subrecipient Responsibilities:

- Subrecipients receiving funds from the division must manage their projects to conform to the most stringent of applicable state or federal laws, rules, and other requirements. Subrecipients are required to conform to Office of Management and Budget regulations. Office of Management and Budget circulars: http://www.whitehouse.gov/omb/circulars_default/.

- Administers the grant from award to closeout.
- Develops internal policies and systems to ensure effective management of awards and compliance with grant requirements.
- Establishes strong internal controls for accounting and compliance with grant terms and conditions.
- Demonstrates that funds are expended for eligible activities.
- Tracks receipts, disbursements, assets, liabilities, and balances.
- Tracks and reports program income.
- Ensures that organization has a financial management system and any other systems that are appropriate to implement the project, e.g.:
  - Procurement.
  - Property/capital management.
  - Hiring and training employees.
  - Contract management/monitoring plan.
  - Force account plan and justification.
- Establishes a budget of the costs required to perform the program/project and a method for monitoring actual costs against the budget.
  - A method of tracking and accounting for match funds.
  - A method to amend budget as necessary.
  - A method of cost allocation when multiple grants may be charged for agency expenses.
- Keeps abreast of changes in policies, procedures or requirements and advise agency staff of any changes.
- Requests prior approvals when necessary.
- Makes the most of Transit Planner or Public Transportation Coordinator and audit site visits by showing organizational strengths and successes.
- Prepares required reports and include progress or significant achievements in quarterly reports.
- Keeps Transit Planner or Public Transportation Coordinator aware and informed about award project progress.

2.2.15. Oversight Procedures

Transit Planner or Public Transportation Coordinator Responsibilities:

- Methods of assuring subrecipients' compliance include, and are not limited to:

  - Review single audit;
  - Site visits;
  - Review subrecipient reports, other documentation (desk review);
    - Including reviews of applications, financial and performance reports, annual audits and management letters, and certifications and assurances;
  - Required pre-approval for certain activities;
  - Third-party compliance evaluations;
  - Provide technical assistance and training;

- Regular contact with subrecipients via telephone, email, training, other
- Follow subrecipient coverage in the news;

Subrecipient Responsibilities:

- Subrecipients are required to allow inspections of records and facilities.
- Subrecipients are required to prepare and submit a plan of correct to the Division of Intermodal if the result of the site review requires such a plan.
- Subrecipients are encouraged to use the site review questionnaire (see list of attachments in the appendix) as a self assessment tool.

2.2.16. Compliance Monitoring and Risk Assessment Procedures

Transit Planner or Public Transportation Coordinator responsibilities:

- On an annual basis, the Transit Planner or Public Transportation Coordinator will visit the subrecipients to perform a Risk Assessment utilizing the **Risk Assessment Questionnaire**.
- The Risk Assessment Questionnaire is a tool similar to the one that FTA uses to assess grantee risk and the need for oversight. After completing the questionnaire, the Transit Planner or Public Transportation Coordinator will summarize the scores to establish the subrecipient level of risk on an annual basis.

Subrecipient Questionnaire Score	Risk Factor
Less than 25	Low Risk
Less than 50	Medium Risk
Greater than 50	High Risk
A score of 5 on questions in Section IV items 1, 2, 3, or 6 and Section V, item 1 automatically indicate high risk regardless of overall score	High Risk

- The Transit Planner or Public Transportation Coordinator must adjust monitoring and oversight plans for high and medium risk subrecipients to a greater level of oversight and more frequent and active monitoring. The Transit Planner or Public Transportation Coordinator will notify the subrecipient of risk status and the plan for increased oversight requirement.

- The Transit Program Manager must keep subrecipient assessments in a central repository for tracking, reporting and historical risk assessment information. All relevant information relating to the oversight of each subrecipient should be maintained in such manner as to be easily and quickly identified, complete, and readily available for use.
- The GDOT Internal Audit group will perform a spot audit of subrecipients using an **Abbreviated Compliance Monitoring Review**.
- The results of this audit will comprise part of the risk assessment performed by the Transit Planner or Public Transportation Coordinator, See **Risk Assessment Questionnaire**.

- The Transit Planner or Public Transportation Coordinator should complete full Compliance Monitoring Reviews based on the risk level of the subrecipient. This review should be completed over at least a one-day period. See **GDOT Compliance Review Areas**.
- At the completion of the questionnaires and compliance reviews, the Transit Planner or Public Transportation Coordinator will submit their reports to the Transit Program Manager who will review, comment and then send to GDOT Internal Audit.
- If the Full Compliance Review results in findings of noncompliance, the Transit Planner or Public Transportation Coordinator must inform the Transit Programs Manager in writing of findings of noncompliance and notify the subrecipient in writing of the findings and recommendations for corrective action(s).
- Internal Audit will review the findings and the recommended corrective action(s) and provide comments and assistance as needed.
- The Transit Planner or Public Transportation Coordinator will monitor the completion of any corrective action plans for subrecipient resolution.
- Compliance with corrective action plans is mandatory and any noncompliance may result in the following: GDOT/FTA may reduce or withdraw obligated funding assistance, reduce or deny further obligations, require specific action by the subrecipient as a condition for further drawdown or award, terminate a project for cause, or take other action as appropriate depending on the severity of non-compliance and the subrecipient's ability and willingness to implement corrective actions.

Subrecipient responsibilities:

- Subrecipients must respond to the findings and corrective action letter within thirty (30) days. Corrective action must be implemented within 30-60 days as determined by the Intermodal Office and the subrecipient.

2.2.17. Closeout Procedures

Transit Program Coordinator responsibilities:

- Monitors the status of subrecipient contracts throughout the fiscal year on a quarterly basis to properly prepare for a timely closeout.
- Initiates the closeout procedure for all FTA grants that meet any of the following criteria:
- Draw-down of the grant has been completed to $0.
- All required performance elements have been completed.
- The grant is older than five (5) years (since award).
- The grant has not experienced any financial action in any eighteen month period.
- The grant is one of five or more grants for the same program active simultaneously.

- Identifies any grants that meet these criteria but where closeout has not been initiated and, on a quarterly basis, provides a list to FTA with explanations as to why they remain open.
- Initiates closeout of the grant and submits all closeout documentation within 90 days of the completion of all activities in the grant to FTA. A summary of this closeout activity is submitted to FTA quarterly by the Transit Program Manager.
- Develops a list of contracts and formulates a list of key deliverables and subjects for each contract. When available funds read $0, or when performance reports indicate that all project work has been completed, the Transit Program Manager instructs the Transit Planner or Public Transportation Coordinator to contact a subrecipient to initiate closeout activity.
- If the subrecipient has not yet initiated contract closeout, the Transit Planner or Public Transportation Coordinator will advise the subrecipient regarding closeout documentation, timing and submittals. To enforce timely closeouts, the Transit Planner or Public Transportation Coordinator will advise subrecipients via e-mail that final reimbursements will be withheld until the grant closeout has been initiated.
- If subrecipients do not submit the final reimbursement request within 90 days after the contract expiration date, the GDOT Contracts and Fiscal Services Manager may use the last invoice submitted by the subrecipient as the final invoice for closing out the contract.
- On an annual basis, the Transit Planner or Public Transportation Coordinator sends a reminder to subrecipients requesting they submit a closeout letter along with the final reimbursement request.
- **Capital:** The Transit Planner or Public Transportation Coordinator will request that GDOT initiate the closeout upon receipt of the closeout letter or for contracts that have been active for more than 3 years or if 95% of the funds have been disbursed.
- **Operating:** The Transit Planner or Public Transportation Coordinator, upon receipt of the closeout letter along with the final reimbursement request form, will review the documents and forward them to the Transit Program Manager.
- Sends the Transit Program Manager the Closeout Letter along with any additional documents such as the final reimbursement request to initiate the closeout of a subrecipient contract.
- Monitor subrecipient contracts in their designated region based on data in FAS for those contracts that may be able to be closed. For those contracts that can be closed, the Transit Planner or Public Transportation Coordinator will notify the Transit Program Manager.
- The Transit Program Manager notifies the Director of Transit Programs when all subrecipient contracts under a specific grant have been completed and are ready for close-out.
- The GDOT Intermodal Programs Grants Administrator reviews grant status, determines activity completion, reconciles expenditures and revenues from the general accounting system (PeopleSoft) against the project balance and grant revenue screens, and updates the manual Excel Spreadsheets. This data is then submitted to the Contracts and Fiscal Services Manager for approval.
- The Fiscal Analyst prepares Form 1625 to reduce any remaining funds.
- The Contract and Fiscal Services Manager reviews for accuracy, approves and forwards to Budget Services Office for review and adjustments. The specific grant reconciliation

process is described in the following section.

- The Budget Services Office approves and returns to Contract & Fiscal Services Manager.

- The Contract & Fiscal Services Manager reviews adjustments to general accounting system (PeopleSoft) and makes any final adjustments in grant accounting.
- The Grants Administrator Updates determines final ECHO billing and forwards action to Contract & Fiscal Services Manager.
- The Financial Analyst prepares ECHO and FFRs.
- The Grants Administrator prepares the final FFR and the budget revision report. Prints and files final reports, submits final letter to FTA and updates the FAS grant data with grant closeout date.
- The Transit Program Manager utilizes the Fleet Status in TEAM-web if the grant included purchase of new, replacement, or spare vehicles and attaches in TEAM a final inventory of FTA funded purchase(s) as one of the project deliverables.
- On a semi-annual and annual basis, FTA Office of Program Management generates an electronic report that lists grants meeting the eligibility criteria for grant closeout. FTA Regional Office staff ensures that the required documents are completed and submitted by GDOT before Close Out or Deobligation is executed in TEAM.
- FTA Regional Office Staff will verify all application tabs have been completed and any required supporting documentation is attached in TEAM.
- The Grants Administrator determines grant archive data and maintains grant archives.
- The Contracts & Fiscal Services Manager submits the final project budget reflecting actual project costs in TEAM.
- The Contracts and Fiscal Services Manager enters the final Federal Financial Report (FFR) and the Transit Program Manager Program Coordinator enters the final Milestone Progress Report (MPR) into TEAM. (The Common Rule (49 CFR Part 18) and FTA Circular 5010.1D - detail the information that at a minimum must be included in the MPR)
- The Transit Program Manager ensures that all project deliverables and reports that the grant scope indicated are attached in TEAM.
- When grant closeout is initiated by GDOT, FTA Regional Office Staff check the Federal Financial Report (FFR) and the Milestone Progress Report (MPR) in TEAM to be sure that the scope of the project has been accomplished.
- FTA Regional Office Staff check the project funds/status screen in TEAM to see if unliquidated balance remains and if the final budget reflecting actual project costs has been submitted in TEAM.
- FTA Regional Office staff review the project balance to verify that the final budget totals match the final FSR in TEAM. If not, the Regional Office staff will notify the GDOT to submit a final project budget. FTA Regional Office staff will also verify that the grant did not mix funds.
- FTA Regional Office staff follows the streamlined closeout procedures in TEAM (—New Closeout, under Project Management). If there are any problems with the above final submittals, the FTA Regional Office staff will contact the GDOT by phone or email and assist until all issues are resolved.

Subrecipient responsibilities:

- To initiate contract closeout, subrecipients shall submit the following to the Transit

Program Coordinator for their review/recommendation:

- **Capital:** Upon completion of reimbursement for all capital items intended for purchase, the subrecipient must submit a final Closeout Letter.
- **Operating:** In closing out operating contracts, the subrecipient must submit the following items:
  - **Close-out letter**
  - **Final reimbursement request**
  - **Financial Reporting Form**
  - **Operating Assistance Expense Summary**
  - **Operating Assistance Reimbursement Invoice**
- Subrecipients have up to 90 days after the contract expiration date to submit the final reimbursement request.

2.3. Reporting

There are a number of required routine reports, including fiscal, performance, and vehicle procurement and status. There are also special purpose reports, such as for National Transit Database, Drug and Alcohol Testing MIS, and Charter Bus, which are associated with specific types of funds, and unique program measures for several of the programs. The special purpose reports are covered in more depth later in this document.

Requirements

Financial records, supporting documentation, and all other records pertinent to a grant must be retained by GDOT, and its subrecipients, and must be made readily available to authorized representatives of the U.S. DOT and the Comptroller General of the United States for a period of three years from the date GDOT electronically submits the final Federal Financial Report (FFR). If any litigation, claim or audit is started before the expiration of the three-year period, the records must be retained beyond three years, until all litigation, claims, or audit findings involving the records have been resolved.

The division requires performance and fiscal reports (A-133) from subrecipients for each of its funding programs annually. Grant payment is based on receipt and approval of the reports and reimbursement requests. Performance reports document number of rides, hours, miles, senior and disabled passenger counts, quarterly revenues and expenditures, local contributions, source of contribution and other data as required by the specific funding source. Capital reimbursements are made based on vendor receipts or maintenance descriptions. Vendor receipts for maintenance may be required to verify eligible expenses. Depending upon the type of grant, the division may require other types of documentation in order to process reimbursement requests.

Subrecipients must keep grant records, including procurement records and other associated records for each grant, for three years after a project is completed, and after a vehicle is taken out of service. Subrecipient requirements, such as drug and alcohol testing, may have unique record-keeping requirements. Subrecipients are responsible to know and follow the record-keeping requirements. Site Reviews will include an assessment of the record-keeping capacity of subrecipients by reviewing source documents and inspecting records.

2.3.1. National Transit Database

Recipients funded under the FTA Section 5307 and 5311 programs are required by law to report to the National Transit Database (NTD). Detailed reporting requirements for subrecipients are provided in the individual program manuals for these programs. General GDOT staff reporting responsibilities relating to NTD are included in the procedures listed below.

2.3.2. Invoice Submittal and Payment Reimbursement

GDOT policies call for the revenue from any purchased service to cover the fully-allocated operating cost of providing the service. In addition, there are other service policies affecting coordination, including reporting requirements.

2.3.3. Monthly Accounting Systems Reconciliation

In accordance with the FTA Financial Management Oversight (FMO) Reference 11.5 (Final Review June 29, 2009), Federal Grant Accounts will be reconciled monthly and all reconciling items must be tracked to resolution in a timely manner. All methods must clearly show the balance being reconciled and details of all of the reconciling items.

- The Fiscal Services‘ Unit of the Office of Intermodal Programs must reconcile the FTA Federal Grants within a reasonable timeframe, not to exceed 30 days after the month‘s close-out activity. FTA Federal Grants will be reconciled in the Financial Accounting System (FAS) and PeopleSoft in a structured timeframe to retrieve comparison reports from the Office of General Accounting‘s Contracts Payable Unit (CPL).
- The Fiscal Services‘ Unit identifies reconciling items and makes necessary requests to appropriate offices (General Accounting) with adjusting entries and journal vouchers recorded within the same period. Adjusting book entries must be recorded within 30 days, or earlier, after requests are received. If journal and adjustment voucher entries are not recorded within the same month as monthly reconciliations are received, documentation must be maintained to describe the delay.
- The Fiscal Services‘ Unit communicates Accounting System reconciling items to Intermodal Management, General Accounting and to FTA. All reconciliations will be followed up and resolved with the appropriate offices to complete by fiscal year end.
- The Accounting Director or Assistant Accounting Director reviews and approves proposed adjusting accounting entries. All cash-related transactions should be booked by fiscal year end.
- Intermodal Management, the Accounting Director or the Assistant Accounting Director will review and approve all monthly reconciliations with appropriate signatures.
- The Fiscal Services‘ Unit will retain documentation of the reconciliations for audit purposes.
- Upon the month close of each accounting period, the following procedure will take place for reconciling the Intermodal Financial Accounting System (FAS) with the Contracts Payable System (CPL) and PeopleSoft (PS).

2.3.4. Financial Reporting

FTA requires that GDOT submit financial and milestone progress reports to monitor overall progress against the goals and objectives included in GDOT’s program applications. Each of these reports is a sum total of subrecipient financial and milestone progress. Accuracy and timeliness are key aspects of ensuring that this procedure is effectively implemented.

2.3.5. Milestone Progress Reporting

GDOT Intermodal Programs is responsible for the day-to-day management of grant and subrecipient activities. Subrecipient progress against goals must be monitored to ensure compliance with applicable FTA requirements and to ensure the goals are being met.

2.3.6. Construction Project Reporting

In compliance with FTA Project and Construction Management Guidelines, the Transit Program Manager must require the construction contractor, through the subrecipient, to submit periodic progress reports and invoices in accordance with the project's specification requirements.

Progress reports must be submitted to the Transit Program Manager monthly by the construction contractor and include the following:

- Facilities construction status by major milestone
- A one-month look ahead narrative
- Photos documenting recent progress
- Fiscal summary for contract and major subcontracts (award amount, executed change orders, current commitment, paid as of _____, % expended, & actual expenditures versus baseline cash flow, % executed change orders)
- Procurement status and current approved submittal schedule
- Environmental mitigation status (if applicable) including compliance/non-compliance reports, completed mitigation efforts, public complaints, non-compliance issues raised by regulatory/oversight agencies, and hazardous material status
- Construction safety status
- Disadvantaged business enterprise status by subcontractor including last payment time and amount, amount paid to date, original subcontract value, and change orders. Reports must be submitted monthly to document DBE status.
- Permit application and permit modifications report including the status of those obtained by the grantee and those obtained by the contractor
- Utility work status by major utility
- Change orders of $100,000.00 or more will need FTA approval prior to the subrecipient allowing the contractor to complete the work.
- Status of any other activities (if applicable) including significant events, public affairs and insurance

2.3.7. Operating Grant Reporting

All grant recipients must submit financial and operating data to GDOT. Financial data must accompany the Reimbursement Form, which can be submitted on a quarterly basis. This data is to be submitted as backup documentation with each request for payment. The Reimbursement Form backup (and the RMIS system) includes data on:

- Total operating costs (including maintenance and administration) - line item expenditures for the period.
- Total farebox receipts
- Other local operating revenue (contract revenue, fare subsidies from local organizations, and local government support or contributions)

GDOT has an electronic Rural Management Information System (RMIS) that staff use to compile and monitor vehicle, financial, and operating data on the local subrecipients, which will include the 5311programs.

GDOT's RMIS reporting form and the GDOT Reimbursement Form will together be used as the basic data collection form for operating and vehicle capital projects, as it is specifically designed to collect these types of data.

In addition, the RMIS reporting system collects monthly data that includes:

- Total passenger trips
- Total service miles
- Total service hours
- Trip purpose
- Racial composition of ridership

The RMIS reporting system collects data by vehicle, so operating data will be available by vehicle. In addition, GDOT maintains a current database of all vehicles purchased through the GDOT transit programs, which include:

- Vehicle identification numbers
- Vehicle year Vehicle location Number of seats
- Number of wheelchair placements
- Procurement details

This data is collected to support the program measures established by FTA. The basic data source for these items and related vehicle information is information collected during the annual inspection of the vehicles by GDOT staff, using the GDOT vehicle inspection form.

In addition to the data items listed above, which are to be reported monthly or quarterly, GDOT will collect specific data to be used in developing measures for each program. Items not listed above will be collected on a separate reporting form to be submitted quarterly to GDOT. Additional data for the measures below will be collected in a supplemental questionnaire that will be provided to subrecipients (supplemented with data from either the monthly report forms or the quarterly supplement).

Procedures

2.3.8. General Reporting Procedures

Transit Planner or Public Transportation Coordinator Responsibilities:

- Maintain records sufficient to manage the programs and report to the FTA, including the annual program of projects status reports and Milestone Progress Reports (MPR).
  - Report annually as required to National Transit Database (NTD) in conjunction with the District Public Transportation Coordinator.
- Maintain grant reports a minimum of three years after project completion.
- Require subrecipients to maintain reports and to report, as required.

Subrecipient Responsibilities:

- Submit reports as required by the grant agreement(s). Reports will be true, accurate, current, complete and supported by adequate documentation.

- Maintain grant reports and do documentation a minimum of three years after project completion.
- Submit quarterly performance and vehicle reports on the forms provided by the division.
- Submit reimbursement requests, with appropriate financial documentation, at least quarterly and may be monthly. The invoice format is provided by the division. If the reimbursement request is later found to be incorrect, the subrecipient is obligated to notify the division about the error and will reimburse overpayment, or may submit documentation for additional reimbursement.
- Report as required for 5311, JARC and New Freedom programs, including and not limited to NTD, drug and alcohol, and program performance measures.

2.3.9. Invoice Submittal and Payment Reimbursement Procedures

The objective of this procedure is to establish a standard methodology and process that will be followed by all GDOT Intermodal staff and to be in compliance with FTA requirements in order to process payments for transit activities eligible under federal program. These policies and procedures will dictate the required steps that GDOT must follow for the purposes of processing vouchers.

Transit Planner or Public Transportation Coordinator Responsibilities:

- Receives the reimbursement request from the subrecipient with the required documentation as described below:
  - Payroll salaries claimed.
    - In addition, the Transit Planner or Public Transportation Coordinator should perform a review of the reasonableness of labor costs, to include the following comparisons:
    - Average costs of maintenance
    - Emergency versus repair under normal conditions
    - Overtime percentages
    - Similar staff members charging overtime week/month on consecutive reimbursement requests. (The Transit Planner or Public Transportation Coordinator should compare consecutive reimbursement requests over a three month period to evaluate adverse trends or incorrect operating and labor charges.)
  - Invoices paid for vehicle maintenance.
  - Invoices paid for gas, licenses, alcohol and drug testing, vehicle insurance, services fees for mobile communications.
  - Invoices for capital items
  - Invoices for Design, Right-of-Way Acquisition or Construction
- Verifies reimbursement requests for completeness and accuracy, as described in step 1 above, and completes variance analysis as noted below.
- Evaluates costs incurred against project milestones or line-item budgets and conducts a variance analysis, evaluating the reimbursement request as follows:

- Percent of funds expended versus percent of tasks completed
- Percent of funds expended versus percent of calendar year elapsed
- Requests for reimbursements for tasks completed
- Cumulative amount charged by budget line item versus contract budget line item

- Questions and resolves the following:
  - When costs incurred do not track with project performance;

  - When budget line items have been exceeded, or when it can be reasonably forecasted that funds will be expended well in advance of the end of the fiscal year; or
  - When the costs incurred include labor categories, rates, or indirect rate percentages not included in the contract budget.
  - Additional documentation may need to be submitted by the subrecipient.
- Resolves all invoice/voucher issues, documents problems and variances found, and includes these in the approval request.
- Submits the reviewed reimbursement request to the Contracts and Fiscal Manager.
- The Contracts and Fiscal Manager includes all variance analysis and reimbursement request problems in each Subrecipient file and forwards package to the Transit Program Manager for review.
- The Transit Program Manager reviews and forwards the package to the Fiscal Analyst for processing.
- The payment invoice/reimbursement request is opened and logged by the Secretary II and given to each Unit for the Project Manager to review for eligible expenses.
- The Reviewing Manager logs all Pay Requests to ensure payment is issued within the 30 day ―Prompt Pay regulation as set forth by the Federal Accounting Regulations (FAR) and forwards to the Fiscal Analyst.
- If the payment request cannot be processed due to computational or other related issues, the Project Manager communicates this to the subrecipient and either holds the request for additional information or returns the packet, where required, and logs the date with appropriate comments and courtesy copies.

Fiscal Analyst Responsibilities:

- Reviews submitted invoices for accuracy and cost limits.
- Prepares payment requests in FAS and links payment to contract and grant.
- Assembles Batch of Payments.
- Assigns next Batch Number and totals Payments for Batch.
- Initiates FAS session and enters Batch Header information.
- Enters Payment Information and executes Payment Batch Reports.
- Validates Payment Batch and makes needed corrections.
- Executes Batch Payment Vouchers and Reviews for Accuracy.
- Stamps each Payment Invoice/Reimbursement Request and Recipient Request Letter with the ―Blue Invoice Stamp‖ (or the ―Red Invoice Stamp,‖ if the invoice is a copy).
- Assembles the pay packet, which includes the 1678 Voucher, Recipient Letter and Invoice with back-up documentation.
- Submits payment packet with Batch Report to the Contracts & Fiscal Services Manager for Review.

- Reviews payment package and prepares it for transit review and Intermodal management approval. Once approved, the payment package is returned to the Fiscal Analyst and prepared for submission to Contracts Payable for entry into PeopleSoft. Two copies of the payment request package are made: one for Intermodal files and one for forwarding to the Office of General Accounting/Contracts Payable Unit.

- Contracts Payable posts to Contracts Payable Ledger (CPL) and PeopleSoft within 3-5 business days.
- GDOT, through the PeopleSoft system, issues a payment to the subrecipient via check or Electronic Funds Transfer (EFT), usually within 4 days.
- The Fiscal Analyst updates the −Check date field in FAS upon receiving confirmation from PeopleSoft and the paid receipt from Contracts Payable.
- The Fiscal Analyst runs the −ECHO Report in FAS before the end of the month to verify all the requested payments have been made and submits the ECHO report to the Grants Administrator for entry into TEAM.

Grants Administrator Responsibilities:

- The Grants Administrator reviews ECHO for accuracy and validity and prepares the ECHO form for entry into the Federal ECHO Report System. This information is then forwarded through the Contracts and Fiscal Services Manager to Intermodal Management for approval. If no corrections are required, it is returned to the Grants Administrator for entry into the Federal ECHO System. The entry includes a request for the total amount of the payments made so that FTA releases the amount to GDOT electronically as required by the FTA. Final ECHO approval is provided by the Division of Intermodal Director.
- An ECHO receipt is generated for attachment to the ECHO report listing the amount requested with signature and the actual amount received through the GDOT Revenue unit. The GDOT Revenue Unit submits cash receipts transmittals, noting funds received by Electronic Funds Transfer (EFT) for ECHO reimbursements requested by Intermodal. The information is attached to the receipt when posted and is maintained in the ECHO reporting folder.
- At the end of the fiscal year, when subrecipients submit their final reimbursement request, the Fiscal Analyst tracks this final payment in FAS.

Subrecipient Responsibilities:

- Submits reimbursement request forms using the Sample Operating Assistance Reimbursement Form to the Transit Planner or Public Transportation Coordinator, no later than the end of the following month. For reimbursement requests of construction and Architectural & Engineering invoices (including those related to NEPA), subrecipients are required to submit reimbursement requests at a minimum of every quarter for all transit programs regardless of the project type (i.e. operating, capital, planning).
  - This information can be transmitted by the subrecipient electronically, but the subrecipient must print the form, sign the copy, and transmit the hard-copy information by mail in order for the invoice to be processed for payment by GDOT.
    - Subrecipients must provide a sufficient amount of detail when submitting payroll salary information. This information should include, at a minimum:
    - Detailed payroll records including hours worked by staff member

- Extent and explanation of overtime worked
- Explanation of the basis of any indirect markup such as fringe or health benefits
- The exact salaries and markups for staff as noted on the subrecipient's application

Refer to the Office of Intermodal Programs Financial Accounting System (FAS) procedures for additional information on FAS.

2.3.10. Monthly Accounting Systems Reconciliation Procedures

Fiscal Services Responsibilities:

Part I – Reconcile PS & CPL

- The Senior Financial Manager will run and balance the Ledger Monthly Balance Detail Report by account code, after the month closes in PS using the following steps:
  - Run the Ledger Monthly Balance by Detail Report on fund sources 707013 & 707020.
  - Verify PS & CPL month end total purchase order obligation and payment balances.
  - Verify payment & obligation transactions that occurred within that monthly period.
  - If transactions balance, type ―PO is in balance‖ and move to step (f) below.
  - If the balances do not match, research, provide documentation, and then correct the out of balance.
  - Obtain approval signatures from the Senior Financial Manager, the Division Director in Intermodal Programs, and then obtain signatures from either the Assistant Accounting Director or the Accounting Director.

Part II – Reconcile FAS to PAS

- The Contracts & Fiscal Services Manager receives the PeopleSoft and CPL Accounts Payable Reports for review and forwards them to the Fiscal Analyst.
- The Fiscal Analyst reviews for type and validity and collates with Hold Payment Documents.
- The Fiscal Analyst initiates the PeopleSoft Financial Accounting Session and performs the following:
  - Access the 'Accounts Payable' module
  - Click on 'Vouchers'
  - Enter VENDOR ID# in applicable area to generate a listing of payments made to that vendor
  - Select appropriate payment or payments
  - Confirm correct payment information relative to fund code and amounts.
- The Fiscal Analyst prints Voucher Screens for back-up documentation.
- The Financial Analyst initiates the Financial Accounting System (FAS) session and performs the following:
  - Selects Payments for Date period
  - Enters Check Date for all Hold Payment Documents
  - Selects Administrative Reports
  - Selects ECHO Reports

- Executes ECHO Report and Check Date
- Reviews for accuracy
- Forwards to Contracts & Fiscal Services Manager for review.

- The Fiscal Analyst reports all account discrepancies in spreadsheet format to the Contracts and Fiscal Services Manager for review, and this information is forwarded to the General Accounting Section for correction.

- The Fiscal Analyst will follow-up on corrective action within 10 days after submission, confirm corrections in PeopleSoft Accounting, and make necessary adjustments to the Financial Accounting System (FAS) where required.
- The Fiscal Analyst obtains approval signatures from the Senior Financial Manager; the Division Director in Intermodal Programs then obtains signatures from either the Assistant Accounting Director or the Accounting Director.
- The Contracts and Fiscal Services Manager submits an ECHO report to Grants Administrator.
- The Grants Administrator prepares an ECHO form, reviews for accuracy, and forwards it to the Contract & Fiscal Services Manager.
- The Contract & Fiscal Services Manager initials, obtains approvals from the Division Director, and forwards it back to Grants Administrator.
- The Grants Administrator transmits to ECHO for Federal Reimbursement, makes necessary copies for the submission of pay copies to General Accounting and Budget Services, and files in the appropriate Intermodal file drawers.

Subrecipient responsibilities:

- None.

2.3.11. Financial Reporting Procedures

Fiscal Services Responsibilities:

- The Contracts and Fiscal Services Manager completes the SF425 that includes program outlays and program income (if any) on modified accrual basis. GDOT must use **Standard Form SF425 Federal Financial Reporting Form** (FFR), to report the status of funds for grants to FTA
- The Contracts and Fiscal Services Manager submits these reports on a quarterly basis, and at the expiration or termination of grant support. Reports are due within thirty (30) days after the reporting period and within ninety (90) days after the expiration or termination of grant support.
- In this report, capital outlays will be shown as accrued costs while operating costs will be shown on a cash basis. This is due to the fact that capital costs are accrued via Purchase Order commitments for vehicles, while subrecipients are paid on a cash basis for all operating costs. Notation of the two bases of cost accumulation will be provided in the report.
- FTA Regional Office Staff will review FFRs on a quarterly basis to verify that appropriate information is included, provide comments or remarks, and will notify GDOT by email for clarification if there are discrepancies. The Common Rule (49 CFR Part 18) and FTA Circular 5010.1D detail the information that at a minimum must be included in the FFR by GDOT.

Subrecipient responsibilities:

- Use the **Monthly Financial Reporting Form** to report the status of funds for grants. These requests must include program outlays and program income (if any) on a cash or accrual basis as prescribed by the GDOT Contracts and Fiscal Services Manager.
- Submit monthly reports to the Transit Planner or Public Transportation Coordinator, and at the expiration or termination of grant support. Reports are due within thirty (30) days after the reporting

  period and within ninety (90) days after the expiration or termination of the GDOT – Subrecipient contract.

2.3.12. Milestone Progress Reporting Procedures

Transit Planner or Public Transportation Coordinator responsibilities:

- Submits Quarterly Milestone Progress Reports for each open Section 5303, 5307, 5309, 5311, 5316, 5317 grant (due the 10th of each quarter) to FTA.
- Send a reminder to subrecipients 2 (two) weeks before the report is due.
- Notify the subrecipient upon receipt of the **Quarterly Milestone Progress Reports** (MPR) so subrecipients have confirmation of their submittal of the report.
  - The Transit Program Manager submits **Quarterly Milestone Progress Reports** to FTA in TEAM. Milestone Reports should include:
    - Current Status of each open Activity Line Items (ALI) including budget and schedule changes.
    - Narrative describing project status as well as any problems relating to the ALI.
    - Comparison of actual accomplishments to the objectives established for the period.
    - The reasons for slippage if established objectives were not met.
    - Revised estimated completion dates including explanations if original milestone dates were not met.
    - Completion dates for completed milestones.
    - Additional information such as exploration of large delays in time or large savings in costs incurred.
    - Problems, delays, or adverse conditions that may materially impair the ability to meet the objective of the grant award.
    - Favorable developments that may reduce the time it will take to implement the grant or implement it at a lower projected cost.
- The Transit Program Manager must notify FTA of any event that may have a significant impact upon the grant or subrecipient contract. FTA should be informed when:
  - Problems, delays or adverse conditions may materially impair the ability to meet the objective of the grant award such as delayed vehicle shipments and natural disasters.
  - Favorable developments may reduce the time it will take to implement the grant or enable the grant to be implemented at a lower projected cost, such as reduced vehicle pricing or improved maintenance procedures.

Subrecipient responsibilities:

- Submit **Quarterly Milestone Progress Reports** (MPR) to the Transit Planner

or Public Transportation Coordinator by the 10th of each quarter.

- Submit the following for each quarter:
  - Amount expended
  - Percentage completed
  - Progress during the quarter

  - Current status of each open Activity Line Item (ALI), including budget and schedule changes
  - Narrative describing project status as well as any problems relating to the ALI
- Notify GDOT of any events that may significantly impact the grant or subrecipient contract.
- Submit the **Preventive Maintenance Annual Report for Equipment** on an annual basis to the Transit Planner or Public Transportation Coordinator. This report is due within 30 days from the end of each grant year.

2.4. Financial Management

Requirements

GDOT's Division of Intermodal manages financial expenditures of FTA programs in Georgia. This includes state and federal funds allocated to it as required by laws, rules, and GDOT policies governing the expenditure and accounting of federal and state funds. GDOT's financial management system controls the financial expenditures of programs to establish that such funds have not been used in violation of federal and state requirements.

Specific requirements are summarized below.

2.4.1. Flexible Funds

Federal highway and public transportation statutes include provisions that permit certain categories of funds to be used for either highway or transit purposes. These flexible funding provisions facilitate a multimodal approach to meeting transportation needs at both the statewide and local levels.

Flexible fund programs include:

- Surface Transportation Program (STP), 23 USC 133
- Equity Bonus Program, 23 USC 105
- Highway Bridge Replacement and Rehabilitation Program, 23 USC 144
- National Highway System Program, 23 USC 104(c)
- Substitute Highway Program, 23 USC 103(d)
- Congestion Mitigation and Air Quality (CMAQ) Improvement Program, 23 USC 149

Although these Federal Highway Administration (FHWA) programs have intermodal flexibility, there are limitations on the uses of some funding. For example, recipients may not use STP funds for operating assistance on public transportation projects; however, recipients may use STP funds for any public transportation capital project. Further, recipients may only use CMAQ funds for public transportation or highway projects that are likely to result in emissions reductions.

Operating assistance is limited to new transit services, intermodal facilities, and travel demand

management strategies (including traffic operation centers); and the incremental cost of expanding existing transit services.

In using CMAQ funds for operating assistance, the intent is to help start up viable new transportation services that can demonstrate air quality benefits and eventually cover their costs as much as possible. Other funding sources should supplement and ultimately replace CMAQ funds for operating assistance, as these projects no longer represent additional, net air quality benefits but have become part of the baseline transportation network.

Operating assistance includes all costs of providing new transportation services, including, but not limited to, labor, fuel, administrative costs, and maintenance. When CMAQ funds are used for operating assistance, non-Federal share requirements still apply. With the focus on start-up costs only, operating assistance under the CMAQ program is limited to three years.

Generally, flexible funds transferred to FTA require the same non-Federal matching share that such funds would require if used for highway projects administered by FHWA. Consistent with FHWA matching requirements, the Federal share may exceed 80 percent for some projects and for projects in some States. If the FTA share would be greater than the FHWA share, such as for equipment and facilities to comply with the ADA and Clean Air Act (CAA), the FHWA share is applicable. Flexible funds transferred to FTA are administered and managed under the same requirements of the Section 5303, 5307, 5309, 5311, and 5316/17 programs and must be obligated in a separate grant.

Public transportation projects funded under an FHWA flexible funding provision must be identified in the metropolitan transportation planning process and included in an approved TIP and STIP. Approval of the TIP by the Governor for inclusion in the STIP constitutes a State's commitment to funding programmed projects with the identified FHWA funds.

To facilitate project delivery, flexible funds for eligible public transportation and public transportation-related projects may be administered by FHWA, rather than transferring the funds to FTA. When a project is eligible for flexible funding, the recipient should base its decision to have funds administered by FHWA or FTA on the nature of the project, the agencies involved in implementation, and the recipient's preference to follow either FHWA or FTA administrative procedures and requirements. However, a transit project is subject to 49 USC 5333(6) transit employee protection requirements regardless of which agency administers the funding.

When an applicant seeks funding for transportation-related planning activities under a flexible funding provision, it is not necessary to transfer STP, CMAQ, or NHS funds from FHWA to FTA, as the FHWA programs and Section 5303, 5307, 5309, 5311, and 5316/17 programs have identical eligibility criteria for planning activities.

Flex funds transferred for capital purposes in the Formula Grants programs that are lapsing or that have lapsed will be credited to the State Governor's apportionment balance to benefit the entire state for later approved transit projects not be solely the original recipient urbanized area. The Governor will have the authority to decide transit projects for which the lapsed funds will be used. The FTA Regional Office will notify the appropriate State DOT by letter that lapsed funds have been credited. The Governor or his designee must inform the Regional Office in writing of his/her decision on the use of the funds. The Governor may elect to direct that the funds be used for the project or in the urbanized area for which they were originally transferred, or he/she may direct that the funds be made available for a different project or urbanized area.

2.4.2. Eligible Expenses

To be allowable for reimbursement from state and federal grants, costs must meet the following general criteria:

- Be necessary and reasonable for proper and efficient performance and administration of the project.
- Be an eligible expense.
- Be treated consistently: A cost may not be assigned to the grant as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a grant as an indirect cost.
- Be determined in accordance with generally accepted accounting principles.
- Not be included as a cost or used to meet cost sharing or matching requirements of any other Federal award in either the current or a prior period.
- Be the net of all applicable credits.
- Be adequately documented.

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

2.4.3. Operating Expenses

The operating budget for each local recipient's TIP and/or RTIP is largely based on the previous year's budget and increased up to five percent for inflation in line items where permitted under GDOT budgetary guidelines.

Subrecipients must develop a realistic budget to include an estimate of actual administrative and operating costs, rather than basing their budget on known funding sources and amounts. Subrecipients should use the Sample Operating Budget Form when completing their operating budget.

2.4.4. Indirect Cost Eligibility

The division will not approve indirect costs charged to grants that are not supported by an indirect cost plan approved by a federal cognizant agency.

It is allowable to charge a prorata share of direct administrative costs to grants. In this case, a narrative cost allocation methodology should be developed, documented, maintained for audit, or submitted, if requested, to the Transit Planner or Public Transportation Coordinator for review, negotiation, and approval.

2.4.5. Program Income

Program income is defined as gross income directly generated by a grant funded project. Examples include fares, Business Energy Tax Credit Pass-Through program, service contract revenue, and income from advertising on buses. There are many source of program income. Subrecipient must maintain records of program income earned and spent.

Subrecipients may use program income as match, with the following exceptions:

- The income from contract services may not be used as match if the original source of payment for the contract is another FTA grant program.
- Fares may not be used as match. The eligible expenses are the net expenses after the

subtraction of the fares from the total eligible expenses.

- In the 5311 program, there is a limit to the amount of in-kind contributions that may be used as match: in-kind contributions may not exceed more than one-half of the local matching share.

2.4.6. Internal Controls

Internal controls are the responsibility of the subrecipient agency. Internal control procedures for subrecipients will reflect the culture and size of the agency.
Smaller agencies may have less formal structure, but will emphasize integrity and communication. Smaller agencies may rely on compensating controls due to low numbers of employees. Internal controls are defined as reliability of financial reporting and compliance with applicable rules and laws. There are generally five elements of internal control: control environment, risk assessment, control activities, information and communication, and monitoring.

Internal control procedures should address the following: cash management, fixed assets, procurement, accounts payable, payroll, overhead, budget controls, grants management, project management and information technology.

With respect to information technology, subrecipients should have controls in place that insure that hardware and software are protected against misuse; access to sensitive information is restricted; there is an ability to prevent and detect unauthorized transactions; and ensure critical data is protected in the event of an emergency.

2.4.7. Budget Revisions and Amendments

GDOT is required to officially report to FTA any change within the scope that has impact on budget allocations of the original grant. GDOT subrecipients must notify the Transit Planner or Public Transportation Coordinator of the need to modify or amend the budget, the duration of a project, the scope of the project, the quantity of assets to be acquired, and for other administrative reasons. As required, programs requiring changes to the POP are submitted to FTA for approval.

Budget revisions may be made as long as there is no change in the grantee purpose, scope codes, and Federal funding of the grant, regardless of the fiscal year when the funds were appropriated. Budget revisions are generally changes to ALIs in amounts or descriptions. Budget revisions must be consistent with the activities contained in an approved Transportation Improvement Program (TIP) and Statewide Transportation Improvement Program (STIP) and satisfy applicable National Environmental Policy Act (NEPA) requirements. Useful life of new activities must be addressed in the budget revision, as applicable.

Budget amendment is a change to an existing budget. It involves a fundamental change in the scope of an existing budget so much so that a supplemental contract has to be executed. A budget amendment involves a change in the amount previously approved. It also alters the federal and Local amount. The Intermodal Programs office takes the request for budget amendment very seriously since it involves multiple processes. All requests for budget amendment must be submitted through the appropriate Rural Public Transportation Coordinator or Transit Planner using the standardized format.

Rural Public Transportation Coordinator CANNOT approve requests for budget amendment. The request can only be approved by the Atlanta Office. For a budget amendment or supplemental budget to be considered, the request must be within the contract period. The Intermodal Programs will not consider any change to an approved budget without its prior written approval nor will it consider for reimbursement any request which is not an expense under an approved budget without its prior written approval. Budget amendments and budget revisions are approved on a case by case basis.

Procedures

2.4.8. Financial Management Procedures

Upon receipt of an approved FTA grant agreement, GDOT Intermodal processes and sets up Subrecipient funding. Responsibilities for this process are as follows:

Transit Planner or Public Transportation Coordinator Responsibilities - Funding Setup:

- The Transit Planner or Public Transportation Coordinator gives the grant award agreement to the Contracts and Fiscal Manager, who sets up the Subrecipient funding. The Contracts and Fiscal Manager reviews and forwards to the Grant Administrator, and if discrepancies are found, returns to the Transit Planner or Public Transportation Coordinator for necessary adjustments.
- The Grant Administrator is then:
  - Contacts the Office of Financial Management to ensure fund sources are loaded into the TPro system.
  - Assigns a fund source number and enters into TPro to generate a Project ID Number for all grants and to establish the Grant Sum Bank.
  - Manually codes new project/accounting fund source number to upper right hand corner of grant award agreement.
  - Generates an Accounting Notice Change form and Fund Source Table indicating necessary information pertaining to the new grant and project/accounting fund code and CFDA information and forwards to Office of Budget Services and the Office of Financial Management.
  - Establishes a Grant File folder which consists of the Grant Agreement and Accounting Notice.
  - Submits to the Contracts and Fiscal Manager for review.
- The Contracts and Fiscal Manager then reviews for accuracy and returns to the Grants Administrator for corrections as needed, and returns to the Grant Administrator for grant processing.
- Upon receipt, the Grant Administrator:
  - Submits Accounting Notice to Office of Budget Services and Office of Financial Management (OFM).
  - Prepares Grant Ledger Spreadsheet.
  - Establishes Grant file folder and initiates FAS session.
    - Selects Grants from the sub-menu and enters Grant data.
    - Selects Grants Reporting and generates a Balance Report.
    - Reviews for accuracy.

- Maintains Grant File Folder.
- Follows up with Office of Budget Services and OFM to ensure that grant is set up in PeopleSoft with the correct grant information.

- Next, the Office of Financial Management (OFM) staff verifies all funding availability in PeopleSoft and TPro prior to any 1625 approvals for funding. Upon approval of the 1625 Form funding request, OFM assigns funds from the Master Grant for each project account and forwards 1625 copies to Office of Budget Services for allotment.

- The Office of Budget Services is then responsible to post all Federal Funds codes and State Fund codes to the budget tree in PeopleSoft enabling the PeopleSoft system to expense funds under grants that are received.
- Office of Budget Services staff then allots funds to the project account which gives approval and ability to generate a correct Project Financial Report (PFR).
- Once the grant has been approved, the funds have been set up in the accounting system (PeopleSoft), and the funds have been confirmed:
  - The Contracts and Fiscal Services Manager utilizes the TPro system.
  - The Transit Planner or Public Transportation Coordinator notifies the subrecipients by email of grant award and provides instructions on next steps.

Transit Planner or Public Transportation Coordinator Responsibilities - Contracts Setup:

Per FTA requirements, GDOT Intermodal Programs must execute the grant within the allowable time period of 90 days. The Transit Planner or Public Transportation Coordinator:

- Reviews and transmits subrecipient agreements or contracts for projects where the subrecipient has provided a complete application and distributes the agreements within approximately 30 days of the availability of funds.
- Approves the subrecipient application letter requests.
- The Contracts and Fiscal Services Manager is responsible to:
  - Review the approved request and forwards the documents to the Grant Administrator.
  - Review and updates all contract boiler plates for each program and ensures that the legal policy set forth by the Office of Legal Services is applied with correct language and proper presentation of information.
  - Receive Sponsor Applications/ Grant Summary Report and Letter of Request that have been approved by the Division of Intermodal Programs.
  - Review and forwards to the Grant Administrator.
- The Grants Administrator is responsible for reviewing the application request and determining the type and validity. The Grants Administrator must:
  - Enter in TPro to program funds for subrecipient projects and to generate Project ID Numbers.
  - Enter subrecipient information and amounts into the Grant Ledger spreadsheet.
  - Prepare the web-based 1625 Form for each subrecipient for Department approval. The web-based 1625 Form goes through the following electronic approval process:
    - Requisitioner,
    - Budget Analyst (verifies the availability of funds and balances the new request against that fund balance)

    - Chief Engineer (for federal projects), Deputy Commissioner (for local projects) or Director of Administration (for intermodal projects),
    - OFM, and
    - Treasurer
  - Request Contract ID from Office of General Accounting (OFG) Contracts Payable.
  - Prepare the Contract and reviews for accuracy.
  - Prepare the Contract Ledger sheet and the Contract folder.
  - Update the Program of Projects identifying specific projects to be contracted.
  - Submit to the Contracts and Fiscal Services Manager for approval.
- The Contracts and Fiscal Services Manager then reviews the documentation for accuracy, returns to the Grant Administrator for Contract execution to assemble Contract copies, exhibits and appendices, and then sends to the Transit Planner or Public Transportation Coordinator to review and note any discrepancies relative to the application requests. Any discrepancies are communicated to the Contracts and Fiscal Services Manager or the Grants Administrator.
- The Transit Planner or Public Transportation Coordinator is then responsible to:
  - Review the contracts and prepares Memos of execution and directives of contract handling regarding execution (Exhibits, Appendices, Federal ID information) and local cash share for capital vehicle purchases.
  - Distribute contracts to subrecipients for signature.
  - After the subrecipient signs the contract, the Transit Planner or Public Transportation Coordinator forwards the contract to the Contracts and Fiscal Services Manager.
- The Contracts and Fiscal Services Manager then reviews and approves the signed agreements or contracts for proper execution and forwards to the Grants Administrator.
- The Grants Administrator:
  - Assembles the Resolution, PFR, Budget Comparison Report (BCR) and Local Cash Check (when required).
  - Properly codes the charging information in the upper right hand corner of the contract for Contracts Payable to expense the funds.
  - Enters Contracts data into the Contracts Authorization Tracking System (CATS) for GDOT execution and approval. (This is an electronic process that requires several levels of approval from the Office of the Commissioner.).
  - Obtains Contract ID number from Contracts Payable, a unit of General Accounting.
  - Upon approval and execution of contracts at GDOT through CATS, Office of Legal Services forwards one copy to Contracts Payable for entry into PeopleSoft and the Contracts Payable Ledger (CPL) system and returns 2 executed copies to the Contracts and Fiscal Services for distribution to the subrecipients.
  - Notifies the Transit Planner or Public Transportation Coordinator of contract execution.
  - Prepares a transmittal memo for the Transit Planner or Public Transportation Coordinator and forwards to Contracts and Fiscal Services Manager for approval.

- Resolves discrepancies (if any) and returns memo to the Transit Planner or Public Transportation Coordinator for distribution to the subrecipients.

  - Places the remaining executed copy in the contract file folder and forwards to the Fiscal Analyst.

- The Fiscal Analyst is then responsible to:
  - Review the executed contracts to determine type and validity
  - Prepare the contract entry form and assembles into Contract Batch.
  - Assign Batch number and initiates FAS session.

  - Assign Contract ID to each contract being entered in the FAS Contract Processing Module.
  - Contract entries in the Financial Accounting System (FAS) – the cross referencing of the contracts database is achieved by using the contract number and its supplement for the collective Section 5309 contracts.
  - Add contracts for Batch and executes the Contract Batch Report.
  - Verify contract data entry and makes corrections as needed.
  - Re-run any Batch Reports if needed.
  - Submit Contract Batch reports to the Contracts and Fiscal Services Manager.
  - File the Contract Ledger Sheet and Contract Folder in the appropriate file area.
- The Contracts and Fiscal Services Manager reviews the contract batch report and forwards to the Grant Administrator.
- The Grant Administrator reviews the approved contract batch report, verifies balances and executes both the Grant Balance and Contract Type Reports. The Grant Administrator then verifies data on both reports.

Subrecipient Responsibilities - Contracts Setup:

After the Transit Planner or Public Transportation Coordinator distributes the contract to the subrecipients for signature, the subrecipient:

- Reviews the contract or agreement and agrees with the terms, as the subrecipient grant agreement represents a contractual obligation between GDOT and the subrecipient to perform in accordance with federal and state guidelines.
- Signs the contract and forwards to the Transit Planner or Public Transportation Coordinator.

2.4.9. Flexible Funds Procedures

- Division of Intermodal submits letter to the GDOT's Office of Financial Management requesting flex funds on behalf of the subrecipient. GDOTs Office of Financial Management submits that letter to FTA.

2.4.10. Budget Revision Procedures

Transit Planner or Public Transportation Coordinator responsibilities:

- GDOT may request a budget revision either before or after incurring costs, depending on the nature of the request. If the budget revision meets the criteria outlined below, FTA concurrence is required before incurring costs associated with the proposed change. If the revision falls within GDOT's authority, up to 20% of the total cumulative project cost not to exceed $100,000, does not involve quantity changes, or the addition/deletion of

Scopes and Activity Line Items, the revision need not be approved by FTA. (TEAM cannot differentiate between a required revision and ones that fall within the grantee's authority; therefore, the revision is still reviewed by the FTA Regional Office staff to verify that all items in the revisions are complete and accurate and that FTA approval is granted where necessary before costs are incurred).

- GDOT requires approvals of other budget revisions from FTA, managed by the Transit Program coordinator as described below:
  - The subrecipient may submit a request for a budget revision to any Activity Line Items (ALIs) within the grant by filling out the budget revision request form and sending a cover letter detailing the justification for the request.
  - The Transit Planner or Public Transportation Coordinator will make a recommendation to approve or deny the request.
  - After the Transit Planner or Public Transportation Coordinator has made the recommendation, it is then forwarded to the Transit Program Manager for approval or denial.
  - If approved by the Transit Program Manager, the Transit Planner or Public Transportation Coordinator submits the proposed budget revision in TEAM for approval before incurring costs associated with the budget revision. If FTA determines the proposed budget revision does not meet the criteria for a budget revision, alternate methods for modifying the grant, such as a grant amendment, may be recommended.
  - Prior FTA approval must be obtained if the proposed budget revision meets any of the following criteria:
    - The Federal share of the grant exceeds $100,000 and the change in the cumulative amount of funds allocated to each scope from the originally approved scope exceeds 20 percent.
    - Federal funds are transferred between ALIs with different Federal matching ratios, such as moving funds from a capital activity with a match ratio of 80/20 to an operating activity with a match ratio of 50/50. This activity also requires a financial purpose code (FPC) transfer.
    - Changing the Federal share of an existing ALI, such as changing an ALI from 80/20 to 83/17 to account for compliance with ADA or CAA requirements.
    - The budget revision changes the size or physical characteristics of the items in the ALIs without changing the project scope.
    - The addition or deletion of an ALI to an existing scope included in the grant, provided that the request does not change the amount of Federal funds awarded in the original grant or change the scope of the project contained in the grant. The addition of an activity within an approved scope requires that the grantee affirm in the budget revision request that the new activity is consistent with the approved STIP and, if applicable, has satisfied NEPA requirements.
- Subrecipient request for Budget Revision:
  - Changes to Activity Line Items (ALI) budget that do not affect the overall amount requested and that are less than 20% of the total amount for the Fiscal Year of project.
    - The subrecipient submits a request to the Transit Planner or Public Transportation Coordinator that includes all the required information to justify the requested changes.

- The Transit Planner or Public Transportation Coordinator reviews and notifies the Transit Program Manager.
- If approved, the Fiscal Services Manager makes any necessary changes in FAS.

– All other changes that affect the overall amount requested must be separately approved:
  - The Transit Planner or Public Transportation Coordinator reviews and provides the Transit Program Manager the request made by the subrecipients.
  - The Transit Program Manager either approves or denies it.
  - If the request is approved, the Transit Planner or Public Transportation Coordinator shall make the necessary changes to the budget for that subrecipient in AMIS.

▪ The Transit Planner or Public Transportation Coordinator submits a budget revision in TEAM using the –Revise Project Budget screen.

– Budget revision requests must include a reason for the revision.
– For each ALI being adjusted, either by quantity or dollar amount, a brief explanation and impact to the project or grant must be included in the details section for the change being requested.
– If necessary, additional information can be provided by using the attachments feature in TEAM.
– Incomplete budget revisions will be returned to GDOT by the FTA reviewer for inclusion of additional information.
– GDOT should contact the FTA Regional Office for assistance with completing budget revisions, if needed.

▪ In addition to entry into TEAM, the Transit Planner or Public Transportation Coordinator should notify the appropriate FTA Regional Office staff by email or telephone when they enter a budget revision in TEAM.
▪ The Transit Program Manager executes the revised TEAM grant on behalf of GDOT (if it is a grant amendment request) and provides the Contracts and Fiscal Services Manager with the revised TEAM budget.
▪ The Contracts and Fiscal Services Manager reviews the revised budget and prepares the DOT Form 1625 Project Allocation Funds Report for approval.

Subrecipient responsibilities:

▪ Submit a request to the Transit Planner or Public Transportation Coordinator that includes all the required information to justify the requested changes. See the **Example of Line Item Budget Revision**.

2.5. Audits

Requirements

The purpose of this procedure is to provide guidance to GDOT Intermodal staff on the submission and coordination of single annual audit reports (A-133) to FTA.

The objective of this procedure is to establish a standard methodology and process that will be followed by GDOT Intermodal to achieve compliance with FTA requirements with regards to A-133 Audits.

Grantees that expend $500,000 or more in a year in Federal funds from all sources must have a single audit conducted, except when they elect to have a program-specific audit conducted. The audit must be completed within nine months of the end of GDOT's fiscal year (FY). GDOT Intermodal must ensure that each subrecipient receives an A-133 Audit by an independent auditor and submits audit results to GDOT.

Subrecipients are responsible for conducting and submitting an annual audit under the Single Audit Act of 1984, as amended, following the guidelines set forth in OMB Circular A-133.

The audit should be performed by an independent certified public accountant and should include:

- A report of Federal financial assistance
- The auditor's report on the study and evaluation of internal control systems
- Compliance with applicable laws and regulations
- A report of any findings or questioned costs

The subrecipient has six (6) months to file notice of corrective action it has taken upon notification of any findings or questioned costs from the A-133 audit.

The annual single audit is performed by an independent auditor who is required to determine and report on whether the grantee has internal control systems that reasonably assure it is managing Federal assistance programs in compliance with applicable laws and regulations.

GDOT is required to determine whether subrecipients are spending Federal assistance funds in accordance with applicable laws and regulations. Audit judgment concerning the subrecipient's determination is left to the independent auditor.

Audit Procedures

Transit Planner or Public Transportation Coordinator /Internal Audit Office Responsibilities:

- Keeps one copy of the data collection form and one copy of the audit reporting package on file for three (3) years from the date of submission to the Federal clearinghouse. Pass-through entities shall keep subrecipients' submissions on file for three years from date of receipt.
- Responsible for the prompt resolution of all audit findings and recommendations. This responsibility requires that the Transit Planner or Public Transportation Coordinator and the Transit Program Manager:
  - Promptly evaluate the report and findings;
  - Determine the appropriate follow-up/corrective action plans and establish a date for their completion; and
  - Ensure that subrecipients complete all required actions within the established period of time.
- Deficiencies or opportunities for improvement identified in an audit must be resolved by the subrecipients with assistance from the Transit Planner or Public Transportation Coordinator , the Transit Program Manager and Internal Audit.

- The resolution of audits begins with FTA's report to GDOT and continues until GDOT and the subrecipient correct identified deficiencies, implement needed improvements, or demonstrate that the findings or recommendations are not valid or do not warrant management action.
- The audit cannot be closed until FTA concurs with the documentation of steps taken to implement any needed corrective actions.
- The status of outstanding audit findings and recommendations should be monitored and reported by the Transit Program Manager in quarterly progress reports and, where appropriate, significant events reported.

- Reviews the A-133 for any material findings and forwards the report to the Contracts and Fiscal Services Manager, who then receives the audit and forwards it to the Fiscal Analyst. The Fiscal Analyst inputs the submission into the FAS system and forwards to the GDOT Internal Audit Group for review. The IA Group reviews the audit report and enters findings into the CATS program.
- Reviews the information inputted into CATS and notifies the Transit Planner or Public Transportation Coordinator if there are any material findings. If material findings are identified, the CPA responsible for the A-133

  Audit of the subrecipient will recommend corrective action to the subrecipient. The Division of Intermodal s is responsible to issue management decisions within six weeks on subrecipient audit findings and ensure that subrecipients take corrective action.
- After subrecipients submit proposed correction plan to the Transit Planner or Public Transportation Coordinator, the Transit Planner or Public Transportation Coordinator reviews the corrective action plans and time frames and forwards to the Transit Program Manager and Internal Audit for review and acceptance.
- The Transit Planner or Public Transportation Coordinator and the Transit Program Manager must manage subrecipient corrective actions until satisfactory resolution has occurred.

Subrecipient Responsibilities:

- Submits one copy of annual single audit report to the GDOT Internal Audit Office if the audit report contains any findings and recommendations related to the FTA program or other Department of Transportation (DOT) program findings.
  - If the audit report does not contain any FTA findings or recommendations, a copy of only Federal Clearinghouse transmittal sheet "the Data Collection Form for Reporting on Audits of States, Local Governments, and Non-Profit Organizations, OMB Form SF-SAC" should be submitted to the FTA regional or metropolitan office.
- Responsible for the prompt resolution of all audit findings and recommendations.
- Deficiencies or opportunities for improvement identified in an audit must be resolved by the subrecipients with assistance from the Transit Planner or Public Transportation Coordinator , the Transit Program Manager and Internal Audit.
  - The resolution of audits begins with FTA's report to GDOT and continues until GDOT and the subrecipient correct identified deficiencies, implement needed improvements, or demonstrate that the findings or recommendations are not valid or do not warrant management action.
  - The audit cannot be closed until FTA concurs with the documentation of steps taken to implement any needed corrective actions.

- The status of outstanding audit findings and recommendations should be monitored and reported by the Transit Program Manager in quarterly progress reports and, where appropriate, significant events reported.

- Subrecipients will submit its annual A-133 audit report to the Transit Planner or Public Transportation Coordinator within thirty (30) days of its completion and not later than nine (9) months from the fiscal period covered by the audit.
- If the Transit Planner or Public Transportation Coordinator and Internal Audit Group identify material findings, then the subrecipients must provide a corrective plan and time frames for completion in writing to the Transit Planner or Public Transportation Coordinator.

2.6. Procurement/Contracting

Procurement and contracting guidelines are set forth to establish a standard methodology and process for purchasing goods and services in a cost effective manner and in compliance with state and federal requirements.

FTA procurement guidance is set forth in FTA's Best Practices Procurement Manual and FTA Circular 4220.1F requirements for third party contracting. State of Georgia procurement rules are outlined in the Georgia Procurement Manual available through the Georgia Department of Administrative Services.

Requirements

Grantees must conduct procurement transactions in a manner that provides for full and open competition, and are prohibited from restricting competition in federally-supported procurement transactions. In general, all procurements require independent cost estimates, cost/price analysis and contract modifications.

2.6.1. Procurement Thresholds & Methods

In general, more expensive projects require a more formalized procurement process to ensure fair competition and the best value, while vendors for less expensive projects may be selected through a relatively informal basis. The following table summarizes the procurement methods required by the FTA and GDOT based upon the size and type of procurement. FTA requirements are based on the financial value of the project:

Financial Value	Description
Under $2,500	Procurement by Micro-Purchases: No competitive process is required if grantee determines that the price is fair and reasonable. Documentation should include the determination that the price is fair and reasonable, and how the determination was derived. These purchases are exempt from FTA's buy America requirements.
$2,500 - $100,000	Procurement by Small Purchase Procedures: Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property. FTA requires price or rate quotations obtained from an adequate number of qualified sources.

Aside from these requirements, subrecipients must follow their own adopted procurement policies. Often these are city or county procurement policies. Subrecipients should obtain a copy of these procurement policies, and keep them updated and on file for reference in any procurements conducted with funding. Alternative procurement methods recognized by FTA include:

- **Procurement by Sealed Bids/Invitation For Bid (IFB)**: To be feasible, this method of procurement requires several conditions. It should be possible to develop a complete, adequate, and realistic description or specification of the goods or services in question. There are two or more responsible bidders willing and able to compete effectively, and the procurement lends itself to a firm fixed price contract, and the selection can be made principally on price.

- **Procurement by Competitive Proposal/Request for Proposals (RFP):** Normally conducted with more than one likely proposer, this method is used when the goods or services being sought are difficult to fully specify or describe completely, when there are multiple evaluation factors, and when the award will be made to the firm whose proposal is most advantageous with price and other factors considered. Subrecipients using this method should have a means of conducting technical evaluations of the proposals.
- **Procurement by Noncompetitive Proposals (Sole Source/Single Bid):** In this case, a proposal is solicited from only one source, or if after solicitation from a number of sources competition is found to be inadequate. This can be used only when the award of a contract is infeasible under other procurement strategies (IFB or RFP), and the item is available only from a single source, or the public requirement will not permit a delay from a competitive procurement process. A cost analysis verifying proposed cost data and evaluating specific elements of costs and profits is required.
  - **Procurement Resulting in Single Bid:**
    If there is only one reasonable, reliable and responsible bid, the procuring agency will have the discretion to decide whether to accept the bid or rebid. A single bid may suggest that the procurement specifications may be too restrictive or unclear. Subrecipients must still analyze the single bid and document that the process used was open and competitive. A price analysis is required for the single bid.

- **Qualifications-Based Selection:** Architecture, engineering and related services leading to construction require qualifications-based selection pursuant to the Brooks Act, 40 U.S.C. Sections 1101 through 1104.

These procurement methods should be used for purchases in the $2,500(and above), depending on the goods or services being purchased. Subrecipients considering use of any of these methods should read all of the relevant sections of FTA Circular 4220.1F, and contact GDOT staff for assistance in conducting an open, fair, and competitive procurement process. Local grantees must maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Local grantees must also maintain records detailing the history of each procurement. All FTA-funded contracts must contain all required FTA clauses, which are available on the FTA website http://www.fta.dot.gov/12831_6195.html.

2.6.2. Procurement of Architectural and Engineering (A & E) Services

When contracting for A&E services, subrecipients must use qualifications-based competitive proposal procedures. Services subject to this requirement are program management, construction management, feasibility studies, preliminary engineering, design, architectural, engineering, surveying, mapping, and related services.

Qualifications-based competitive proposal procedures require that:

- An offeror's qualifications are evaluated;
- Price be excluded as an evaluation factor;
- Negotiations be conducted with only the most qualified offeror; and
- Failing agreement on price, negotiations with the next most qualified offeror be conducted until a contract award can be made to the most qualified offeror whose price is fair and reasonable to the grantee.

These qualifications-based competitive proposal procedures can only be used for the procurement of the services listed above. This method of procurement cannot be used to obtain other types of services even though a firm that provides A&E services is also a potential source to perform other types of services. (See link to the FTA Circular 4220.1F.)

2.6.3. Procurement of Real Estate for Construction Projects

Acquisition of real property for a project in which there will be Federal funds must be carried out in accordance with the requirements in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act), as amended. The Uniform Act is implemented by regulation 49 CFR part 24. Additional guidance for property acquisition is provided in FTA Circular 5010.1C, chapter II, paragraph 2.

The acquisition of any property valued at more than $250,000 requires previous FTA approval. A copy of both the appraisal and the review appraisal for the parcel(s) to be acquired must be submitted to the FTA Regional Office for review and approval. Fair market appraisals and review appraisals are to be carried out following the environmental determination.

Upon receipt, the Transit Planner or Public Transportation Coordinator must evaluate the solicitation according to the requirements of FTA Circular 4220.1F to ensure that the following aspects are included:

- Complete specifications or statement of work
- Appropriate use of brand-name products
- Evaluation criteria listed in order of importance
- Appropriate procurement method
- Appropriate type of contract
- FTA-mandated flow down of clauses
- Adequate lead time for receipt of proposals or bids
- FTA-mandated bid, performance, and labor bonding (construction and rolling stock)
- Appropriate instructions-to-offerors

- Less than five years for performance period for rolling stock
- Intention to validate options and option prices
  - Financial Resources (FAR 9.104-3(a)-Ability to Obtain Resources
  - Performance Schedule

- Performance Record (FAR 9.104-3(b)-Satisfactory Performance Record
- Integrity and Ethics (FAR 9.407-2- Causes for debarment and FAR 9.407-2-Causes for suspension).
- Organization and Skills (FAR 9.104-3(a)-Ability to Obtain Resources)
- Equipment and Facilities (FAR 9.104 –(a)- Ability to Obtain Resources)

The Transit Planner or Public Transportation Coordinator must use the Solicitation Review Checklist to demonstrate complete and thorough review.

2.6.4. Subrecipient Purchases

Subrecipients purchase vehicles or other types of equipment through the State, as appropriate and allowed by the State Purchasing Division, Department of Administration Services. All other purchases are the responsibility of the local subrecipients. Typical procurements include contracts with service operations, contracts with maintenance providers, computer hardware and software, office equipment, and communications equipment (mobile radios).

Eligible capital expenses include the following:

- Vehicles
- Communication equipment
  - Surveillance equipment
- Wheelchair lifts
- Equipment installation costs
- Computer equipment and purchase of software (laptops are not an eligible capital expense and monthly software maintenance or lease fees are an operating expense)
- Office equipment
- NEPA and Architectural and Engineering Services
- Construction

All purchases and contracts made with federal funding must comply with FTA and state procurement requirements, as appropriate to the size and type of the purchase. Purchase of unnecessary or duplicative items must be avoided. GDOT must analyze procurements and must implement alternatives that will result in an economical approach (such as consolidating or breaking out purchases) (See FTA Circular 4220.1F).

Subrecipients must maintain a contract administration system that ensures that contractors perform in accordance with the terms, condition, and specifications of their contracts or purchase orders.

All FTA-funded contracts must contain all required FTA clauses and certifications.

2.6.5. Purchases of Vehicles and Related Equipment

Vehicles can be purchased to replace existing transit vehicles that have reached the end of their useful life based on GDOT useful life standards, or for service expansion.

- **Lift-equipped vehicles:** GDOT and Subrecipients must follow all applicable ADA requirements. GDOT requires that systems must have, at a minimum, one wheelchair equipped vehicle for service. GDOT also requires that each provider must meet the current demands of the disabled population, and if one lift-equipped vehicle is not sufficient to meet that demand, then additional lift-equipped vehicles are required.

In general, public transit systems must purchase only accessible vehicles meeting the standards set forth in 49 CFR Part 38. However, systems that offer only demand-responsive service may purchase non- accessible vehicles... "if the system, when viewed in its entirety, provides a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service it provides to individuals without disabilities, it may purchase new vehicles that are not readily accessible to and usable by individuals with disabilities." Equivalent service is evaluated with respect to the following service characteristics:

- Response time
- Fares
- Geographic area of service
- Hours and days of service
- Restrictions on trip purpose
- Availability of information and reservations capability
- Capacity constraints

GDOT requires that subrecipients be able to provide equivalent service with their current level of fleet accessibility before allowing the subrecipient to order a non lift-equipped vehicle. If a local applicant is requesting capital funding for the purchase of a non-accessible vehicle they must demonstrate compliance with the above by signing the **Certification of Equal Access for Persons with Disabilities**, and attaching a completed **GDOT Equivalency Analysis for Demand-Responsive Public Transportation** as part of the application.

- **Matching:** Local funding for capital acquisition must be at a minimum 5% of the vehicle cost, with an up to 15% match provided by GDOT with state funds. There is a minimum 10% local match for purchases of other capital equipment such as computers. Local participation can be greater depending upon the availability of State and Federal funds.
- **Service expansion:** Additional vehicles for service expansion can be requested for purchase when the existing fleet of vehicles meet or exceed the following criteria:
  - Vehicles are utilized to produce 500 one-way passenger trips (OWPT) per vehicle month, or
  - Be operated a minimum of 120 hours per month, or
  - 1,000 vehicle miles per vehicle per month, on average over a 12 month period.

  Applicants seeking to expand service and fleets should describe new markets to be served. Vehicle needs, fleet size, projected ridership, operating cost, revenues, and spare ratios should also be documented. More detailed analysis may be requested.
- **GDOT concurrence:** GDOT reserves the right to review and concur with Subrecipient solicitation documents prior to the initiation of the procurement process for all items or services purchased with capital funds. This includes approval of bid specifications for equipment and requests for proposal for any contracts. GDOT must also concur in writing with the recommendation for award prior to the execution of a Subrecipient contract or purchase order.
- **Eligibility of Components for Funding:** The applicant may purchase spares of major components and replacement vehicles if they can demonstrate it is cost-effective under the Capital Program. This would apply when vehicles are purchased for new transit systems, or when existing systems and operations are being extended so that the vehicle fleet size will be greater than it was previously.

- **Buy America**: Applicants are required to comply with Buy America Provisions in 49 CFR 661, and summarized in Section 4.4 of this manual.

- **Warranties:** A warranty that is an industry standard is an eligible capital cost as part of the acquisition of a bus or any other capital asset.
  - Complete Bus - Is warranted and guaranteed for one year or 50,000 miles, whichever comes first.
  - Subsystems and Components - Specific subsystems and components that are warranted and guaranteed to be free from defects are outlined in the table below per number of years and mileage:

Item	Years	Mileage
Engine	2	200,000
Transmission	2	100,000
Drive axle	2	100,000
Brake system (excluding friction material)	2	50,000
Air conditioning system	2	n/a
Basic body structure	3	150,000
Structural integrity	7	350,000

9. **Bus Testing:** Any new model bus or ones with significant model changes must be tested at the FTA-sponsored test facility in Altoona, Pennsylvania before Federal funds can be used. Vehicles are tested for maintainability, reliability, safety, performance, structural integrity, fuel economy and noise. Bus testing is not required for unmodified, mass produced vans.
10. **Pre-Award and Post Delivery Review of Buses:** Grantees must undertake reviews of rolling stock before award of the bid, during manufacture and following vehicle delivery. The reviews are intended to improve compliance with Buy America requirements, bid specifications, and Federal Motor Vehicle Safety Standards. Staff or a contractor may conduct reviews. (Supporting documentation resulting from these reviews must be submitted to GDOT and a copy retained for future inspections).

2.6.6. Piggyback Procurements:

Piggyback procurement of goods and services is allowed under FTA and state of Georgia procurement rules. Entities seeking to use a piggyback procurement method are required to review the original contract to ensure compliance with state and federal requirements, to verify the price is fair and reasonable, and to ensure the quantities being purchased are covered under the contract. Any changes in specification must be covered in the scope of the original contract.

2.6.7. Options

Contracts may include options, but all prices for exercise of options must be evaluated at the outset of the contract either as a specific price or as a percentage increase above the base price. Exercise of an option must be in compliance with the terms and conditions of the original contract. Subrecipients are required to analyze prices at the time of the original procurement in order to have the ability to exercise options.

2.6.8. Revenue Contracts

When entering into an agreement with third parties to provide access to public transit facilities for revenue generating activities (such as advertising) GDOT and its subrecipients must exercise a competitive and open process when multiple competitors exist.

2.6.9. Prohibitions & Restrictions

Common Grant Rules prohibit cost plus a percentage of cost contracts and imposes restrictions on time and materials contracts. Additional detail is provided in FTA Circular 4220.1F.

2.6.10. Ethical and Professional Conduct

Ethics standards followed by the Division of Intermodal are defined in the Georgia Department of Administrative Services procurement rules.

Applicable Procedures

2.6.11. General Procurement Procedures

Transit Planner or Public Transportation Coordinator Responsibilities:

- Comply with state and federal procurement requirements.
- Include in grant agreements all federally-required certifications, assurances, and clauses for procurements as appropriate to the type of purchase and price.
- Review subrecipient procurement procedures and spot check procurements during site reviews for procurements over $100,000.00.
- Review subrecipient request for vehicles lease within 30 days of submittal, and prior to executing a grant agreement. In some instances, FTA approval may be required.
- Provide technical assistance in the preparation of requests for proposals, vehicle and construction specifications, bid documents, and subcontracts. Respond within 30 days of request.
- Transit Planner or Public Transportation Coordinator receives the request for purchase (if over $2,500) and if approved, submits to the Division of Intermodal Programs for review and approval.
- For third party or consulting services requests, the Transit Planner or Public Transportation Coordinator should forward such requests to the Intermodal Office for review and approval. Upon approval, GDOT will be at the evaluating table when interviews are conducted and must convey approval in writing prior to any third party or consulting services been procured. FTA third party clauses will be included in the contracts.

Subrecipient Responsibilities:

- Follow the appropriate procurement requirements. For public agencies, comply with the Common Rule (CFR Part 18), plus five basic federal requirements for procurements defined by FTA C 4220.1F 3. For private nonprofits, comply with the provisions of FTA C 4220.1F and 49 CFR Part 19.
- Develop written procurement policies and procedures, including a process for handling protests regarding procurements.
- All subrecipients must follow State of Georgia laws, regulations and procedures regarding procurement thresholds (dollar amounts) unless federal requirements are more restrictive—then federal requirements apply.
- Submit vehicle lease cost comparison to Transit Planner or Public Transportation Coordinator for review and approval prior to signing a lease agreement.
- If subrecipients would like technical assistance, including review of RFPs prior to advertising, they may request help.
- Submit all solicitations for purchases above $100,000 for GDOT approval (purchases under
- All requests for Third party or consulting services must be submitted in writing to the appropriate Transit Planner or Public Transportation Coordinator. The request must show the need or reason(s) for the request, the justification and necessity for such services. Payment and contract duration must be specified in the letter.

2.6.12. GDOT Purchases Using GDOT - Established Contracts

Transit Planner or Public Transportation Coordinator responsibilities:

- The GDOT Procurement Office establishes annual contracts for vehicles or recommends the use of the State-wide contracts for rolling stock in accordance with FTA Circular 4220.1F (as revised).
- The Transit Procurement Specialist requests updates on the Procurement Office's plan every year to ensure that GDOT-specific or state-wide contracts are in place for use during the following fiscal year.
- The Procurement Office communicates the effective date for use of all GDOT-specific or State Contracts prior to the beginning of each fiscal year.
- The Procurement Office must also complete all purchases in accordance with FTA requirements. The Office must complete the Vehicle Procurement Checklist for State-wide or GDOT-wide contract when completing all procurements.
- For Section 5311 only: Once the State or GDOT-specific contract is in place for vehicles, GDOT staff can issue Purchase Order for vehicles.
- GDOT Procurement and Intermodal Programs Staff must comply with GDOT Policy No. 2255-9 regarding conflicts of interest and the acceptance of gifts, honoraria, or private compensation. Staff must also sign the Conflict of Interest Form on an annual basis or in accordance of the review of contractor bids or proposals (See form at the end of the section).

2.6.13. Subrecipient Purchases Procedures

Transit Planner or Public Transportation Coordinator /GDOT responsibilities:

- Upon receipt, the Transit Planner or Public Transportation Coordinator must evaluate the solicitation according to the requirements of FTA Circular 4220.1F to ensure that the following aspects are included:
  - Complete specifications or statement of work
  - Appropriate use of brand-name products
  - Evaluation criteria listed in order of importance
  - Appropriate procurement method
  - Appropriate type of contract
  - FTA-mandated flow down of clauses
  - Adequate lead time for receipt of proposals or bids

  - FTA-mandated bid, performance, and labor bonding (construction and rolling stock)
  - Appropriate instructions-to-offerors
  - Less than five years for performance period for rolling stock
  - Intention to validate options and option prices
- The Transit Planner or Public Transportation Coordinator must use the Solicitation Review Checklist to demonstrate complete and thorough review.
- The Transit Planner or Public Transportation Coordinator directs the subrecipients to make any required changes and then forwards the revised document to the Transit Program Manager for review and approval.
- The Transit Program Manager reviews the Transit Planner or Public Transportation Coordinator request for approval after reviewing the completed checklist and any accompanying notes.
- The Transit Program Manager advises the Transit Planner or Public Transportation Coordinator of approval or provides the basis for rejection by e-mail.
- The Transit Planner or Public Transportation Coordinator provides approval or rejection to the subrecipient by e- mail.
- The Transit Planner or Public Transportation Coordinator reviews the request with the required FTA data and recommends acceptance or rejection to the Transit Program Manager.
- The Transit Program Manager reviews the Transit Planner or Public Transportation Coordinator 's request and notifies the Transit Planner or Public Transportation Coordinator by e-mail of acceptance or rejection.
- The Transit Planner or Public Transportation Coordinator notifies the subrecipient of acceptance or rejection by e-mail.

Subrecipient responsibilities:

- Provide a copy of solicitation documents to the Transit Planner or Public Transportation Coordinator for all participated capital procurements valued at more than $100,000. This information should be submitted before the award is made.
- Complete the procurement documenting the history of the procurement in the procurement file. The required documentation includes:

- Method of procurement
- Type of contract
- Basis for award
- Basis for contract price

- Submit a request for GDOT's concurrence to the Transit Planner or Public Transportation Coordinator on the placement of contracts or purchase orders exceeding $2,500 but less than $100,000.00 using. This request must include all of the information related to the history of the procurement noted above.
- Undertake the review of vehicles (rolling stock) prior to the award of the contract, during manufacture, and following delivery, in accordance with Buy America requirements. (Refer to the Pre-Award and Post-Delivery Review / Buy America Checklist.) Supporting documentation resulting from these reviews must be submitted to the Transit Planner or Public Transportation Coordinator and a copy returned for future inspections.

- Certify that it will comply with the pre-award and post-delivery review requirements when purchasing revenue service rolling stock.
- Complete and provide to the Transit Program Manager copies of the Pre-Award and Post-Delivery Certifications.

- Monitor purchases and deliveries of revenue vehicles and follow-up with recipients if certifications are not provided prior to contract award or within 30 days post delivery.
- For Piggyback procurements, subrecipients review the original contract and submit written evidence that the original contract prices remain fair and reasonable, the contract contains the appropriate clauses meeting federal requirements, and quantities and scope are covered in the existing contract. A cost analysis must be completed to ensure the piggyback procurement is appropriate.

2.6.14. Protest Procedures

Protest Procedures followed by the Division of Intermodal are defined in the Georgia Department of Administrative Services procurement rules.

2.7. Grantee Self-Certification

As part of the annual certifications and assurances submitted with the grant application, all grantees must "self-certify" that their procurement system meets FTA requirements and that the grantee has the technical capacity to comply with Federal procurement requirements. GDOT will monitor compliance with FTA, GDOT, and local procurement requirements as part of local compliance reviews. If GDOT becomes aware of circumstances that might invalidate a grantee's self-certification, GDOT will investigate.

2.8. Public Involvement

Requirements

States are required to maintain a documented public involvement process for development of the statewide transportation plan and STIP.

Applicable Procedures

GDOT's Public Involvement Program is divided into two sections: a Statewide Transportation Plan (SWTP) and a State Transportation Improvement Program (STIP) Public Involvement Process. Both were adopted in May 2007.

2.8.1. Statewide Transportation Plan (SWTP) Public Involvement Process

There will be a minimum of three meetings with the interested parties (citizens, affected public agencies, representatives of public transportation employees, representatives of public transportation users, private providers of transportation, representatives of pedestrian walkway users, representatives of bicycle facility users, representatives of the disabled, providers of freight transportation services). At the beginning of the SWTP update, the Department will host a series of "kick-off" meetings with the interested parties. The purpose of the "kick-off" meeting is to inform the interested parties of the purpose and importance of developing the SWTP; and assist in setting goals for the SWTP.

A meeting(s) will be held with the interested parties at the mid-point of the development of the SWTP to solicit input and provide information to the interested parties.

At the conclusion of the SWTP development, and prior to State Transportation Board adoption of the SWTP, a meeting(s) will be held with the interested parties to inform the group of the SWTP findings and recommendations.

All comments provided by the interested parties will be considered and responded to by the Department. All comments and GDOT responses to the comments will be made available to the interested parties at meetings and on the GDOT website.

The list of "interested parties" will be updated periodically as appropriate. Adding and subtracting interested parties from the list will not constitute opening the 45 day public comment period, required in 23 CFR 450.210(a)(2).

The interested parties will be notified in advance of all meetings by a letter from the State Transportation Planning Administrator transmitted via the U.S. Postal Service.

Meetings will be held at convenient and accessible locations and times, visualization techniques (such as: presentations, posters, hand-outs, etc.) will be utilized in the meetings to help facilitate the interested parties' understanding of the SWTP's disseminated information.

The SWTP and documents used in developing the SWTP (such as: meeting minutes, hand-outs, posters, presentations, etc.) will be posted on the GDOT website to help facilitate the interested parties' understanding of the SWTP's disseminated information.

Prior to beginning the SWTP update, a methodology by which to reach out to environmental justice groups (minority, low income) will be developed and utilized throughout the development of the SWTP.

The effectiveness of the SWTP Public Process Involvement will be reviewed following adoption of a SWTP by the State Transportation Board. As a result of this review; minor process changes will be automatically incorporated into the process, major changes will result in a 45 day public review period of the proposed changes, prior to revising the process.

This process is separate and discrete from the Department's "Consultation Process With Local Officials in Non-Metropolitan Areas of the State" (TOPPS 3145-I), which is in compliance with 23CFR Part 450.210(b).

2.8.2. Statewide Transportation Improvement Program (STIP)

The Department develops, and the State Transportation Board adopts, a STIP annually. Development of the STIP typically begins in the spring when the GDOT District Planning and Programming Engineers meet with rural elected officials in non-metropolitan areas of the state to discuss the "proposed project list" which ultimately develops into the STIP. Following these meetings, the Draft STIP is developed and presented to the State Transportation Board for their review. Following presentation of the Draft STIP to the State Transportation Board, GDOT Office of Planning staff provides the Draft STIP to the GDOT District Planning and Programming Engineers in order to commence the public involvement portion of the STIP development.

The District Planning and Programming Engineers are assisted in their public involvement endeavors by technical staff (presently a consulting firm, hired by the GDOT Office of Planning assists the District Planning and Programming Engineers, previously the Office of Planning contracted with the state's Regional Development Centers (RDCs) to provide technical assistance for the District Planning and Programming Engineers).

The District Planning and Programming Engineers and public involvement consultants schedule multiple public meetings throughout the non-MPO areas of the state, at convenient and accessible locations and times, in order to solicit substantive, meaningful comments. Invitations are mailed to each member listed in the GDOT Office of Planning's "Family of Partners Database". The Family of Partners Database lists over 5,600 individuals, elected officials, governmental agencies, special interest groups and others. The Department also places notices in local papers throughout the state to reach the public. Furthermore, the GDOT Office of Communications and GDOT District Communications Officers contact local newspapers in an effort to encourage the newspapers to publish articles concerning the upcoming meetings and the opportunity for the public to attend the meetings and voice their concerns and support.

At the public meetings, information is presented visually on poster sized maps depicting project locations within the counties. The Draft STIP is also placed on the Department's website providing open and continuous access to the information. Notices are also mailed to each library in the state, requesting the library to post the on-line Draft STIP address in a public location, so the general public can access the Draft STIP if desired.

Great effort is made to conduct all STIP public meetings at locations along ADA compliant bus routes, where appropriate. Efforts are also made to conduct STIP public meetings in and/or near environmental justice populations in order to ensure meaningful participation from these populations as required under Executive Order 12898 and the Civil Rights Act of 1964 and its subsequent amendments.

All comments received by the GDOT STIP Project Manager, GDOT District Planning and Programming Engineers, and public involvement consultants, are forwarded to the appropriate office within GDOT for response. Each comment and response is documented and included in the STIP Public Involvement Report.

Every three years, the effectiveness of the STIP Public Involvement Process will be reviewed following adoption of the STIP by the State Transportation Board. As a result of this review; minor process changes

will be automatically incorporated into the process, major changes will result in a 45 day public review period of the proposed changes, prior to revising the process.

This process is separate and discrete from the Department's "Consultation Process With Local Officials in Non-Metropolitan Areas of the State" (TOPPS 3145-I), which is in compliance with 23CFR Part 450.210(b).

2.9. Planning and Coordination

Requirements

On the state level, the Division of Intermodal coordinates the program policy and funding objectives for the administration of FTA programs. GDOT public outreach and agency staff participate in the development of the overall vision for transportation in Georgia, which leads to the development of general goals for the State.

Specific requirements are listed below.

2.9.1. Statewide Transportation Improvement Program (STIP)

On an annual basis, FTA provides funds for the development of Statewide Transportation plans and Statewide Transportation Implementation Plans (STIPs). The STIP identifies projects financed by FTA 5303, 5307, 5309, 5311, 5316, 5317, STP funds transferred to 5307 for mass transit vehicle replacements, and STP funds for innovation and transportation options projects. The STIP is a four-year document that identifies highway, bridge, transit and other projects committed for federal funding by GDOT.

The STIP lists Federally-funded transportation projects that are located outside Metropolitan Planning Organization (MPO) boundaries. Each MPO develops its own Transportation Improvement Program (TIP). The TIPs are included in the STIP by reference without modification once approved by the MPO and the Governor, or his designee.

GDOT and its subrecipients must be active participants in the development of the TIP and the STIP to receive Capital Program funds for urbanized and non-urbanized area projects. These projects must be included in the STIP and the Long-Range Statewide Transportation Plan.

Specific requirements for MPOs are listed in the Section 5303 program manual.

2.9.2. Program of Projects (PoP)

The Program of Projects is developed by GDOT based on the local TIPs. The POP reflects GDOT's estimated program activities for the upcoming fiscal year. The POP also identifies the subrecipients and projects which GDOT is applying for financial assistance, and indicates the total project costs and the federal share for each project. FTA requires this information to award grants and to compile reports. Information includes local plans, identifying anticipated project funding needs, compiled by GDOT to develop a statewide Program of Projects (POP).

2.9.3. Coordination with Other Human Service Transportation Agencies at the State Level

GDOT works with other State agencies to encourage coordination at the local level. Through the state's Intergovernmental Consultation Process, projects are coordinated with all relevant state and local agencies. This assures that the scope and all interested individuals know the nature of the proposed project and they can comment on how the project complements other activities. The Department also encourages coordination with other programs that require or provide transportation for clients or other consumers. At the state level, the Department works with the DHS regarding its Coordinated Transportation Program. As part of this program, DHS administers the FTA Section 5310 Transportation for Elderly Persons and Persons with Disabilities. DHR utilizes all Section 5310 funding to purchase service for eligible persons. Section 5311 providers are among the entities contracted to provide this service. The Department also maintains contacts with the Department of Community Health (DCH) and its Medicaid Non-Emergency Transportation (NET) program. Again, the net program includes a

number of Section 5311 operators among its Medicaid transportation contract providers. Joint efforts are under way to create a more formal coordination body as part of the state's response to the federal —United We Ride - coordination effort. Also at the State staff level, the Department participates in the DHR Coordinated Transportation Program through representation on planning and study efforts such as the Transportation Coordination Group. District Public Transportation Coordinators are members of the DHR Regional Transportation Coordinating Committees, and they participate in all meetings at the regional level.

2.9.4. Coordination at the Project Level

The Georgia Section 5311 program and application reflect a perspective that many local projects will be coordinated with other programs, as can be seen in the policies addressing POS revenue which can be used as local match or as revenue, at local discretion. Similarly, the GDOT monthly reporting forms collect data on utilization of Section 5311 vehicles by clients of particular agencies. Many Section 5311 funded vehicles, owned by counties and cities, are operated by TPOs who also provide client transportation under other state programs. In 2002, approximately half of overall Section 5311 ridership consisted of clients of other agencies, and approximately two-thirds of Section 5311 providers served other client groups. About ten percent carry non-emergency Medicaid trips for the DCH under its brokerage program. GDOT provides guidance in the application in how the applicant can assess whether or not POS revenues cover the fully-allocated operating cost of the service provided. GDOT policy is that such services should cover their fully-allocated operating costs.

Applicable Procedures

Transit Planner or Public Transportation Coordinator:

- The Transit Planner or Public Transportation Coordinator will review the federal register, including earmarks, and identify what funds are available for local government use.
- Consult with subrecipients to determine if service expansions are planned which would necessitate additional funding or capital.
- MPOs prepare or update a local UPWP and TIP for each urban transit agency within their area, which are then submitted for inclusion in the STIP. MPOs must ensure that:
  - The budget for each subrecipient's TIP is largely based on the previous year's budget.
  - Projects proposed in the TIP for Federal funding must be consistent with the area's metropolitan long-range transportation plan
  - Only projects or identified segments/phases of a project for which the entire amount of Federal and non-Federal funding can reasonably be anticipated to be available within the time period contemplated for completion of the project will be included.
- For subrecipients that are within a Metropolitan Planning Organization (MPO) area:
  - The Transit Planner or Public Transportation Coordinator coordinates with subrecipients and MPOs in developing and presenting plans for review and comment by the public and various planning committees.
  - Subrecipients are required to include local capital requests within the MPO's Transportation Improvement Program (TIP).
  - The Transit Planner or Public Transportation Coordinator reviews and provides comments on UPWPs, TIPs, and Long-Range Plans, and provides feedback to the MPOs.

- Each local application capital request receives an intergovernmental consultation review from the state clearinghouse as well as applicable regional and metropolitan clearinghouses.
- The Transit Planner or Public Transportation Coordinator prepares and updates transit project status, budget, and other information in the STIP, ensuring all data is accurate and complete.
- Prepare or update a local TIP for each of their subrecipients every year, which are then submitted for inclusion in the statewide TIP. Once the TIP and the budgets have been approved by subrecipient Board of Commissioners or equivalent, they are submitted to the Transit Planner or Public Transportation Coordinator as the final budget for the year.
- Ensure that specific Section 5303, 5307, 5309, 5311, 5316 and 5317 projects (both in non-urbanized and urbanized areas) are included in the STIP.
- Upon receipt of projects from subrecipients, the Transit Planner or Public Transportation Coordinator approves all subrecipient projects to be included in the STIP.
- Division of Intermodal will include this information in the POP which is then submitted as a separate attachment in TEAM.
- Must ensure that the POP:
  - Indicates total number of subrecipients
  - Identifies each subrecipient and indicates whether they are governmental authorities, private non-profit agencies, or private providers of transportation services
  - Includes a brief description of each project, which includes the counties served by the project
  - Shows, for each project, the total project cost and the Federal share
- Provide FTA with the following information for each subrecipient:
  - The name of the entity to receive the award
  - The amount of the award
  - The location of the entity to receive the award
  - The primary location of performance under the award, including the City, State and district.
- After GDOT Intermodal submits the POP and other application requirements, FTA will review, approve, and obligate funds for the total amount of funds available.

2.10. Labor Protection

Requirements

Compliance with fair labor practices is required for the Section 5307, 5309, and 53011 programs. All applicants must agree in writing to accept the standard terms and conditions of the special Section 5333(b) Labor Warranty.

Though FTA has incorporated the Labor and Protection Certification/Assurances into their comprehensive certification and assurance checklist, the Department of Labor still requires that the labor protection documents be signed and be reported to their Department before a contract is executed. Signed agreement (Exhibit 10) must be in the Division of Intermodal Programs by the annual due date.

2.11. Environmental Protection

Requirements

The National Environmental Policy Act requires evaluation of impacts and alternatives for federal actions that have a potential to significantly impact the natural or human environment. Per 23CFR 771.117, the majority of investments made using GDOT managed FTA funds are categorically excluded from NEPA review.

The following procedure is used to screen applications for impacts that would trigger higher-level NEPA review.

Procedures

- Although FTA's NEPA procedures categorically exclude most projects funded by GDOT's Division of Intermodal, FTA reserves the right to review GDOT documentation of CEs in conducting program evaluations to ensure that approvals are being properly applied and documented.
- The Transit Planner or Public Transportation Coordinator screens potential projects when they are first identified to make an initial determination as to which projects clearly meet the FHWA/FTA criteria for CEs and which projects may require additional documentation.
- Projects requiring additional documentation should be coordinated with the FTA regional office early in project development so that any necessary environmental analysis and review will not delay implementation.
- Any project involving new construction of a facility or substantial rehabilitation of an existing facility must be discussed with FTA to determine the need for information supporting a CE and the applicability of any additional environmental requirements.
- A proposed action by the subrecipient may be categorically excluded from a detailed environmental analysis if it meets certain criteria which GDOT or FTA has previously determined as having no significant environmental impact.
  - Per 23CFR 771.117, Categorical Exclusions (CEs) include:
    - Routine procurements
    - Day-to-day administrative and management activities
    - Real estate acquisition, disposal, or leasing where resulting land use does not change
    - Routine movement and use of hazardous materials when conducted in accordance with applicable environmental standards
    - Support services, including health care, home ownership assistance, day care, rental assistance
    - Construction of facilities less than 10,000 SF and consistent with surrounding land use
    - Rolling Stock
    - Preventive Maintenance
    - Certain Facilities

- If the Transit Planner or Public Transportation Coordinator determines that a proposed action is a categorical exclusion based upon the evaluation process outlined previously, the Transit Planner or Public Transportation Coordinator documents that the project has been classified as a CE, the type of CE that applies, and the date the approval was made.
- If an Environmental Assessment or Environmental Impact Statement is required, the Transit Planner or Public Transportation Coordinator works with the subrecipient and MPO in the submission and approval of reports and analysis (see NEPA Requirements). The Transit Planner or Public Transportation Coordinator should contact the FTA Regional Office. The Transit Planner or Public Transportation Coordinator ensures that the recipient and MPO fully comply with the requirements of the Georgia Environmental Policy Act (GEPA). GEPA compliance is required when a project uses state-aid funds.
- Subrecipients often use specialized consultants to complete the environmental requirements. The Procurement section of this procedures manual should be referenced for the required procedures concerning the procurement of consultant services.

2.12. Civil Rights, Title VI

Requirements

As part of the GDOT department wide plan, GDOT is committed to ensuring compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives.

GDOT assures that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

GDOT further assures every effort will be made to ensure non-discrimination in all of its programs, whether or not those programs and activities are federally funded. GDOT will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

Specific requirements are summarized below.

2.12.1. Annual Certifications and Assurances

Subrecipients are required to submit their Title VI assurance as part of their annual Certification and Assurance submission to FTA. GDOT will submit the assurances as part of its standard submission of completed Certifications and Assurances.

2.12.2. Complaints

GDOT has developed procedures for investigating and tracking Title VI complaints filed against them and makes their procedures for filing a complaint available to members of the public upon request (FTA Office of Civil Rights Complaint Form). GDOT encourages its subrecipients to adopt its Title VI complaint investigation and tracking procedures.

2.12.3. Investigations

GDOT has developed and maintains a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipient and/or subrecipients that allege discrimination on the basis of race, color, sex or national origin that includes the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the

investigation, lawsuit, or complaint; and actions taken by the recipient or subrecipient in response to the investigations.

2.12.4. Access to Services by Persons with LEP

Georgia DOT is taking reasonable steps to remove barriers for LEP individuals and it has developed a Language Implementation Plan pursuant to the recommendations in Section VII of the DOT LEP Guidance. Georgia DOT‘s LEP outreach plan is determined on a case by case basis at the program level. Any LEP individual directly impacted or benefiting from Georgia DOT programs, services, or activities should be offered translation services proactively. See Appendix D of the Plan, which is a copy of the agency‘s plan for providing access to meaningful activities and programs for persons with limited English proficiency.

2.12.5. Notifying Beneficiaries of their Rights Under Title VI

Georgia DOT has developed a statement for the provision of information to the public regarding their Title VI obligations and to apprise members of the public of the protections against discrimination afforded to them by Title VI.

2.12.6. Provide Additional Information on Request

GDOT and subrecipients must be able and equipped to submit additional information to the FTA, in writing, to help resolve concerns about possible noncompliance with Title VI.

2.12.7. Title VI Program

Submission of certain information to determine compliance with Title VI constitutes a Title VI Program. GDOT's Title VI Program is administered by the GDOT Equal Employment Opportunity Office.

2.12.8. Environmental Justice Analysis of Construction Projects

Integrate an environmental justice analysis into their National Environmental Policy Act (NEPA) documentation of construction projects. (Recipients are not required to conduct environmental justice analyses of projects where NEPA documentation is not required.) Recommended components to be included in the environmental assessment (EA) or environmental impact statement (EIS) are listed in the Title VI Circular 4702.1A.

2.12.9. Inclusive Public Participation

As part of the department wide plan Georgia DOT has developed outreach and involvement activities for public outreach and involvement.

Follow up responses to comments submitted during Georgia DOT‘s public information hearings are mailed directly to the respondent from the appropriate office of responsibility (i.e. Right of Way, Planning, Urban Design). All data pertinent to public outreach is submitted to the Title VI/Environmental Specialist. A detailed report involving all public outreach and involvement activities is submitted to the appropriate federal agency annually.

2.12.10. Disadvantaged Business Enterprise (DBE) Program Plan

GDOT has established a DBE Program Plan (updated June 2009) in accordance with the regulations of 49 CFR Part 26. The Policy objectives of the DBE Program are:

1. To ensure nondiscrimination in the award and administration of USDOT assisted contracts;
2. To create a level playing field on which DBE's can compete fairly for USDOT assisted

contracts;

3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in USDOT assisted contract;
6. To assist the development of firms so that they can compete successfully in the market place outside the DBE Program; and,
7. To provide appropriate flexibility in establishing and providing opportunities for DBEs.

GDOT's DBE Program Plan can be found online: http://www.dot.state.ga.us/doingbusiness/dbePrograms/Documents/DBEPLAN-JUNE292009.pdf.

GDOT must submit semiannual progress reports on its DBE contracting activities and those of its subrecipients that meet or exceed the $250,000 threshold. In addition to GDOT's DBE Program Plan, GDOT and subrecipients may also refer to DOT regulations on the DBE participation in projects financed with DOT assistance, located at 49 CFR Part 26.

2.12.11. Equal Employment Opportunity

GDOT is responsible both for its own compliance (managed by the Office of Civil Rights) and for ensuring that subrecipients are in compliance with the Equal Employment Opportunity Act (EEO). The threshold for compliance is receipt in the previous fiscal year of $1 million or more in FTA assistance, and 50 or more mass transit-related employees. GDOT has a two part EEO Program Plan:

1. Contractor Compliance Plan: http://www.dot.state.ga.us/doingbusiness/eeo/Documents/ContractCompliance/CCManual-pt1.pdf
2. Affirmative Action Plan: http://www.dot.state.ga.us/doingbusiness/eeo/Documents/EEO/Affirmative%20Action%20Plan.pdf

In addition, the Transit Planner or Public Transportation Coordinator may require documentation from any grantee as it deems necessary to assure that there is no discrimination on the basis of race, color, creed, national origin, sex, age or disability. Reference for EEO is at FTA C 9040.1 F, FTA C 9070.1 F, and FTA C 4704.1.

2.12.12. Audits

All applicants for Program funds must have completed civil rights program information as required in FTA Circular 9040.1F. Title VI updates must be submitted to the Transit Planner or Public Transportation Coordinator annually as part of the grant application process. **Title VI Resources and Technical Assistance** products are available as a resource to assist subrecipients in compliance with Title VI requirements.

Title VI compliance is monitored through the use of Internal Audit spot audits done annually with a subset of Subrecipients, in addition to the comprehensive audit done every three years of all subrecipients by GDOT staff. These reviews follow the FTA SMR guidelines for Civil Rights. A site visit will be done by Internal Audit and/or GDOT Intermodal staff. The assigned GDOT Intermodal staff will complete the form and will follow-up as required either via telephone or on-site. The assigned Transit Planner or Public Transportation Coordinator will review submitted service reports for
completeness and appropriateness.

Planned changes in services, facilities, and policy must not result in discrimination against any segment of the community protected under Title VI of the Civil Rights Act of 1964. The subrecipient must ensure that no person is discriminated against on the grounds of race, color, or national origin. Service and facilities planning must take into consideration the potential impact on minority populations.

Subrecipients provide an annual summary of the level of service provided to minority populations as compared to the total population. This information is an aggregation of data reported to GDOT on a monthly per-vehicle basis (see link to FTA Circular C 4702.1). The subrecipient's **Title VI Compliance Checklist** and **Title VI Self-Survey** should reflect the local subrecipient's policy of planning and providing services in a manner that does not discriminate against any segment of the community protected under Title VI. Updated information should be provided to the GDOT Intermodal Programs Office as conditions warrant, but at a minimum, Part I of the form should be submitted annually.

Applicable Procedures

GDOT's Equal Employment Opportunity Office is responsible for initiating and monitoring Title VI activities, preparing required reports and other GDOT responsibilities as required by 23 CFR Part 200 and 49 CFR Part 21.

The GDOT Civil Rights officer oversees all EEO, DBE and Civil Rights requirements and procedures.

The Transit Planner or Public Transportation Coordinator is responsible for administering the Title VI program and preparing the Title VI Program submissions and updates to the FTA.

Transit Planner or Public Transportation Coordinator Responsibilities:

- Ensure submission of the subrecipients' annual Title VI assurances to GDOT as part of their annual Certification and Assurance Submission.
- Monitor each subrecipient through site visits and/or desk audits to assure that each sub-recipient is in compliance with Title VI requirements. These compliance checks should be conducted annually using the **Title VI Compliance Questionnaire**.
- Require subrecipients to forward a written evaluation of their program within two (2) weeks of a site visit/desk audit and review the reports for completeness and appropriateness. If it is determined that any subrecipient is in non-compliance, determine course of action to be taken such as withholding funds until corrections are made.
- Include a non-discrimination clause in all state-local grant agreements.
- Ensure the division's project evaluation selection processes are non-discriminatory.
- Review all informal complaints received by the division that may be a civil rights issue and provide technical assistance to agencies or individuals.
- Disadvantaged Business Enterprise
  - The Transit Program Manager submits the semiannual DBE report to FTA within thirty (30) days from the close of each reporting period.
- Equal Employment Opportunity
  - Refer information on active lawsuits or complaints to GDOT's Equal Employment Opportunity Office.

  - Ensure that subrecipients comply with the EEO Act.
  - Ensure that the subrecipients have an EEO plan on file with GDOT.
  - Assist where needed to address EEO complaints.
- Reviews the information provided by assigned subrecipients in conjunction with the GDOT EEO Office using the **Title VI Compliance Checklist**.
- The Transit Planner or Public Transportation Coordinator, the Transit Program Manager, and the GDOT EEO should review subrecipient compliance in relation to the requirement of FTA oversight as noted on the FTA website.
- Forward copies of final reports to the EEO Title VI/Environmental Coordinator.

Copies of complaints and final reports of desk audits/on-site audits should be forwarded to the EEO Title VI/Environmental Coordinator.

Subrecipient Responsibilities:

- Must have completed civil rights program information as required in FTA Circular 4702.1.
- Include the Title VI Status Report and Monitoring Plan in the grant application.
- At a minimum, required information must be updated annually.
- Information must be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part. (link to **Title VI Data Collection and Reporting Form**) The information submitted by the subrecipient to the Transit Planner or Public Transportation Coordinator includes:
  - Complete the Annual Certifications and Assurances.
  - Title VI Compliant Procedures
  - Record of Title VI Investigations, Complaints, or Law Suits
  - Access to Services by Persons with LEP
  - Notifying Beneficiaries of their Rights Under Title VI
  - Provide Additional Information on Request
  - A Title VI Program
  - Environmental Justice Analysis of Construction Projects
  - Inclusive Public Participation
- Disadvantaged Business Enterprise
  - Provide a copy of their DBE programs and plans to the Transit Planner or Public Transportation Coordinator, indicating how they will carry out their DBE program until all funds from FTA financial assistance have been expended.
  - Provide a signed and dated policy statement to the Transit Planner or Public Transportation Coordinator that expresses subrecipient commitment to their DBE program, states its objectives, and outlines responsibilities for its implementation. The statement should be circulated throughout the subrecipient organization and to the DBE and non-DBE business communities that perform work on any FTA-assisted contracts (See **Sample DBE Policy Statement**).
- Equal Employment Opportunity

- Maintain and abide by an EEO plan. File plan with GDOT.
- Appropriately address and file EEO complaints

- Submit an annual summary report of the level of service provided to minority populations as compared to the total population. GDOT uses the FTA recommended level of service methodology:
  - Level of Service Methodology: This methodology will examine the subrecipients, minority community, service policy and standards. Census breakdowns must be obtained from the latest U.S. Census report, which is available at any RDC, MPO, or County Commissioner's Office.
    - Select Cities/Counties that have a minority population which can be monitored and analyzed when collecting data (service should be monitored at a minimum of one month).
      - Select City/County where Section 5307 transportation is provided.
      - Look at each City/County area where service is provided and determine the percentage of minority population to total population.
    - Using the criteria listed below; provide an overview of the transit service:
      - Type of service
      - Days and hours of operation
      - Number of vehicles
      - Number of wheelchair equipped vehicles
      - Total seating capacity
      - Service area
    - Conduct a survey using the criteria listed below to determine the performance of rural transit in the area:
      - Total number of trips
      - Total number of trips provided to minorities
      - Percentage total (minority trips / total number of trips)
    - Review the transit service provided and the provider's standards and policies. Make sure all State, Federal, Civil Rights and Title VI mandates and requirements are met. Also, in cases where there are findings, give recommendations for corrective actions.
    - Compare the average performance for each City/County transit system to the subrecipient's service policies and standards. If there are findings, give recommendations for corrective actions.

- Submit the following information in the reports (refer to the **Title VI Compliance Checklist):**
  - A list of any active lawsuits or complaints naming the applicant which allege discrimination on the basis of race, color, or national origin with respect to service or other transit benefits. The list should include:
    - The date the lawsuit or complaint was filed;
    - A summary of the allegation; and
    - The status of the lawsuit or complaint.
  - A description of all pending applications for financial assistance, and financial assistance currently provided by other federal agencies.

- A summary of all civil rights compliance review activities conducted in the last three years. The summary should include:
  - The proposed reason for the review;
  - The name of the agency or the organization that performed the review;
  - A summary of the findings and recommendations of the review; and
  - A report on the status and/or disposition of such findings and recommendations.

- Quality of Service Methodology - This section will determine whether the quality of service is consistent among different user groups and the degree to which transit service is responsive to minority needs (service should be monitored at a minimum of one month). The subrecipients must complete the following method to assess the Quality of Service.
  - Select Cities/Counties where rural transit service is provided.
  - Conduct a survey and identify the users travel pattern (shopping trips, work trips, medical trips).

  - Conduct a survey and identify the travel pattern for minorities and non-minorities (shopping trips, work trips, medical trips).
  - Give a transit cost analysis using the survey results which identify the minority and non-minority travel pattern. Select the top three most traveled destinations and respond to the questions listed below:
    - Cost per hour for transit service
    - Total cost of trip destination
    - Cost per mile of trip to destination
    - In using this methodology, the subrecipient must compare the overall quality of service of minorities with non-minorities and take action on the disparities

  An EEO Plan is only required if there are Fifty (50) or more transit-related employees, and; receives capital or operating assistance in excess of 1 million, **or**; receives planning assistance in excess of $250,000.

2.13. Americans with Disabilities Act

Requirements

The Americans with Disabilities Act (ADA) is a civil rights law enacted by the US Congress in 1990. The Federal Transit Administration (FTA) enacted regulations in support of the ADA that define the delivery of transportation services. The regulations require specific actions on the part of transit providers. The FTA regulations are found in the US Department of Transportation 49 CFR Parts 27, 37 and 38: *Transportation for Individuals With Disabilities*; Final Rule, Friday September 6, 1991. These regulations apply to all providers of public or private transportation services whether or not they receive state or federal funding assistance. These rules are available on the Federal Transit Administration's website http://www.fta.dot.gov/civilrights/civil_rights_2360.html.

As a condition of grant funding, subrecipients must demonstrate compliance to the ADA and the FTA's implementing regulations. Agencies will demonstrate compliance through their day-to-day operating procedures, their planning and management of transit services, public involvement and information, vehicle procurement and other activities.

Each transit agency will have written policies and procedures designed to meet the requirements. For example, the vehicle maintenance policy will include maintenance of the ADA accessible features (the lift, etc.); the employee-training plan will include ADA topics. If the agency contracts out any or all of the service, the agency must be knowledgeable about how the contractor maintains compliance. ADA compliance is not a one-time effort and compliance must be consistently maintained by the agency over time. New employees or changing services are not an excuse for lack of compliance.

GDOT Division of Intermodal staff will routinely evaluate each subrecipient program for compliance to the ADA. Oversight will include site reviews, desk audits, review of policies and procedures, information from substantive complaints, and other means. Intermodal staff will also provide technical assistance upon request.

The regulation is divided into compliance areas primarily associated with the following terms: Public, Private, Fixed-route and Demand-response.

- *Public* means any state or local government and any department, agency, special purpose district, or other instrumentality of one or more state or local governments.
- *Private* means any entity other than a public entity.
- *Fixed route system* means a system of transporting individuals on which a vehicle is operated along a prescribed route according to a fixed schedule.
- *Demand responsive system* means a system of transporting individuals that is not a fixed route.

Contractors must comply with the same ADA requirements as the subrecipient. The only exception is where a public entity receives funds on behalf of a private non-profit entity. When the public entity on its own would not operate the transit service, and the service design, implementation and management is entirely the responsibility of the other entity, then the relationship between the two is defined as "passthrough" and the compliance does not apply.

2.13.1. ADA Service Provisions

Public and private subrecipients providing either fixed-route or demand responsive services must comply with the following service provisions. This is a simplified list: review the specifics for each requirement found at 49 CFR Part 37, subpart G.

- Maintenance of accessible features
- Procedures to ensure lift availability
- Lift and securement use
- Announcements on vehicles of stops on fixed routes
- Vehicle identification systems
- Service animals
- Use of accessible features
- Public information/communications
- Lift deployment at any designated stop
- Service to persons using respirators or portable oxygen
- Adequate time for boarding/deboarding
- Training

Receipt of 5307, 5311, 5316, and 5317 funds require a private entity that is operating a fixed route service to provide complementary paratransit.

Prior to initiation of fixed route service operated by a federal grant award, subrecipients will submit to Transit Planner or Public Transportation Coordinator written documentation of compliance that addresses each of the service provisions.

2.13.2. Requirements for Public Providers

The ADA has separate sets of requirements for public fixed-route and public demand-responsive services.

Fixed-Route:

- Public operators of fixed-route services open to the general public are required to provide "complementary paratransit" to persons with disabilities that is comparable to individuals without disabilities who use the fixed-route system.
- Commuter bus service does not require complementary paratransit service. Commuter bus service is defined as "fixed-route bus service, characterized by service predominantly in one direction during peak period, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying areas. And may also include other service characterized by limited route structure, limited stops and a coordinated relationship with another mode of transportation.

- Service design strategies such as route-deviation, point-deviation, or point-to-point (and other hybrid strategies) are by definition "demand-response" only if they deviate to pick up the general public. If the service limits its deviations to specific individuals, including persons with disabilities, the service does not meet the intent of the demand-response definition and the service must conform to fixed-route rules.
- GDOT requires, as a condition of funding, that each new or revised public fixed-route service have written documentation that discusses how comparable service that meets the requirements of 49 CFR 37.123 – 37.133 will be delivered. Documentation will include descriptions of:
  - The planned service delivery;
  - Each of the defined service criteria;
  - Eligibility criteria and processes, and;
  - Public participation and outreach activities.
- Full conformance to the ADA regulations on the first day of service to the public is required by federal law.
- ADA service documentation must be submitted to the Division of Intermodal for review prior to service startup, if the project is funded in any part through GDOT-source funds.
- Paratransit compliance documentation must be approved by the operator's governing board, reviewed regularly and amended as needed.
- When new services requiring complementary paratransit planning impact existing service through overlapping or contiguous boundaries, it is the responsibility of the new service provider to coordinate the development of an ADA strategy that provides for coordinated paratransit services with neighboring jurisdictions.
- Requests for undue financial burden waivers will not be considered.

Demand Response:

- Public operators of demand responsive services must conform to requirements defined as "equivalency service standard," §37.77 (a) – (e).

- Equivalency means that the system when viewed in its entirety, provides equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the individual and is equivalent with respect to the following service characteristics. These characteristics are in addition to the service provisions.
- Equivalent Service Standards for public demand responsive systems:
  - Response time
  - Fares
  - Geographic area of service
  - Hours and days of service
  - Availability of information
  - Reservations capability (if the system is demand responsive)
  - Any constraints on capacity or service availability
  - Restrictions priorities based on trip purpose
- Service strategies that are designed as route-deviation, point-deviation, or point-to-point (and other hybrid strategies) are by definition "demand-response" only if they deviate to pick up the general public.

2.13.3. Requirements for Private Providers

- Per §37.105, private providers conform to requirements defined as "equivalency service standard". The equivalency service standard applies whether the service is fixed-route or demand responsive. Private providers with a fixed-route system are not required to provide complementary paratransit.
- Equivalency means that the system when viewed in its entirety, provides equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the individual and is equivalent with service provisions.
- Equivalent Service Standards for private demand responsive or fixed route systems:
  - Schedules/headways (if the system is fixed-route)
  - Response time (if the system is demand-responsive)
  - Fares
  - Geographic area of service
  - Hours and days of service
  - Availability of information
  - Reservations capability (if the system is demand responsive)
  - Any constraints on capacity or service availability
  - Restrictions priorities based on trip purpose (if the system is demand responsive.
- Private operators are divided into two subgroups by the ADA: Private not-primarily in the business of transportation and private primarily in the business of transportation.
  - *Private not primarily*: Fixed route system with vehicles over 16 passengers plus driver must have accessible vehicles. Fixed route system with vehicles under 16 must have accessible vehicles unless the system when viewed in its entirety meets the standard for equivalent service provisions.
  - *Private primarily*: Fixed route system with vehicles over eight passengers (excluding over-the road vehicles) must ensure that the vehicles are accessible.

University Service:

The Triennial Review Workbook states that "Review documentation to ensure that university service is operated under formal arrangement with a public or private institution of higher education, or that the funding provided by the grantee is specifically intended to provide such service. 49 CFR 37.25 specifies that "university transportation systems" are operated by public or private institutions of higher education. Most transit operators are not institutions of higher education and, by definition, would therefore not be operating "university service." In order for routes operated by a transit provider to be covered by this provision, an institution of higher education would have to have a formal arrangement with the transit operator. In some cases, the grantee may provide funding directly to an institution of higher education for purposes of providing university transportation service.

The grantee must ensure that services described as commuter or university service provided by subrecipients have the characteristics specified in the DOT ADA regulations."

2.13.4. Passenger Facilities

Facilities that are built using federal funds must meet ADA regulations for accessibility. Facilities that are altered using federal funds must meet ADA regulations for accessibility unless the cost of making the facility accessible is disproportionate to the overall cost of the project. Disproportionate is defined as the cost to make the facility accessible exceeds 20 percent of the total cost of alteration. Failure to make the facility accessible as required will cause Transit Planner or Public Transportation Coordinator require the subrecipient to make the modifications to bring the facility into compliance, and failure to make the required modifications will result in repayment of grant funds.

- Passenger facilities include, and are not limited to, passenger waiting areas, shelters and transfer stations. The guidelines for the accessibility of facilities are provided by the United States Access Board, http://www.access-board.gov/ada-aba/final.pdf.
- Bus Stops: Where new bus stop pads are constructed in areas where a lift or ramp is to be deployed, they will have a firm, stable surface. The stop will have a minimum clear length of 96 inches (measured from the curb or vehicle roadway edge) and a minimum clear width of 60 inches (measured parallel to the vehicle roadway) to the maximum extent allowed by legal or site constraints; and will be connected to streets, sidewalks or pedestrian paths by an accessible route.
- Shelters: Where bus shelters are provided, the shelter will be installed or positioned to permit a wheelchair or mobility aid user to enter from the public way and to reach a location, having a minimum clear floor area of 30 inches by 48 inches, entirely within the perimeter of the shelter. An accessible route will connect the shelter to the boarding area.
- Accessible route: At least one accessible route will be provided from public transportation stops, accessible parking, and accessible passenger loading zones, and public streets or sidewalks to the accessible building entrance they serve. The accessible route will, to the maximum extent feasible, coincide with the route for the general public. An accessible route with a running slope greater than 1:20 is a ramp. The least possible slope will be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. A cross slope of an accessible route will not exceed 1:50.

2.13.5. Maintenance of Accessible Features

Subrecipients must maintain the accessible features of vehicles and facilities. The accessible

features must be inspected, kept in operating condition, and repaired promptly.

2.13.6. Complaints and Grievances

The Local Government (LG) will ensure compliance with the Americans with Disabilities Act as found in the Title II ADA and Section 504 of the Rehabilitation Act.

The Title II regulation covers "public entities". "Public entities" include any State or local government and any of its departments, agencies, or other instrumentalities.

If a LG project includes pedestrian facilities, the facility must provide pedestrian access for persons with disabilities in compliance with ADA Title II. Federal, State and local governments must provide pedestrian access for persons with disabilities whenever a pedestrian facility exists in compliance with Section 504 standards. Information regarding the design of transportation facilities and compliance may be found at ROADS-Repository for Online Access to Documentation and Standards (http://www.dot.state.gov/doingbusiness/PoliciesManuals/roads/Pages/default.aspx) All activities, services, and programs of public entities are covered and must ensure that individuals with disabilities are not excluded from services, programs and activities because buildings are inaccessible. State and local governments must ensure effective communication with individuals with disabilities. Where necessary to ensure that communications with individuals with hearing, vision, or speech impairments are as effective as communications with others, the public entity must provide appropriate auxiliary aids. Unlike Section 504 of the Rehabilitation Action of 1973, which only covers programs receiving Federal financial assistance, Title II extends to all the activities of State and local governments whether or not they receive Federal funds.

Complaints: Any individual who believes that he or she is a victim of discrimination prohibited by the regulation may file a complaint. Complaints on behalf of classes of individuals are also permitted. Complaints should be in writing, signed by the complainant or an authorized representative, and should contain the complainant's name and address and describe the public entity's alleged discriminatory action. Complaints may be sent to— Disability Rights Section Civil Rights Division U.S. Department of Justice P.O. Box 66738 Washington, DC 20035-6738 Local Government Administered Project Manual Page 49

Complaints may also be sent to agencies designated to process complaints under the regulation, or to agencies that provide Federal financial assistance to the program in question.

Visit the following FHWA web page for additional information relating to ADA requirements: http://www.fhwa.dot.gov/civilrights/ada_qa.htm#q1.Applicable Procedures

Transit Planner or Public Transportation Coordinator Responsibilities:

- Obtain certifications of compliance from all subrecipients;
- Include ADA requirements in all grant agreements;
- Request documentation of ADA policies on a regular basis;
- Monitor subrecipient compliance during the compliance review every three years, or during the site visits associated with the annual vehicle or inventory inspections;
- Ensure that the following questions are answered:
  - Is the vehicle ADA accessible?
  - Are the lifts being cycled before service is provided?
  - Have you denied service over the last six months? How much? Why?
  - Have you refused service animals?
  - How do you ensure that service animals are allowed?
  - How are you meeting ADA regulations?

- Review subrecipient ADA policies and procedures and other supporting documentation, and follow up with the agency regarding compliance issues, if needed;
  - Review specific ADA service requirements – type of service provided, advance reservation requirements, fares, and no show policy;
- Award vehicle purchases for accessible vehicles and monitor vehicle purchases for accessibility. Obtain Certificates of Equivalent Service, if applicable;
- Review ADA compliance, including service, maintenance and facilities, during on-site program reviews;
- Offer PASS training to transit agencies;

Provide subrecipients annual written reminders of ADA requirements and provision of service.

Review and act upon ADA complaints and forward information to FTA if warranted.

Subrecipient Responsibilities:

- Sign certifications of compliance pertaining to ADA requirements;
- Establish service policies and procedures in accordance with the ADA, and submit the policies upon request to Transit Planner or Public Transportation Coordinator;
- Comply with ADA service provisions for fixed route and demand-response, as appropriate to the service;
- Subrecipients are required to submit information about formal ADA complaints to Transit Planner or Public Transportation Coordinator, and report regularly until the complaint is resolved. Transit Planner or Public Transportation Coordinator will submit the information to FTA region office.
- Prior to initiation of a fixed route service funded by §5311, prepare appropriate policies and procedures to implement complementary paratransit and other associated ADA service requirements. Submit the documentation to Transit Planner or Public Transportation Coordinator for review and approval;
- Purchase vehicles in compliance with ADA requirements, or sign and submit a Certification of Equivalent Service to Transit Planner or Public Transportation Coordinator prior to purchase of the vehicle. Update the certification annually (keep in own files);
- Include appropriate ADA information in all public information brochures and route schedules;
- New and remodeled facilities will be ADA accessible. If the facility is built or remodeled with a grant award, subrecipient will submit documentation to ensure that the required ADA accessible features are included;
- Include ADA requirements in all service agreements;
- Take advantage of PASS training as needed; and
- Inform Transit Planner or Public Transportation Coordinator of any ADA complaints.

2.14. Grant Protest Procedures

Requirements

The Division conducts an appeals process to resolve protests of funding or other decisions made by the Transit Planner or Public Transportation Coordinator.

Applicable Procedures

Within 30 days of notification of a decision, the affected agency may file an appeal of the decision.

- The agency will address the appeal to the division administrator.
- The appeal will identify the project or proposed project affected by a fundraising decision; or, will identify the action taken by the division that is being appealed. The appeal will include the recipient or proposed recipient affected by the decision, any arguments pertaining to the appeal, and the requested remedy.

The division will investigate the appeal and will make a written statement of finding within 30 days.

2.15. Charter Service

Requirements

As part of its annual grant application, GDOT requires Section 5307, 5309, 5311, and 5316/7 applicants to certify that they will not perform any charter service by signing the **Certification of No Intent of Charter Service Form.**

The exception to this certification is the conveyance of Government Officials, not to exceed eighty (80) hours of use in a given fiscal year. Each subrecipient must apply for this exception by contacting GDOT with a request.

This prohibition applies to bus and van services provided by direct recipients, subrecipients, or TPOs that provide bus or van services funded by FTA.

Applicable Procedures

The Transit Planner or Public Transportation Coordinator reports the information from the subrecipient to the Transit
Program Manager. Transit Planner or Public Transportation Coordinator reports the conveyances in TEAM.

The subrecipient must inform the Transit Planner or Public Transportation Coordinator each time the subrecipient decides to use the exception; subrecipients must submit a quarterly report indicating the use of exceptions using the format provided in the **FTA Charter Exceptions Quarterly Reporting Form** within 10 days after the end of the quarter.

2.16. School Transportation

Requirements

Grantees seeking to provide school bus service must agree not to engage in exclusive service to students and school personnel in competition with private school bus operators.
This prohibition does not apply to "Tripper Service," defined as regularly scheduled transit service that is open to the public and that is designed or modified to accommodate the needs of

school students and personnel, using various fare collection and subsidy systems. In some cases, exemptions to regulatory limitations will be allowed.

Applicable Procedures

To ensure that subrecipients comply with school bus transportation regulations, subrecipients must complete the Certifications and Assurances to agree that it will:

- Engage in school transportation operations in competition with private school transportation operators only to the extent permitted by an exception provided by 49 U.S.C. 4323 (f) and implementing regulations, and
- Comply with requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance awarded by FTA and authorized by 49 U.S.C. Chapter 53 or Title 23 U.S.C. for transportation projects.
- Understand that the requirements of 49 CFR part 605 will apply to any school transportation it provides, that the definitions of 49 CFR part 605 apply to any school transportation agreement, and a violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

2.17. Lobbying

Requirements

Recipients of federal grants and contracts exceeding $100,000 annually must certify that they have not and will not use federally appropriated funds for lobbying. State agencies administering federal programs certify to FTA; subrecipients certify to the state. State agencies and subrecipients must impose lobbying restrictions on their third-party contractors and must obtain certifications. The regulations are found in 49 CFR Part 20.

Applicable Procedures

Contracts, grants and cooperative agreements are actions covered by the restrictions on lobbying. For example, activities such as submitting grant applications, status inquiries, and professional and technical services are not lobbying and do not need to be disclosed. Efforts to influence Federal officials about specific grants and contracts or to ask Congressional representatives for support of a particular application must be disclosed. Lobbying restrictions do not apply to activities that might influence policy issues.

Transit Planner or Public Transportation Coordinator Responsibilities:

- Obtain Standard Form-LLL from any subrecipient and/or its subcontractor(s) who used non-federal funds to support lobbying.
- Send the forms to GDOT Governmental Affairs office, who prepares the quarterly reports to FTA.
- Assure GDOT submits Standard Form-LLL to FTA, as required. Currently, subrecipients certify to Transit Planner or Public Transportation Coordinator through the grant agreements and the annual certifications and assurances.

Subrecipient Responsibilities:

- Sign a certification of compliance pertaining to lobbying activities.

- Where third party contractors are involved, subrecipients must obtain a signed certification of compliance from the contractor.
- If non-federal funds have been used to support lobbying activities in connection with a grant from Transit Planner or Public Transportation Coordinator, and the subrecipient receives federal grants exceeding $100,000, fill out Standard Form-LLL and submit it to TPC.
- If contractors received more than $100,000 in federal funds and used non-federal funds to support lobbying, subrecipients must obtain the completed Standard Form-LLL from the contractor and submit it to Transit Planner or Public Transportation Coordinator.

2.18. Debarment and Suspension

Requirements

To prevent fraud, waste and abuse in federal transactions, persons or entities that, by defined events or behavior, potentially threaten the integrity of federally-administered programs are excluded from participation in FTA-assisted programs. GDOT will not enter into any third-party contract or grant agreement with any party included in the "US General Service's Administration's List of Parties Excluded from Federal Procurement or Non-procurement Programs", or Excluded Parties Listing System (EPLS).

This pertains to all FTA-funded programs. Reference: FTSA C 2051.1; FTA Annual Certifications and Assurances Subrecipients receiving more than $25,000 through a grant from TPC must certify they are not debarred or suspended from any Federal agency. This is accomplished through the grant agreements and the annual certifications and assurances.

Applicable Procedures

GDOT Transit Planner or Public Transportation Coordinator Responsibilities:

- Assure that all subrecipients are not excluded from participation in FTA-assisted programs by checking the EPLS database.
- Assure that subrecipients verify that their third-party contracts are not disqualified.
- Obtain certifications of compliance from subrecipients prior to execution of grant agreements.
- When GDOT lets a third-party contract exceeding $25,000 that uses any amount of FTA funding, the contractor will be required to submit a completed integrity certification prior to awarding the final contract.

Subrecipient Responsibilities:

- Sign a certification of compliance pertaining to debarment and suspension.
- Verify that a third-party contractor is not disqualified by a Federal agency. Obtain a signed certification or add a clause or condition to the contract or subcontract regarding debarment and suspension.

3.0 SATISFACTORY CONTINUING CONTROL

3.1. Management of Equipment and Real Property

Requirements

GDOT has management standards that apply to equipment, supplies, and rolling stock purchased with federal funds. Equipment, supplies, and rolling stock are to be used by the subrecipient for the purpose it was acquired as long as needed, whether or not the program or project continues to be supported by federal funds.

3.1.1. Tracking

Fixed assets must be tracked in the RMIS system by Intermodal Programs and must be recorded as an asset by subrecipients in their own fixed asset accounting system. This procedure indicates the tasks to be completed for inventory, tracking, auditing, transferring, and disposing of fixed assets. Fixed assets also include security and other equipment for buses, computers, and software. In cases where real estate has been acquired for construction projects, fixed assets may also include real property.

3.1.2. Incidental Use

Equipment and real property may be incidentally used with FTA approval. Incidental use is defined as the authorized use of real property and equipment acquired with FTA funds for purposes of transit, but which also has limited non-transit purposes due to transit operating circumstances. Such use must be compatible with the approved purposes of the project and not interfere with intended public transportation uses of project assets. FTA encourages subrecipients to make incidental use of real property when it can raise additional revenues for the transit system, or at a reasonable cost, enhance system ridership.

GDOT must approve any incidental use of FTA funded equipment or facilities in advance of its occurrence.

3.1.3. Vehicle Useful Life

Useful life is determined as follows:

- <u>5311, 5316 & 5317 Funded Vehicles:</u> The District Public Transportation Coordinator, using any or all of the evaluation criteria listed below as a general guidance, will make an evaluation of a vehicle's condition and useful life. In the event the District Public Transportation Coordinator concludes that the vehicle should be surplused, then a recommendation will be made to the Division of Intermodal Programs. Counties may purchase vehicles back by following DOAS disposition procedures. Criteria for Replacement of Vehicles:
  - 100,000 miles or five years by of the end of the application year.
  - The vehicle is unserviceable and rehabilitation is not cost effective
  - Vehicle utilization and productivity meets current GDOT operating criteria.
- <u>5307 & 5309 Funded Vehicles:</u> GDOT's useful life standards for all other programs adhere to FTA useful life policies, which are:
  - Large, heavy-duty transit buses including over the road buses (approximately 35'–40', and articulated buses): at least 12 years of service or an accumulation of at least 500,000 miles.

- Small, heavy-duty transit buses (approximately 30'): at least ten years of service or an accumulation of at least 350,000 miles.
- Medium, medium-duty transit buses (approximately 25'–35'): at least seven years of service or an accumulation of at least 200,000 miles.
- Medium, light-duty transit buses (approximately 25'–35'): at least five years of service or an accumulation of at least 150,000 miles.
- Other light-duty vehicles used as equipment and in transport of passengers (revenue service) such as regular and specialized vans, sedans, demo models, light-duty buses and all bus models exempt from testing in the current 49 CFR part 665: at least four years of service or an accumulation of at least 100,000 miles.

Additional useful life guidelines for ferries, trolleys and rail vehicles are defined in FTA Circular 9030.1D.

3.1.4. Inventory/Inspection

GDOT intermodal staff and the PTC's will conduct vehicle inventory every two years using GDOT's RMIS vehicle inventory data as a benchmark for reconciliation to actual vehicles on location. The inventory should including the following information:

- GDOT assigned four-digit vehicle number
- Subrecipient's name
- Vehicle identification number (VIN) (iv) Date of purchase/delivery
- Cost of vehicle
- Vehicle type
- Year of manufacture
- Seating capacity
- Vehicle Make
- Grant/contract number under which vehicle was purchased.
- Date of inventory
- Signature of person(s) performing inventory
  - a description of the asset,
  - identification number,
  - source of property (the grant project number under which it was procured),
  - acquisition date,
  - cost,
  - percentage of Federal participation in the cost,
  - location,
  - use and condition,
  - useful life ,

GDOT's staff or its designees will conduct annual vehicle inspections, including the categories defined in the **Vehicle Inspection form**.

GDOT recommended pre-trip inspection forms require daily cycling of the ADA lift, and both the compliance review and site visits will include a review of these files for completed pre-trip inspections. Logs showing dates when accessible vehicles were put out-of-service due to failures and repairs (of any type) or maintenance should demonstrate that no accessible vehicle was operated for more than <u>five days</u> with an inoperative lift.

3.1.5. Continuous Control and Vehicle Monitoring/Storage

In order to maintain continuous control of all FTA funded equipment at all times, it is GDOT's policy not to allow any FTA funded property to be removed from its designated location. Under very limited circumstance must a section 5311 vehicle(s) be taken or driven home without prior written approval from Georgia Department of Transportation.

All vehicles must be stored in a lighted, safe, fenced and patrolled or controlled area. Requests to allow a vehicle to be taken away from the storage area must be in writing addressed to the appropriate District Public Transportation Coordinator in your area. The District Public Transportation Coordinator will forward the request including justification to the Atlanta office for consideration. GDOT recommends that requests be submitted thirty (30) days prior to the proposed scheduled date and at the minimum, should include the following:

- Justification for exception
- Mileage from the transit office to proposed initial stop
- Mileage from driver's home to transit office
- Mileage from driver's home to initial passenger pick up stop
- Mileage driven each day
- Time of initial passenger pick up
- Driver's home address including phone number
- Additional insurance coverage

Transit providers must demonstrate how they intend to monitor the use of the vehicle when not stored within transit locations.

GDOT may request driver(s) to include vehicle in his/her home insurance policy to protect both GDOT and FTA's interest in case of any loss therein. Failure to comply with this policy may

result in the denial of future funding by FTA and Georgia Department of Transportation and may include denial of any reimbursement. Should providers have any questions on this policy, they should contact their respective District Public Transportation Coordinator, or the Atlanta office for guidance.

3.1.6. Bus Replacement Policies

- Replacement at End of Minimum Normal Service Life - Vehicles to be replaced should have achieved the minimum normal service life. The age of the bus is its years of service or mileage at the time the new bus will be put into service.
- Early Disposition Policy - If a vehicle is replaced before it has reached the minimum normal service life, the grantee has the option of returning the Federal interest to FTA or placing the remaining Federal interest into the new vehicle (like-kind exchange policy).
- Like-Kind Exchange Policy - Under this policy, the trade-in value or sales proceeds from a vehicle replaced before the end of its normal service life are not returned to FTA but rather applied towards the purchase of a "like-kind" replacement vehicle. Like-kind replacement is defined as a vehicle for a vehicle with a similar service life.
- Rebuilding Policies - Buses to be rebuilt should be at the end of the minimum normal service life and in need of major structural or mechanical rebuilding. The age of the bus is its years of service at the time the rebuilding work begins.
  - Rehabilitation - Rehabilitation efforts are focused on mechanical systems and vehicle interiors. The goal for standard, heavy-duty transit buses is to provide at least five

years of additional service through rehabilitation and for smaller buses, make the rehabilitation extend the minimum normal service life by at least 40 percent.

  - Remanufacturing - Main emphasis is placed on structural restoration of a standard, heavy-duty bus in addition to rehabilitation (above). Eight years of additional service life should be provided through this rebuilding process.

- Vehicle Overhauls - Federal capital assistance of up to 20% of annual vehicle maintenance is eligible for vehicle overhaul work. This eligibility also applies to leasing and contracted service.
- Spare Ratio Policies - The number of spare buses in the active fleet for grantees operating 50 or more revenue vehicles should not exceed 20% of the number of vehicles operated in maximum service. Spare ratio is defined as the number of *spare vehicles divided by the vehicles required for annual maximum service, and should be reasonable for all agencies*. Local circumstances may be considered in determining a reasonable spare ratio for individual grantees.
- Contingency Fleet - Vehicles may be placed in an inactive contingency fleet, or "stored" in preparation for emergencies. No vehicle may be placed in this inactive contingency fleet unless the vehicle has reached the end of its minimum useful life.
- Vehicles held in a contingency fleet must be properly stored, maintained, and documented in a contingency plan, updated as necessary, to support the continuation of a contingency fleet. A contingency plan is not an application requirement, although FTA may request information about the contingency fleet when reviewing grant applications. Contingency plans are also subject to review during FTA's oversight reviews, including the triennial reviews required for recipients of the Urbanized Area Formula Program (49 U.S.C. 5307). Any rolling stock not supported by a contingency plan will be considered part of the active fleet. Since vehicles in the contingency fleet are not part of the active fleet, they do not count in the calculation of spare ratio.

3.1.7. Requirements Related to Buses in Service

- Commercial Driver's License (CDL) - All drivers and mechanics of vehicles designed to transport more than 15 people must have a CDL.
- Charter Bus Operations - see GPMM
- School Bus Operations - see GPMM

3.1.8. Bus Facilities

- FTA will assist building facilities that support transit operations and provide passenger amenities and park-and-ride lots. FTA also supports facilities that are transit-related and will participate in those portions of facilities physically or functionally connected to transit. FTA will participate on a pro rata basis in intermodal facilities, based on the transit portion of the project.
  - Facility Size - FTA's general policy is to provide assistance for facilities that are adequate for the grant applicant's present needs and that will realistically meet future needs.
  - Project Staging - Applicants must be able to fully describe the project and estimate the cost of the facility.
  - Planning Justifications - There must be a planning basis for every project, therefore, appropriate planning studies should be undertaken in support of projects to acquire, install, or construct major transit facilities.

- Passenger Amenities
  - Passenger Shelters – Bus shelters are eligible for FTA assistance at certain locations, such as load and transfer points, park-and-ride stations, employment concentrations, and housing concentrations for the elderly and persons with disabilities.
  - Transfer Facility or Transportation Center – The basis for a new transfer facility or transportation center should be documented in a planning study.
  - Park-and-Ride Facilities – The basis for a new park-and-ride lot should be documented in a planning study.
- Maintenance and Administrative Facilities – The basis for new maintenance and administrative facilities or major expansions or renovations of existing facilities should be documented in a planning study.

Applicable Procedures

Transit Planner or Public Transportation Coordinator Responsibilities:

- Conduct a physical inventory of each recipient's Fixed Assets every two years in compliance with FTA regulations. The **Vehicle Inventory Form** summarizes the areas evaluated. A copy of the vehicle inventory report upon completion should be forwarded to the Vehicle Program Manager for reconciliation. Any discrepancy should immediately be investigated and reported accordingly.
- Assist subrecipients in processing forms related to lost, stolen, and damaged equipment.
- Manage and forward change in location requests to the Transit Program Manager for approval. Transit Program Manager will review the request and provide approval or rejection by email.

- Notify FTA when property is removed from the service originally intended at a grant approval and if property is put to additional or substitute uses. If FTA funded property is no longer needed for any transit purpose, the Transit Planner or Public Transportation Coordinator is required to prepare or update an excess real property utilization plan that identifies and explains the reason for excess property (FTA Circular 5010.1D has a list of what the plan should include; 49 CFR Part 18 has requirements for removal). Excess real property inventory and updated excess property utilization plan should be retained by the Transit Planner or Public Transportation Coordinator.
- The Transit Program Manager will receive a disposal request letter from subrecipients, and the Manager will provide approval or rejection to the request by letter of concurrence.
- Forward any location of vehicles/equipment requests from the subrecipient using a justification to the Transit Program Manager for approval.
- The Transit Program Manager will review the request and provide approval or rejection by email.

Subrecipient Responsibilities:

- Submit inventory listings to the Transit Planner or Public Transportation Coordinator that properly identify all discrepancies disclosed by physical inventory and signed by the designated subrecipient official indicating that the physical inventory was completed on a given date, and that official property records were found to be in agreement with the physical inventory, except for reported discrepancies. The listing will be furnished with a

minimum of delay after the completion of the physical inventory.

- Submit a monthly vehicle utilization report, updated on the vehicle module of RMIS.
- Submit certifications that equipment and real property is being used for project purposes.
- Get inspected by GDOT annually.
- Record and place new rolling stock into the subrecipient inventory system at the time of delivery. The subrecipient shall maintain a subsidiary Fixed Assets Ledger Accounting System with the following required information:
  - Description – Tag Number/VIN
  - Date in service
  - Cost of Asset
  - Funding Source(s)
  - Depreciation
  - Location
  - Condition
  - Disposal date – when applicable
    - a description of the asset,
    - identification number,
    - source of property (the grant project number under which it was procured),
    - acquisition date,
    - cost,
    - percentage of Federal participation in the cost,
    - location,
    - use and condition,
    - useful life ,
- Maintain all support documentation for lost, stolen and damaged equipment.
- Record the location of each fixed asset item in its accounting or property records.
- Maintain current records as to movement of equipment in such a manner that any item can be located for inspection or inventory purposes within a reasonable time frame.
- Must obtain written approval from GDOT for any change in location. Requests and justifications must be made in writing to the Transit Planner or Public Transportation Coordinator.

- Retain and provide access to program records and other records that are maintained as part of the program regulations/grant agreement, or otherwise pertinent to the program. Records must be retained for three years after the disposition of the equipment.
  - Must send a letter to the Transit Planner or Public Transportation Coordinator requesting disposition of equipment.
- Record the location of each fixed asset item in its accounting or property records.
- Maintain current records as to movement of equipment in such a manner that any item can be located for inspection or inventory purposes within a reasonable time frame.
- Must obtain written approval from the GDOT for any change in location. Requests and justifications must be made in writing to the Transit Planner or Public Transportation Coordinator.

3.2. Maintenance of Equipment and Real Property

Requirements

Subrecipients must have the technical and managerial capability to maintain FTA-funded vehicles, major equipment and facilities. Project equipment and facilities must be maintained at a high level of cleanliness, safety, and mechanical soundness. All accessibility features and equipment must be kept in operating condition. Subrecipients must have procedures to track when preventive maintenance inspections are due and to schedule preventive maintenance inspections in a timely manner.

Vehicles must be maintained in good working order. Subrecipients are required to follow the manufacturer's recommended maintenance schedule for federally-funded property—including vehicles, wheelchair lifts, and other accessibility equipment.

Each system should have a documented, up-to -date Maintenance Policy and Plan, for its fleet, major equipment and facilities with goals and objectives, and should implement the planned program. The adherence to the Maintenance Plan and the condition of vehicles, including accessibility equipment, will be monitored through GDOT reviews and inspections conducted by the District Public Transportation Coordinators each year. The PTC will ensure the fleet, equipment and facilities are consistent with the Maintenance Plan Guidance addressing the use, purchase, maintenance, insurance, and disposition of vehicles is provided in a separate memorandum available from GDOT. This separate document also includes model forms for pre- and post-trip inspections, a recommended maintenance schedule, a model of an agency maintenance policy and GDOT's Sample Fleet Maintenance Plan. (See Exhibit 3)

Vehicle maintenance involves two major components: preventive maintenance (PM) and the repair function, both of which should be monitored and evaluated through a maintenance management information system (MIS), which could range from a reliable, complete, and centralized paper file on each vehicle to a computerized program utilizing specialized vehicle maintenance software. Preventive maintenance activities include daily pre-trip inspections by the vehicle operators, including daily cycling of wheelchair lifts and associated accessibility equipment.

Maintenance and repair services may be provided in-house or under contract. If the system contracts for maintenance, it must monitor the contractor to ensure compliance with FTA/GDOT requirements. If the vehicles are operated by a TPO, the subrecipient must monitor their maintenance activities to ensure that the public investment in the vehicle fleet is protected.

This PM program should be described in a written maintenance policy that incorporates the GDOT recommended maintenance standards at a minimum. Subrecipients may wish to add additional services based on local experience or conditions (for example, more frequent air filter changes in a dusty environment, or checking mirror mounts at each service, etc.). Local procedures regarding maintenance records should also be included in the maintenance policy (who keeps the records, are they part of a computerized system, what is kept on file, etc.). A sample of written PM policy statement is provided in the separate guidance memorandum regarding vehicles, and an electronic version can be obtained from the District PTC to serve as basis for a local written maintenance policy.

Subrecipients must have a pre-trip inspection program that addresses vehicle condition, appearance, cleanliness, and safety. Deficiencies noted in a pre-trip inspection must be repaired in a timely manner and properly reviewed by management. Include some detail of your pre-trip inspection or checklist. GDOT may provide separate guidance on vehicle maintenance, including recommended pre-trip inspection forms.

3.2.1. Requirements Regarding Lift Maintenance and Maintaining Accessible Service

Subrecipients must repair accessibility features promptly and take reasonable steps to continue service to persons with disabilities while repairs are made. Subrecipients must maintain a file on each FTA funded vehicle that contains daily logs, pre-trip inspection checklists, and repair records.

GDOT maintenance requirements include a mandate that subrecipients promptly repair any accessibility defects noted during the required pre-trip inspection, and that pre-trip inspection forms and procedures require that a lift be cycled before leaving the storage yard. An operator with an inoperable lift must report it immediately. If during the daily inspection the lift is found to be inoperable, the vehicle is ordered out-of-service as soon as a lift-equipped replacement vehicle is available and it remains out-of- service until repairs are made and the vehicle is re-inspected. In these cases, the Public Transportation Coordinator or Transit Planner works with the subrecipient to obtain a replacement accessible vehicle from the state's lease fleet until the vehicle is repaired, inspected,
and returned to service. The accessible replacement lease vehicle should be placed in service as soon as possible. In some cases it may take a day or two to obtain the spare vehicle, so these rural systems may use the vehicle with the inoperable lift until an accessible replacement vehicle is available, but no longer than five days, as allowed by FTA regulations (49 CFR 37.163 (e)). The same situation applies if an accessible vehicle has a breakdown of some other type, or must be removed from service for maintenance - an accessible vehicle must be obtained from the state lease fleet as soon as possible, and the system's own accessible vehicle repaired and returned to service. In no case should an accessible vehicle with a broken lift be in service for more than five days.

Once the agency's own accessible vehicle is removed from service for repair, GDOT gives the subrecipient **seven** days to repair the lift. Then the agency must notify the Public Transportation Coordinator or Transit Planner prior to returning it to service. The accessible replacement vehicle from the GDOT statewide spare lease fleet must remain in service until the agency's own vehicle has been repaired, inspected and returned to service.

GDOT is providing subrecipients with a form to document the dates of every incident in which an accessible vehicle must be removed for service. .

Applicable Procedures for Maintenance Oversight

GDOT Responsibilities:

- District PTCs conduct vehicle inspections, including examination of the condition of vehicles and accessibility equipment.

As part of the Compliance Monitoring Review, GDOT's maintenance oversight is conducted by the TP's and PTC's and includes a review of the Maintenance plan, a check for plan consistency with the fleet, major equipment and facilities In addition, GDOT's Intermodal Division/Transit will institute at minimum yearly joint program meetings between each subrecipient to discuss each program including capital projects, fleets, facilities and major equipment Compliance site visits by the PTC's, TP's, RFM and/or the TPM will occur at a minimum every 3 years. The Review will be documented with the August 2012 updated "Summary of Compliance Monitoring Review Form" (Exhibit 4)

Subrecipient Responsibilities:

- Agrees to maintain project property in good operating order and in compliance with any applicable federal regulations or directives that may be issued.

- Agrees to keep satisfactory records pertaining to the use of project property, and to submit to FTA upon request such information as may be required to assure compliance with Federal requirements.
- The subrecipient is required to have a written facility/equipment maintenance plan, with goals and objectives.
- These plans should describe a system of periodic inspections and preventive maintenance to be performed at certain defined intervals.
- The subrecipient is responsible for implementing the planned maintenance program.

3.3. Disposition of Equipment and Real Property

Subrecipients are required to contact the division when vehicles have reached the end of their useful life and the grant recipient can no longer use them, the original purpose for the vehicle changes, the service is terminated, or the project ends. Titles are released to the owner when requested once useful life standards have been met for replacement/disposal, or when the vehicle is being transferred to another agency for similar service. When disposing of a vehicle that has met useful life standards, the agency may sell the vehicle and keep the sales proceeds, but must reinvest the funds for a vehicle purchase in the transit program for which the disposed vehicle was purchased.

Local public agencies may adopt their own rules and procedures for disposing of federally-funded surplus property as long as the disposal or sale is conducted in an open, public process. The revenues from the sale of property must be reinvested in the transit program for the same purpose (for instance, proceeds from a vehicle sold are used for purchasing a replacement vehicle; proceeds from office equipment would go towards purchase of new equipment).

Transit Planner or Public Transportation Coordinator Responsibilities:

- Provide technical assistance on all aspects of vehicle disposition.
- Review vehicle information provided on quarterly reports.
- The Transit Program Manager will review requests for disposition of equipment and provide approval or rejection to the request by letter of concurrence.

Subrecipient responsibilities:

- Contact the Transit Planner or Public Transportation Coordinator for technical assistance regarding all aspects of vehicle disposition.
- Notify the Transit Planner or Public Transportation Coordinator if equipment has not been used for 90 days. This should be reported on the quarterly report. The Division has the option to transfer the vehicle to another agency that can use the vehicle.
- The subrecipient must send a letter to the Transit Planner or Public Transportation Coordinator requesting disposition of equipment.

3.4. Buy America Provisions

Requirements

Buy America provisions are federal "domestic content" regulations. Buy America provisions affects vehicle and equipment purchases and construction contracts valued at $100,000 or more. FTA's Buy America requirements at 49 CFR part 661 differ from Federal Buy American regulations at 48 CFR part 25. The former applies to third party contracts funded by FTA.

The latter applies to direct Federal procurements. With certain exceptions, FTA may not obligate funds for a public transportation project unless the steel, iron, and manufactured goods used in the project are produced in the Unites States (49 CFR part 661). Exceptions to the requirement are made in four situations (see 49 CFR Part 661; 49 CFR Part 663). FTA reviews requests for waiver of the Buy America requirements on a case-by-case basis. If a waiver is required, the appropriate time for a subrecipient to seek FTA approval is after bids have been accepted, but before the bid has been awarded. GDOT staff will receive requests for Buy America waivers and forward them to FTA.

Pre-award and post-delivery certifications: Procurements for vehicles must be in accordance with "Pre-Award and Post-Delivery Audits of Rolling Stock Purchases" (49 CFR Part 633; Federal Register March 31, 1992). The rule requires that any subrecipient who purchases rolling stock certify to the FTA that it has conducted a pre-award and post-delivery audit to assure compliance with its bid specifications, Buy America requirements and Federal Motor Vehicle Safety Standards. Rolling stock must have 60-percent domestic content and assembly must take place in the United States. Refer to the **Pre-Award and Post-Delivery Review/Buy America Checklist.**

Subrecipients are required to have an in-plant inspector throughout the manufacturing process if it:

- Purchased any number of rail vehicles
- Are in urbanized areas that purchase more than 10 buses
- In areas with populations of 200,000 or less than purchase more than 20 buses

Applicable Procedures

Transit Planner or Public Transportation Coordinator Responsibilities:

- Include Buy America, pre-award and post-delivery certifications and New Model Testing requirements in applicable grant agreements.
  - Review requests for waivers to Buy America requirements and forward them to FTA.
  - Review agency procedures regarding Buy America, pre-and post-delivery certifications and bus testing requirements during on-site program reviews.
  - Review and approve all documentation and certifications provided by the subrecipients prior to making reimbursements on grant agreements.

Subrecipient Responsibilities:

- Review the manufacturer's Buy America certification and supporting documentation before a contract is awarded to purchase vehicles (pre-award audit). The documentation review should include vehicle sub-components (place of origin, cost and place of final assembly). Subrecipients must determine to their own satisfaction that the manufacturer can meet the Buy America requirements.
- Perform a post-delivery audit after vehicles have been delivered. This post-delivery audit assures that the manufacturer complied with Buy America, the Federal Motor Vehicle Safety Standards, and the subrecipient's specifications. Subrecipients must complete the post-delivery audits before they accept the vehicles and pay the vendor.
- Submit all documentation and certifications to Transit Planner or Public Transportation Coordinator. Documentation must be received by the

division prior to final payment to the grantee.

- Contact the division for technical assistance if needed.

3.5 Project Management Plan

Requirement

The FTA and GDOT require that a Project Management Plan be completed by a subrecipient that intends to construct a facility using FTA funding. At a minimum the plan should contain:

" (1) A description of adequate recipient staff organization, complete with well-defined reporting relationships, statements of functional responsibilities, job descriptions, and job qualifications;

(2) A budget covering the project management organization, appropriate consultants, property acquisition, utility relocation, systems demonstration staff, audits, and such miscellaneous costs as the recipient may be prepared to justify;

(3) A construction schedule;

(4) A document control procedure and recordkeeping system;

(5) A change order procedure which includes a documented, systematic approach to the handling of construction change orders;

(6) A description of organizational structures, management skills, and staffing levels required throughout the construction phase;

(7) Quality control and quality assurance programs which define functions, procedures, and responsibilities for construction and for system installation and integration of system components;

(8) Material testing policies and procedures;

(9) Plan for internal reporting requirements including cost and schedule control procedures; and Criteria and procedures to be used for testing the operational system or its major components;" [1]

The Project Management Plan is a "living document". The Department requires that subrecipients send updates to this document on a monthly basis.

Applicable Procedure

Subrecipients should submit a program management plan to the appropriate program manager for the FTA funding program containing the project they intend to construct, prior to the start of Preliminary Engineering (PE). Reports should be submitted on a monthly basis.

[1] OP 20 Project Management Plan Review Rev. 2, May 2010

4.0 OTHER PROVISIONS

4.1. Drug and Alcohol Testing

Requirements

GDOT has a zero tolerance drug and alcohol testing policy and requires each subrecipient to have the same. GDOT provides a template for subrecipients to use when drafting and approving their policies. Grantees for the 5307, 5309, and 5311 are responsible for having the drug and alcohol testing program in place.

Grantees must establish programs designed to prevent accidents and injuries resulting from misuse of alcohol or the use of prohibited drugs by employees who perform safety sensitive functions either directly or under contract. Two regulations have been published: one for drugs and one for alcohol, which contain the details of the program requirements. Each regulation requires that FTA recipients follow the drug and alcohol-testing procedures found in the USDOT regulation. Annual MIS* (Management Information System) reports are required.

*Annual reports that must be submitted to FTA to comply with the Drug and Alcohol Program. They are submitted either on an electronic version or hardcopy format and the report is known as a "data collections form."

Applicable Procedures

Subrecipients must submit annual Drug and Alcohol reports on safety sensitive employees and contractors covered by FTA regulations. Reports must be submitted to the Transit Planner or Public Transportation Coordinator each year by January.

4.2. Drug-Free Workplace

Georgia's Drug-Free Workplace Act is located in the Georgia State Codes 50-42-1 to 50-24-6. The code includes requiring contractors and subcontractors to enforce a drug-free workplace, as well as notify employees.

Grantees are required to maintain a drug-free workplace for all employees and to have an anti-drug policy and awareness program. This includes, among other things, a written policy statement, notification to all employees of the program, and an ongoing awareness program.

4.3. Safety and Security

GDOT Division of Intermodal procedures for Section 5307 and 5311 programs are defined in the individual program manuals.

4.4. ITS Architecture

The stakeholders of Georgia, led by the Georgia Department of Transportation (GDOT), created the Georgia Regional Intelligent Transportation Systems (GRITS) Architecture in February 2005 to provide a roadmap for intelligent transportation systems (ITS) in the state. The goals of the GRITS Architecture include:

1. Create a view of all existing and planned ITS deployments in the state.

2. Provide a framework to incorporate new ITS projects with existing systems.
3. Incorporate National ITS standards for interoperability, interchangeability and expandability.
4. Coordinate ITS architectures throughout the state and across state borders.
5. Create partnerships between ITS stakeholders.
6. Satisfy US DOT Final Rule 940 on ITS Architecture and Standards so state agencies may qualify for federal funding of ITS projects.

The GRITS Architecture is a comprehensive document that provides statewide ITS standardization. The GRITS Architecture uses the service areas identified in the National ITS Architecture to describe the planned operation of ITS in Georgia.

The GRITS Architecture was developed using Version 5.0 of the National ITS Architecture. The GRITS Architecture database may be accessed and manipulated by Turbo Architecture Version 3,0, a software program provided by the US DOT.

Since the GRITS Architecture was completed, many changes have occurred, including:

1. The National ITS Architecture has been updated from Version 5.0 to 6.0.
2. Turbo Architecture has been updated from Version 3.0 to 4.0 to support Version 6.0 of the National ITS Architecture.
3. The status of some projects in the 2005 GRITS Architecture has changed.
4. New projects may be planned that have not been added to the architecture.

GDOT determined that enough time had passed since the original development of the architecture to justify a complete update. The update process began in September 2008, and was completed in February 2009.

The update of the GRITS Architecture was completed in three steps.

1. The existing GRITS Architecture database was converted to Version 6.0 of the National ITS Architecture
2. The stakeholders were invited to participate in workshops to modify and add to the architecture. The changes made during these steps are documented in the current version of the GRITS Architecture database.
3. All identified projects were completely updated within the architecture database.

The document is titled *Georgia Regional Intelligent Transportation Systems Architecture*, 2009 Update. The document number is NAV01-186 and can be found at the website address www.511ga.org.

4.5. ARRA

ARRA funded projects are subject to the same requirements as other FTA funded programs. Reporting requirements differ slightly, and include ARRA-specific reporting requirements which include:

- Section 1512 Reports: GDOT is required to submit one Section 1512 report for each open grant by the 10th day after the end of each calendar quarter.
- Section 1201 Reporting: Section 1201 reports include cumulative data on funds committed, funds expended and contracts that have been put to bid, are awarded, or are underway or completed, as well as jobs created or retained.
- Section 1589 Reporting: Section 1589 reports include monthly employment data for ARRA funded activities.

Procedures

- Section 1512 Reports are completed by the Department
- Section 1201 reports are completed by the Division of Intermodal

Section 1589 reports are completed by subrecipients and submitted to the Division of Intermodal for processing.

5.0 EXHIBITS

The following exhibits are included below.

- Exhibit 1: Standard Definitions
- Exhibit 2: Forms, Templates and Checklists

Exhibit 1: Standard Definitions

Administrative Amendment: A minor change in a Grant Agreement normally initiated by FTA to modify or clarify certain terms, conditions, or provisions of a grant.

Americans with Disabilities Act (ADA): The Americans with Disabilities Act of 1990 prohibits discrimination and ensures equal opportunity and access for persons with disabilities.

Applicant: An agency applying for Section 5309 Federal Assistance. See also new applicant and recurring applicant.

Authorizing Federal and State Legislation: Legislation authorizing the Section 5307 program are: Transportation Equity Act for the 21st Century (TEA-21); 49 U.S.C. Section 5307; FTA Circular 9030.1C; Georgia Statutes; and the Georgia Administrative Code.

Budget Amendment: Any change within the scope that has impact on budget allocations and results in an amendment of the original grant. This is a procedure for requesting supplemental funds to cover unanticipated expenses related to a contract, usually for operating assistance.

Budget Revision: Any change within the scope that has impact on budget allocations of the original grant. A budget revision may be a transfer of funds within a project scope or between existing activity line items (ALIs) within an approved grant. It could also include the addition or deletion of an ALI.

Bus Rapid Transit (BRT): A series of coordinated improvements in a transit system's infrastructure, equipment, operations, and technology that give preferential treatment to buses on urban roadways. The intention of BRT is to reduce bus travel time, improve service reliability, increase the convenience to users, and increase transit ridership.

Capital Asset: Facilities or equipment with a useful life of at least one year, which are eligible for capital assistance.

Capital Investment Project: A project eligible under 49 U.S.C. 5309, including new fixed guideway systems and extensions to existing fixed guideways; fixed guideway modernization; replacement, rehabilitation and purchase of buses and related equipment and the construction of bus-related facilities; and corridor improvements.

Capital Lease: Any transaction whereby the recipient acquires the right to use a capital asset without obtaining ownership.

Categorical Exclusion (CE): A category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency in implementation of these regulations (Sec. 1507.3) and for which, therefore, neither an environmental assessment nor an environmental impact statement is required.

Clean Diesel Bus: A passenger bus with a diesel engine certified to meet the Environmental Protection Agency's (EPA's) heavy-duty engine emissions standards for model years 2007 and later.

Clean Fuel Bus: A passenger bus used to provide public transportation that is powered by compressed natural gas (CNG), liquefied natural gas, biodiesel fuels, batteries, alcohol-based fuels, hybrid electric, fuel cell, clean diesel (to the extent allowed under 49 U.S.C. 5308), or other low or zero emissions technology that the Administrator of EPA has certified sufficiently reduces harmful emissions.

Code of Federal Regulations (CFR): The codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

Congestion Mitigation and Air Quality (CMAQ): A federal program to provide federal funding for transportation projects to improve air quality and reduce traffic congestion in counties classified as air quality non-attainment and maintenance areas for the federal criteria pollutant ozone.

Contract: A legally binding agreement between the Department of Transportation and a local sponsor of a transportation project, defining a project and the Department's participation. Contracts are typically established for one year but may be for multiple years at the discretion of the Department.

Department of Labor (DOL): The administrative agency of the federal government that enforces and administers laws and regulations affecting employees at work.

Designated Recipient: For the Clean Fuels Grant Program, a designated recipient as defined in 5307(a)(2) for an urbanized area over 200,000 in population, and a State for an urbanized area with a population of less than 200,000, for an area that is designated as a nonattainment area for ozone or carbon monoxide under Section 107(d) of the Clean Air Act (CAA) (42 U.S.C. 7407(d)); or is a maintenance area for ozone or carbon monoxide (49 U.S.C. 5308(a)(4)). All designated recipients are public entities.

Direct Recipient: Any entity that directly receives funds from FTA.

Discretionary Funding: Grant funds distributed at the discretion of the agency as distinct from formula funding.

Disadvantaged Business Enterprise (DBE): A for-profit small business concern that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

Drug and Alcohol (D&A): FTA policy on Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.

ECHO Control Number (ECN): A control number assigned and used by FTA for submission of data.

Elderly Persons And Persons With Disabilities: Those individuals who by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, including persons using wheelchairs and those with semi-ambulatory capabilities, are unable, without special facilities or special planning or design, to utilize mass transportation facilities and services as effectively as persons who are not so affected.

Electronic Clearing House Operation (ECHO): A personal computer (PC) based application that processes draw down requests from and makes payments to FTA and FAA grantees.

Eligible Applicant: For capital investment grants, eligible applicants are States or local governmental authorities, including municipalities and other political subdivisions of a State;

Indian tribes; public agencies and instrumentalities of one or more States; and certain public corporations, boards, and commissions established under State law.

Equal Employment Opportunity (EEO): The Federal Transit Laws, 49 U.S.C. 5332(b), provide that "no person in the United States shall on the grounds of race, color, religion, national origin, sex, or age be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any project, program or activity funded in whole or in part through financial assistance under this Act." This applies to employment and business opportunities and is considered to be in addition to the provisions of Title VI of the Civil Rights Act of 1964.

Equipment: An article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of the capitalization level established by the governmental unit for financial statement purposes, or $5,000. This includes rolling stock and all other such property used in the provision of public transit service.

Expanded Service: Adding a new service to an already existing system.

Facilities: All or any portion of a building or structure including roads, walkways, and parking lots.

Feeder Service: The coordination of rural connections between small transit operations and intercity bus carriers may include the provision of service that acts as a feeder to intercity bus service, and which makes meaningful connections with scheduled intercity bus service to more distant points. The feeder service is not required to have the same characteristics as the intercity service with which it connects, as defined in defined in paragraph 7, above. For example, feeder service may be demand-responsive, while intercity service is by definition fixed route. Examples of eligible costs include marketing and extended hours of service in order to connect with scheduled intercity service. Where feasible, intercity bus feeder service may also provide access to intercity connections with rail or air service. Rural transit providers operating feeder service with destinations across State lines are required to comply with the Federal Motor Carrier Safety Administration (FMCSA) regulations. Intrastate feeder service may also trigger compliance with FMCSA regulations if inter-lining is involved (issuing a single ticket for the feeder service and the trip provided by an interstate carrier) Section 5311(f) funds may be used for expenses incurred by a public transit operator as a result of FMCSA requirements triggered by the provision of feeder services.

Federal Highway Administration (FHWA): An agency of the U.S. Department of Transportation, FHWA carries out the Federal highway programs in partnership with the State and local agencies to meet the Nation's transportation needs.

Federal Transit Administration (FTA): An operating administration of the U.S. Department of Transportation, the FTA provides stewardship of combined formula and discretionary programs totaling more than $10B to support a variety of locally planned, constructed, and operated public transportation systems throughout the United States.

Federally Recognized Indian Tribal Government: The governing body or a governmental agency of any Indian tribe, band, nation or other organized group or community certified by the Secretary of the Interior as eligible for the special programs and service provided through the Bureau of Indian Affairs.

Financial and Accounting System (FAS): A legacy application, the FAS system tracks contracts, invoices and other administrative actions required by Federal and State clients.

Financial Capability: This refers to the stability and reliability of revenue sources needed to meet future annual capital and operating and maintenance costs.

Financial Capacity Assessment (FCA): FTA's determination of financial capacity of grantees as required under 49 U.S.C. 5309 (including major capital projects costing $1 billion and above) and in reviewing Transportation Improvement Plans (TIPs).

Financial Condition: This includes historical trends and current experience in the financial ability of the grantee to operate and maintain its transit system at present levels of service.

Financial Management Oversight (FMO): FTA's oversight program consisting of Full Scope Financial Management System Reviews, Follow-up Reviews, Indirect Cost Allocation Plan Reviews to assess grantee financial management of federal grant funds.

Finding of No Significant Impact (FONSI): A document that is issued when environmental analysis (EA) and interagency review during the EA process find a project to have no significant impacts on the quality of the environment. The FONSI document is the EA modified to reflect all applicable comments and responses.

Fixed Asset: All tangible, nonexpendable, personal property that has a useful life of more than one year and an acquisition cost that exceeds $1,000 per unit. Includes rolling stock and all other such property used in the provision of public transit service. While FTA allows a $5,000 threshold for Fixed Assets, in order to better control GDOT's resources and maximize the items eligible as grant funded capital assets, GDOT has elected to use a $1,000 threshold.

Fixed Guideway: Any transit service that uses and occupies a separate right-of-way or rails for the exclusive use of public transportation and other high occupancy vehicles, or uses a fixed catenary system and a right-of-way usable by other forms of transportation. The term includes, but is not limited to, heavy rail, commuter rail, rapid rail, light rail, trolleybus, streetcars, aerial tramway, inclined plane, cable car, automated guideway transit, ferryboats, that portion of motor bus service operated on exclusive or controlled rights-of-way, and high-occupancy vehicle (HOV) lanes.

Fixed-Route System: Public transportation service provided in vehicles operated along predetermined routes according to a fixed schedule.

Formula Funding: Grant funding allocated using factors that are specified in the law, or in an administrative formula developed by FTA.

Full Funding Grant Agreement (FFGA): A document that defines the scope of a project, the Federal financial contribution, and other terms and conditions for funding a New Starts project as required by 49 U.S.C. 5309(d)(1) and (g)(2).

GDOT Control Number: Number assigned by the District once a vehicle has been purchased, received and titled to the recipient with the Department of Transportation as the first lien holder**.**

Government Accountability Office (GAO): An independent, nonpartisan agency that works for Congress. Often called the "congressional watchdog," GAO investigates how the federal government spends taxpayer dollars.

Grant: An award of financial assistance, including Cooperative Agreements, in the form of money, or property in lieu of money, by the Federal Government to an eligible grantee or recipient. Used interchangeably with Grant Agreement.

Grant Amendment: The modification of a grant that includes a change in scope and/or change in Federal funds.

Grant Scope: The broad purpose or objectives of a grant. The scope of a grant may encompass one or more specific projects identified by scope codes in each grant project budget.

Grantee: An entity to which a grant is awarded directly by FTA to support a specific project in which FTA does not take an active role or retain substantial control, as set forth in 31 U.S.C. 6304. In this circular FTA uses the term ―grantee‖ interchangeably with grant recipient and recipient.

Incurred: Commitment or obligation to spend funds for goods to be received or services to be rendered.

Intelligent Transportation Systems (ITS): ITS refers to the use of electronics, communications, or information processing used as a single component or in combination to improve efficiency or safety of a transit or highway system.

Intercity Bus Service: Regularly scheduled bus service for the general public that operates with limited stops over fixed routes connecting two or more urban areas not in close proximity, that has the capacity for transporting baggage carried by passengers, and that makes meaningful connections with scheduled intercity bus service to more distant points, if such service is available.

Joint Development: Public transportation improvements that enhance economic development or incorporate private investment and that otherwise meet the statutory terms found at 49 U.S.C. 5302(a)(1)(G). A *Federal Register* notice (72 FR 5788, Feb. 7, 2007) covers this topic in detail.

Local Governmental Authority: Includes (A) a political subdivision of a State; (B) an authority of at least one State or political subdivision of a State; (C) an Indian tribe; or (D) a public corporation, board, or commission established under the laws of a State.

Local Match: Can be a cash match, human services transportation contract or in-kind. Income from contract to provide human service transportation may be used either to reduce the net project cost or to provide local match.

Local Sponsor: A county, city or vendor/consultant sponsoring the contract with local match requirements. The Federal match for planning and/or capital assistance under Section 5307 is 80% of the net project cost. The Federal match for operating assistance will not exceed 50% of the net project deficit.

Maintenance Area: Any geographic region of the United States that EPA previously designated as a nonattainment area for one or more pollutants pursuant to the Clean Air Act (CAA) Amendments of 1990, and subsequently redesignated as an attainment area subject to the requirement to develop a maintenance plan under Section 175A of the CAA, as amended (42 U.S.C. 7401 *et seq*).

Master Agreement: The official FTA document containing FTA and other crosscutting Federal requirements applicable to the FTA recipient and its project. The Master Agreement is typically revised annually in October. The Master Agreement is incorporated by reference and made part of each FTA grant, Cooperative Agreement, and amendment thereto.

Metropolitan Planning Area (MPA): The geographic area determined by agreement between the Metropolitan Planning Organization (MPO) for the metropolitan area and the Governor, for which the metropolitan transportation planning process is carried out.

Metropolitan Planning Organization (MPO): Regional planning entity responsible for transportation planning and approval of federal transportation funding for the region.

National Ambient Air Quality Standard (NAAQS): Those standards established pursuant to Section 109 of the Clean Air Act (42 U.S.C. 7401 *et seq*).

National Environmental Policy Act (NEPA): A regulation requiring federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.

New Fixed Guideway Capital Project: A capital project for a new fixed guideway system or extension to an existing fixed guideway system.

New Applicant: An applicant for Section 5307 assistance that has not received an award in the last two fiscal years.

New Start: A new fixed guideway capital project for which the Federal assistance provided or to be provided under Section 5309 is $75 million or more, or that has a total project cost of $250 million or more, both in year of expenditure dollars.

New Service: A first time applicant starting a new service.

Non-Ambulatory: A person who has a mobility impairment that prevents them from being able to walk or move about freely.

Non-profit Organization: A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c) which is exempt from taxation under 26 U.S.C. 501(a); or one which has been determined under State law to be non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.

Non-Urbanized Area: The area outside of an urbanized area. An urbanized area is defined as ―a core area and the surrounding densely populated area with a population of 50,000 or more, with boundaries fixed by the United States Census Bureau or extended by State and local officials.‖ For the purpose of Section 5307, the term ―non-urbanized area‖ includes rural areas and urban areas under 50,000 in population not included in an urbanized area. (See also Urbanized Area)

Office of Inspector General (OIG): An investigative agency reporting to the Secretary and to Congress, established to protect the integrity of Department of Health and Human Services (HHS) programs, as well as the health and welfare of the beneficiaries of those programs.

Office of the Secretary of Transportation (OST): Part of the U.S. Department of Transportation, OST oversees the formulation of national transportation policy and promotes intermodal transportation.

One-Way Passenger Trips (OWPT): The movement of a person or a vehicle from a point of origin to a destination. The return trip is considered a second one-way trip. Together, these two one-way trips comprise one round trip.

Oversight Tracking System (OTRAK): The official record system for FTA's oversight program. OTRAK is designed to assist in planning, tracking and monitoring the follow-up activities for Post-Award reviews on FTA recipients.

Piggyback Procurement: Piggyback procurement occurs when one entity assigns contracted purchasing rights to another entity under an assignability clause in the purchasing contract.

Preventive Maintenance: All maintenance costs related to vehicles and non-vehicles. Specifically, it is defined as all the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost effective manner, up to and including the current state of the art for maintaining such an asset.

Program of Projects (POP): A list of projects to be funded in a grant application submitted to the Federal Transit Administration by the Georgia Department of Transportation. The program of projects lists the subrecipients and indicates whether they are private non-profit agencies, public bodies, or private providers of transportation service, designates the areas served (including Congressional Districts), and identifies any tribal entities. The program of projects also identifies intercity and TIP projects. In addition, the program of projects includes a brief description of the projects, total project cost and the Federal share for each project, and the amount of funds used for program administration from the fifteen percent (15%) allowed. The program of projects shall indicate whether the employees of a subrecipient are represented by a union and if so by which union.

Project: For the purposes of the FTA program, public transportation improvement activities funded under an executed grant.

Project Construction Grant Agreement (PCGA): An instrument that defines the scope of a project, the Federal financial contribution, and other terms and conditions for funding Small Starts projects as required by 49 U.S.C. 5309(e)(7).

Public Agency: An authority, commission, committee, council, department, division, bureau, board, section or any other unit or entity of the state or of a town, city, municipality, county or other local governing body.

Public Transportation: A Surface transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school bus, charter, or intercity bus transportation or intercity passenger rail transportation provided by AMTRAK. The terms transit, mass transportation and public transportation are used interchangeably in transit law.

Public Transit: The transporting of people by conveyances or systems of conveyances, traveling on land or water, local or regional in nature, and available for use by the general public. Public transit specifically includes those forms of transportation commonly known as "paratransit" characterized by their nonscheduled, non-fixed route nature.

Recipient: As used in this circular, recipient includes any entity that receives funds from FTA, whether as a designated recipient, eligible applicant, or subrecipient.

Recurring Applicant: An applicant for Federal Assistance who applies every year.

Small Start: A capital project that either (a) meets the definition of a fixed guideway for at least 50 percent of the project length in the peak period or (b) is a corridor-based bus project with 10 minute peak/15 minute off-peak headways or better while operating at least 14 hours per weekday, which has at least three of the following four elements: substantial transit stations; traffic signal priority/pre-emption, to the extent, if any, that there are traffic signals on the corridor; low-floor vehicles or level boarding; and branding of the proposed service. The Federal assistance provided or to be provided under Section 5309 must be less than $75 million and the project must have a total capital cost of less than $250 million, both in year of expenditure dollars.

Subrecipients: A state or local governmental authority, a non-profit organization, or operator of public transportation or intercity bus service that receives Federal transit program grant funds indirectly through a recipient.

TEAM-Web: Web-based application used to apply for, administer, and manage FTA grants most commonly referred to as ―TEAM.‖ TEAM stands for Transportation Electronic Award and Management (TEAM) system.

Urbanized Area: A core area and the surrounding densely populated area with a population of 50,000 or more, with boundaries fixed by the Census Bureau.

Useful Life: The expected lifetime of project property, or the acceptable period of use in service. Useful life of revenue rolling stock begins on the date the vehicle is placed in revenue service and continues until it is removed from service.

Very Small Start: Means a Small Starts project in a corridor with at least 3,000 average weekday existing riders benefiting from the proposed project that has a total capital cost of less than $50 million, and a capital cost per mile of less than $3 million, exclusive of rolling stock costs.

Exhibit 2: Forms, Templates and Checklists

GDOT maintains a wide range of forms, templates and checklists that are used for the day-to-day management processes of the grant programs. In an effort to reduce paperwork in the program manuals, GDOT has consolidated the forms, templates and checklists common to multiple grant programs.

Necessary forms, checklists and attachments appear in bold text throughout the manuals and GPMM. Applicability is signified by a "Y" in the column under each program number. To allow for discretion in program management, GDOT may request certain forms that are not marked with a "Y" on a case-by-case basis. The forms are ordered alphabetically by phase.

Planning Phase

Name	5303	5307	5309	5311	5316/17
Coordinated Certification Checklist		Y	Y	Y	Y
Environmental Review		Y	Y	Y	Y
Georgia Environmental Policy Act (Chapter XI Local Government Responsibilities)	Y	Y	Y	Y	Y
Intergovernmental Consultation Coordination Form	Y	Y	Y	Y	Y
NEPA Requirements		Y	Y	Y	Y
Notice of Opportunity for a Public Hearing Private Enterprise Coordination Rural Public Transportation Program		Y	Y	Y	Y
Private Enterprise Coordination Certificate		Y	Y	Y	Y
Private Enterprise Coordination Requirements		Y	Y	Y	Y
Public Hearing Requirements		Y	Y	Y	Y
Transcript for Public Hearing		Y	Y	Y	Y

Pre-Award Phase

Name	5303	5307	5309	5311	5316/17
Certification of Equal Access for Persons with Disabilities		Y	Y	Y	Y
Certifications and Assurances of the Subrecipient Form	Y	Y	Y	Y	Y

Name	5303	5307	5309	5311	5316/17
Conflict of Interest Form	Y	Y	Y	Y	Y
Information Confirming Capital Funding		Y	Y	Y	Y
Labor Union Descriptions		Y	Y	Y	
Project Implementation Schedule		Y	Y	Y	Y
Sample Authorizing Resolution for Filing of the 5316 or 5317 Application	Y	Y	Y	Y	Y
Sample Capital Project Budget Form	Y	Y		Y	Y
Sample Operating Budget Form	Y	Y	Y	Y	Y
Sample Opinion of Counsel	Y	Y	Y	Y	Y
Sample Section 5307 Program of Projects		Y	Y		
Sample Section 5311 Program of Projects				Y	Y
STIP Date of Approval by GDOT Transportation Board	Y	Y	Y	Y	Y
TEAM Application Checklist	Y	Y	Y	Y	Y
Title VI Data Collection and Reporting	Y	Y	Y	Y	Y
Title VI Resources and Technical Assistance Products for Subrecipients	Y	Y	Y	Y	Y

Post-Award Phase

Name	5303	5307	5309	5311	5316/17
Abbreviated Compliance Monitoring Review Checklist	Y	Y	Y	Y	Y
Anti-Drug Program Certification		Y	Y		
Capital Item Milestones Quarterly Report	Y	Y	Y	Y	Y
Certification of No Intent of Charter Service		Y	Y	Y	Y
Checklist for Vehicle Turn-in		Y	Y	Y	Y

Name	5303	5307	5309	5311	5316/17
Example of Budget Amendment	Y	Y	Y	Y	Y
Example of Line Item Budget Revision	Y	Y	Y	Y	Y
GDOT Compliance Review Areas	Y	Y	Y	Y	Y
Form 1625 Sample	Y	Y	Y	Y	Y
FTA Charter Exceptions Quarterly Reporting		Y	Y	Y	Y
FTA Discriminatory Complaint Form	Y	Y	Y	Y	Y
Georgia Department of Transportation Section 5311 POS Computation Worksheet		Y	Y	Y	Y
Physical Facilities Certification	Y	Y	Y	Y	Y
POS Computation Examples		Y	Y	Y	Y
Post Delivery Audit	Y	Y	Y	Y	Y
Post-Delivery Capital Purchase Certification Form		Y	Y	Y	Y
Pre-Award and Post-Delivery Review/Buy America Checklist (Bus)		Y	Y		Y
Pre-Award Vehicle Purchase Certification Form		Y	Y		Y
Preventive Maintenance Annual Report for Equipment Sample		Y	Y	Y	Y
Project Financing Local Share Commitments	Y	Y	Y	Y	Y
Purchase Orders Release Checklist		Y		Y	Y
Reimbursements for Federal and State Funding		Y	Y		Y
Risk Assessment Questionnaire	Y	Y	Y	Y	Y
Sample Capital Assistance Reimbursement Request		Y	Y	Y	Y
Sample DBE Policy Statement		Y	Y	Y	Y
Sample Final NTD Reimbursement Closeout Letter		Y		?	
Sample Final Reimbursement Closeout Invoice	Y	Y	Y	Y	Y
Sample Final Reimbursement Closeout Letter	Y	Y	Y	Y	Y

Name	5303	5307	5309	5311	5316/17
Sample Letter - Reimbursements for Federal and State Funding		Y	Y		Y
Sample Monthly Financial Reporting Form	Y	Y	Y	Y	Y
Sample Operating Assistance Expense Form	Y	Y		Y	Y
Sample Operating Assistance Reimbursement Form	Y	Y		Y	Y
Sample Property Transfer	Y	Y	Y	Y	Y
Sole-source, Single-Bid and Brand Name Procurement Certification	Y	Y	Y	Y	Y
Solicitation Review Checklist	Y	Y	Y	Y	Y
Title VI Compliance Checklist	Y	Y	Y	Y	Y
Title VI Compliance Questionnaire	Y	Y	Y	Y	Y
Title VI Self Survey	Y	Y	Y	Y	Y
Vehicle Inspection Form		Y	Y	Y	Y
Vehicle Inventory Form		Y	Y	Y	Y
Vehicle Maintenance and Repairs Report		Y	Y	Y	Y
Vehicle Procurement Checklist: For Use with State-Wide or GDOT-Wide Contracts				Y	Y

Internal Forms

Name
Internal Control Self-Assessment Form
SF 425: Federal Financial Reporting Form