



STATE MANAGEMENT PLAN

PREPARED BY
DIVISION OF INTERMODAL
Transit Program

State Fiscal Year 2021
October 1, 2020

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1.0 BACKGROUND AND INTRODUCTION

1.1 BACKGROUND

The Federal Transit Act, as amended, includes formula grant programs for the Sections 5310, 5311, and 5339 programs. The Act was reauthorized by Congress under the Fixing America's Surface Transportation Act (FAST Act), which was signed into law on December 4, 2015. The legislation took effect October 1, 2015 and authorized Federal transit programs for five years (Federal Fiscal Years 2016-2020..

Georgia Code, Title 32, Chapter 9, Mass Transportation, grants select state agencies the authority to enter into contracts and provide financial assistance for public transportation services. The Georgia Department of Transportation (GDOT) is the agency responsible for administering Sections 5311 and 5339, as well as 5303, 5304, 5307 and 5329. This designation gives GDOT the legal authority to enter contractual agreements with eligible subrecipients for transit capital, operations and planning activities on behalf of the State.

Title 49 U.S.C. 5311 authorizes the Federal Transit Administration's (FTA) Formula Grants for Rural Areas program known as Section 5311. The program provides financial assistance to States for capital, administrative, and operating expenses to rural areas for local public transportation services. Section 5311 program guidance can be found in [FTA Circular 9040.1G](#), issued on November 24, 2014. This grant program also includes the Rural Technical Assistance Program (RTAP) and the Intercity Bus Program (5311(f)).

Title 49 U.S.C. 5339 authorizes the FTA's Bus and Bus Facilities Infrastructure Investment formula grant program known as Section 5339. The program assists eligible recipients in financing capital projects to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities. The FTA apportions Section 5339 funds for urbanized areas to States and designated recipients, which are responsible for apportioning funds to eligible projects. Section 5339 program guidance can be found in [FTA Circular 5100.1](#), issued on May 18, 2015.

Title 49 U.S.C. 5310 authorizes the FTA's formula assistance program for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, Section 5310, and provides formula funding to States and designated recipients to improve mobility for seniors and individuals with disabilities. In Georgia, the Department of Human Services (DHS) is the designated recipient of Section 5310 funds and administers the program. Program guidance can be found in the FTA's [Circular 9070.1G](#), issued on July 7, 2014.

1.2 Purpose

The purpose of the State Management Plan (SMP) is to communicate to the public, transit providers, and all participating agencies the overall management framework and policies, used to meet the federal requirements in carrying out federal and state-funded transit programs administered by GDOT. It also describes the State of Georgia's requirements, policies, and goals for these activities. Additionally, this document serves as an educational and training resource for GDOT transit program staff and its subrecipients.

In addition to the Section 5311 and Section 5339 programs, this SMP also addresses certain policies and procedures for additional FTA transit programs, including the Metropolitan and Statewide Planning and Non-Metropolitan Transportation Planning programs (Section 5303 and 5304), and the Urbanized Area Transit Assistance program (Section 5307). Where applicable, this SMP incorporates the DHS-prepared Section 5310 SMP and Application Package by reference only. The SMP includes:

- An overview of FTA programs administered by GDOT
- General responsibilities of GDOT staff when administering FTA grants
- General responsibilities of GDOT subrecipients of federal funds
- Policy, programmatic and regulatory information for each program

The SMP is supported by various guidance documents, including program guides and standard operating procedures (SOPs) that describe GDOT's transit program management activities, processes, and subrecipient requirements in more detail.

GDOT's SMP was prepared in accordance with [FTA Circulars 9030.1E](#) (Section 5307), 9040.1G (Section 5311), and [5100.1 \(Section 5339\)](#). Other applicable FTA circulars and policy guidance are referenced as needed in various sections of this document.

1.3 GDOT's Mission Statement and Goals

GDOT's mission: "Deliver a transportation system focused on innovation, safety, sustainability and mobility." The Department's 2020 Statewide Strategic Transportation Plan (SSTP) included the following goals of:

- Utilize performance-based management, innovation, and public-private partnerships to deliver GDOT's mission responsibly and more efficiently
- Provide multimodal transportation development and infrastructure innovation throughout Georgia
- Put Georgian's safety first through innovation and technology
- Streamline processes and improve access to opportunities for small businesses

The State's Transit Program goals are linked to the broader goals and objectives of both national transportation policy and the State of Georgia's policies outlined above.

1.4 Roles and Responsibilities

This section of the SMP describes the roles and responsibilities of each entity in delivering federal assistance to transit programs across the State.

1.4.1 Federal Transit Administration (FTA)

The FTA provides financial assistance to states through a number of grant programs to develop new transit systems and improve, maintain, and operate existing systems. FTA requires that each state adopt policies and procedures to be used in administering FTA Title 49 USC Sections 5310, 5311, and 5339 grant programs. It is the state's responsibility to produce and update a State Management Plan (SMP), which describes the policies and procedures for the state-managed portion of these programs.

The FTA Headquarters Office in Washington, D.C. is responsible for providing overall policy and program guidance; apportioning funds annually to the states and urbanized areas; developing and implementing financial management procedures; initiating and managing program support activities; and conducting national program reviews and evaluations.

The FTA Region 4 Office in Atlanta, Georgia has the day-to-day responsibility for administration of FTA's programs in collaboration with the states contained in the Region 4 boundary. The Region 4 Office activities include (1) reviewing and approving state grant applications; (2) obligating federal transit funds; (3) overseeing the management of grants; (4) overseeing the state's implementation of its annual transit program and compliance activities according to federal requirements; (5) reviewing programs of projects submitted by FTA recipients, including their revisions; (6) receiving state certifications; (7) reviewing and

approving SMPs; (8) providing technical assistance and guidance to the states as needed; and (9) performing state management and reviews of recipients every three years, or enhanced reviews as circumstances warrant.

Additionally, GDOT works closely with FTA on the financial management of all its federal grants, including (1) establishment of FTA grants in GDOT’s accounting system using requirements from FTA’s Transit Award Management System (TrAMS); (2) review of GDOT drawdowns using the FTA ECHO system; and (3) the financial reviews associated with FTA interim, state management, and triennial reviews. FTA’s Triennial Review (TR) of GDOT’s Section 5307 Transit Program documents any findings and deficiencies associated with the State’s administration of the program. The FTA’s State Management Reviews (SMR) document any findings and deficiencies associated with the State’s administration of the Section 5311 program.

1.4.2 State of Georgia

The Governor of Georgia, pursuant to provisions of Title 49 USC, and Title 32, Chapter 9 of Georgia code, has designated DHS as the state agency responsible for administering Section 5310 funds received by the State, and GDOT as the agency responsible for administering Sections 5311 and 5339, and other FTA programs listed in the table below. This designation gives GDOT the legal authority to enter contractual agreements with eligible subrecipients for transit capital, operations and planning activities on behalf of the State.

While DHS and GDOT work closely to help ensure all state FTA programs function efficiently, effectively, and comply with state and federal requirements, DHS is responsible for the SMP documentation for the Section 5310 program. GDOT, through the Transit Program of its Division of Intermodal, issues this SMP for the Section 5311 and 5339 programs. FTA formula funds received directly by other Designated Recipients (e.g., large urban transit systems in the State of Georgia) are not administered by the Department and are not subject to the policies described in this SMP

Table 1: GDOT's Federal Transit Grant Programs

Title	Description	Type
49 USC 5303 and 5304	Section 5303 and 5304 – Metropolitan and Statewide Planning and Non-Metropolitan Transportation Planning	Formula
49 USC §5307	Section 5307 - Urbanized Area Transit Assistance Section 5307(h) – Ferry Boat Grants	Formula Competitive
49 USC §5311	Section 5311 - Rural Area Transit Section 5311(b)(3) - Rural Transportation Assistance Program (RTAP) Section 5311(c)(2)(B) - Tribal Transit Assistance Section 5311(f) - Intercity Bus Program Section 5311 - Appalachian Development	Formula Formula Formula Formula Formula
49 USC §5339	Section 5339(a) - Buses and Bus Facility Grants Section Section 5339(b) - Bus and Bus Facilities Grants Section 5339(c) - Low or No Emission Vehicle Program	Formula Competitive Competitive

GDOT is required to have an approved SMP on file with the FTA Region 4 office based in Atlanta, Georgia, and is required to update it regularly to incorporate any changes in program management or new FTA program requirements. GDOT is also required to provide an opportunity for review by stakeholders when a new plan is developed or when GDOT significantly revises the existing plan.

The details concerning the process for updating the SMP, including coordinating with subrecipients, potential service providers, other state agencies, and state and professional transportation associations can be found in Section 1.6 of this SMP.

Within GDOT, the Division of Intermodal leads the four separate program offices of Transit, Aviation, Rail, and Ports and Waterways (see organizational chart as Figure 1 below). Through its Transit Program, the Division of Intermodal leads transit-related efforts and coordinates activities of transit subrecipients across the state of Georgia.

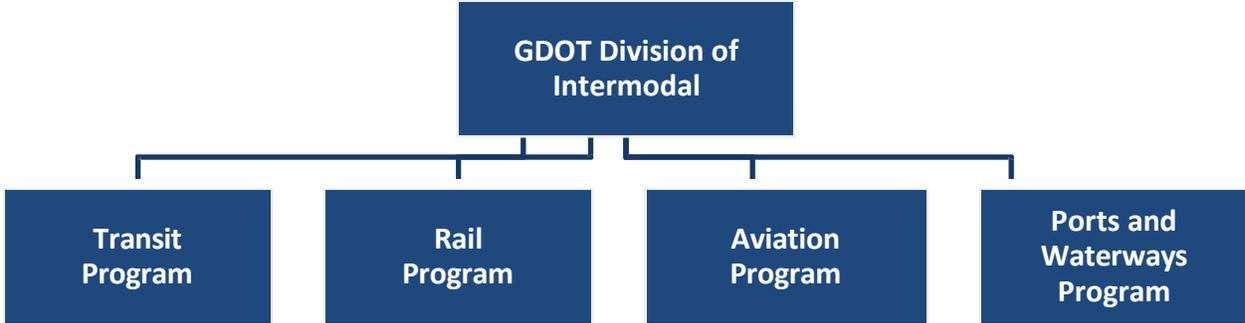


Figure 1: GDOT Division of Intermodal Organizational Chart

The GDOT Transit Program is responsible for ensuring that subrecipients, third party contractors, and lessees adhere to the applicable federal and state regulations pertaining to public transit. GDOT develops and implements effective systems for monitoring and ensuring compliance with statutory and program requirements.

1.4.2.1 Statewide Planning

In addition to its transit program responsibilities, GDOT also carries out planning responsibilities, including the development and maintenance of Georgia’s *Statewide Transportation Improvement Program (STIP)* for all areas of the State. The STIP is a statewide prioritized listing of federally funded transportation projects covering a period of at least four (4) years that is developed in cooperation with local officials, MPOs, and rural transit planning agencies and transportation providers. It is consistent with the State’s long-range statewide transportation plan, metropolitan transportation plans, and metropolitan Transportation Improvement Programs (TIPs).

Per GDOT policy, the Department coordinates the development of the STIP and statewide transportation plans with the Association of County Commissions (ACCG) and the Georgia Municipal Association (GMA).

GDOT must include its Section 5311 apportionment, along with all other Federal highway and transit funds, in a Statewide Transportation Improvement Program (STIP) approved by FTA and the Federal Highway Administration (FHWA). FTA subsequently obligates Section 5311 funds and any flexible funds transferred to Section 5311 based on the program of projects included in the state's Section 5311 grant application. Before the state may expend Federal funds on behalf of a subrecipient, the state must enter

into a contractual agreement with the subrecipient, and the subrecipient must have met all statutory and program requirements. The state certifies to FTA annually that the state and subrecipients have met, or will meet, all Federal requirements.

1.4.3 Additionally, the GDOT Transit Program developed the Statewide Transit Plan in 2019-2020, with a 2050 planning horizon. The plan provides a cohesive statewide vision and implementation strategies for improving mobility and transit access across the state. The plan evaluates socioeconomic trends, changing traveling patterns, and emerging technologies. GDOT Division of Intermodal Transit Program

The Governor, pursuant to the provisions of 49 USC § 5311, has designated GDOT as the administrator and recipient of these funds. GDOT has the legal authority to enter into contractual agreements with eligible subrecipients for planning, operating and capital transit projects on behalf of the state. The Transit Program, assigned to the Division of Intermodal, is responsible for the day to day administration of the 5311 program. Transit Program staff are located in Atlanta as well as in six regions across Georgia to ensure timely responses to requests for technical assistance. Regional staff are generally the first point of contact for 5311 subrecipients. The Transit Program's responsibilities include, but may not be limited to, the following:

1. Documenting the state's procedures in a State Management Plan (SMP)
2. Conducting planning for future transportation needs to ensure integration /coordination among a diverse transportation modes and providers
3. Ensuring adherence to federal program guidelines and regulations by all subrecipients throughout periodic monitoring and oversight
4. Announcing the availability of funds within each program
5. Developing project selection criteria
6. Soliciting applications to support public transportation
7. Ensuring the maximum feasible coordination of transit resources at both the state and local levels
8. Ensuring the fair and equitable distribution of funds
9. Ensuring a planning process whereby private for profit transportation providers are provided an opportunity to participate to the extent possible
10. Managing all FTA grant agreements, subrecipient contracts, amendments and budget revisions to close-out to ensure the maximum utilization of limited federal and state funds
11. Ensuring projects are incorporated into required Metropolitan Planning Organization (MPO) and Transportation Improvement Plans (TIP)
12. Overseeing subrecipient and project audits
13. Preparing and filing required NTD reports each year on behalf of GDOT and all 5311 subrecipients
14. Providing technical assistance to subrecipients

One of GDOT's primary public transportation responsibilities is to provide technical assistance to transit subrecipients. Examples of how technical assistance is provided include, but are not limited to the following:

1. Internet-based resources
2. Conferences
3. Workshops
4. Manuals

5. Webinars
6. Training (specialized)
7. On-site visits
8. Specific topic assistance through RTAP and APTA

1.4.4 Other GDOT Divisions / Offices Roles in Public Transportation

- **Transportation Planning Division** – GDOT’s Transportation Planning Division is responsible for the department’s long, mid and short range transportation plans. The Planning Division coordinates with the Transit Program for statewide plan development in support of public transportation.
- **Equal Employment Opportunity (EEO) Office** – GDOT’s EEO office is responsible for ensuring internal and external compliance with federal and state laws/guidelines for Title VI, EEO/affirmative action, Disadvantaged Business Enterprise and Small Business Enterprise compliance. The EEO Office ensures fair and equitable employment and business practices. EEO staff coordinate with the Transit Program to ensure FTA specific civil rights policies and procedures are incorporated into applicable documents and also assists with DBE goal setting and compliance.
- **Finance Division** – The Finance Division is responsible for maintaining the financial information system, including executed grant agreements with FTA; subrecipients executed contracts; processing subrecipient reimbursement requests; preparing ECHO requests for reimbursements to FTA; Federal Financial Reports FFR); and assisting during reviews or audits.
- **Office of Legal Services** – Legal services provides assistance in reviewing subrecipient contract documents and provides legal advice on an as needed basis.
- **Office of Audits** – The Office of Audits staff provides independent and objective analysis, agreed-upon-reviews of subrecipients, and assessments of the Transit Program to evaluate internal controls, risk, and ensure FTA compliance.

1.4.5 Local Role in Program Administration and Operations – Subrecipients & Third Party Operators

GDOT partners with local governments committed to operating rural public transportation programs. GDOT contracts with eligible subrecipients such as local governments, regional commissions or private non-profits to operate local public transportation services. In some cases, a public agency may elect to operate the system by contracting with a Third Party Operator (TPO). It is important to note, if a TPO is used, as subrecipient, the public agency continues to have full contractual responsibility and fiscal accountability under the Section 5311 program. It is the responsibility of all subrecipients to comply with all local, state and federal requirements.

Subrecipient eligibility is more clearly defined below:

- State Agency - any legally constituted state government agency, authority or commission of the State of Georgia;
- Local Public Agency – any legally constituted political subdivision of the State such as towns,

municipalities, counties, local transportation authorities, Indian Tribes (federally recognized or other Indian tribe commissions) or other public agencies established under state law for the purpose of public transportation; and

- Private Nonprofit Organization – A nonprofit organization is a corporation or association determined by the United States Secretary of the Treasury to be an organization by described by 26 U.S. C. § 501(c) that is exempt from taxation under 26 USC 501 (a). To be tax-exempt under section 501(c)(3) of the Internal Revenue Code, an organization must be organized and operated exclusively for exempt purposes set forth in section 501(c)(3), and none of its earnings may inure to any private shareholder or individual. Private/nonprofit applicants must submit an attorney’s certification declaring the agency’s legal status and attach a copy of the charter as listed with the Georgia Secretary of State’s office.

1.5 Coordination

This section of the SMP describes how GDOT coordinates with other agencies at the state level and encourages and enhances coordination of transit services at the project level. This includes a description of state-level coordinating mechanisms, legislation, review boards, and state policies that encourage coordination at the local level.

1.5.1 Intra-Agency and Subrecipient Coordination

GDOT is organized into divisions, offices, and districts. There are seven (7) GDOT districts across the state. Each district helps support statewide transportation system planning and coordination, and the development of the multimodal systems, including transit, rail, aviation, and ports and waterways, through GDOT’s Division of Intermodal.

The Division of Intermodal manages Georgia’s planning and operations programs in support of the transit, rail, port, waterway and aviation systems. The Transit Program is responsible for administering Section 5303, 5304, 5307, 5311, and 5339 programs. These responsibilities include developing a statewide transit plan, assessing statewide transit needs, setting policies, formulating, organizing and administering all major statewide public transportation programs for the development of a comprehensive transportation system. In administering these programs, GDOT coordinates with all subrecipients, including MPOs, regional commissions, transit agencies and providers.

1.5.2 Coordination with the Georgia Department of Human Services

The DHS Coordinated Transportation System is administered by the Transportation Services Section within the DHS Office of Facilities and Support Services. The system is designed to provide transportation services to customers of DHS, many of whom are elderly, disabled or clients of programs for low income households. DHS administers the State’s FTA Section 5310 program, and issues its own State Management Plan for the program. Please visit the DHS website, www.dhs.ga.gov, to view the Plan.

The DHS Coordinated Transportation System provides transportation services to clients of the Division of Aging Services (DAS), Division of Family and Children’s Services (DFCS), Georgia Vocational Rehabilitation Agency (GVRA), and the Department of Behavioral Health and Developmental Disabilities (DBHDD)..DHS transportation services and funding are client-specific rather than open to the public as are GDOT’s rural and small urban transit systems.

GDOT and DHS coordinate with each other through meetings, conference calls, and regular communications to share data and information on their respective programs.

GDOT expects public transit systems to participate in developing and updating coordinated public transit–human service transportation plans by attending local and regional meetings and providing input, expertise, and support. These meetings are intended to provide opportunities for coordination and to determine the transportation priorities for the region.

1.5.3 Coordination with the Metropolitan Planning Organizations

A Metropolitan Planning Organization (MPO) is a transportation policy-making organization made up of representatives from local government and transportation authorities. MPOs ensure existing and future expenditures of transportation projects and programs are based on a comprehensive, cooperative and continuing planning process. The role of the MPO includes establishing a local forum for transportation decision making; evaluating transportation alternatives; developing and updating long-range transportation plans; developing a Transportation Improvement Plan (TIP) and soliciting public involvement.

GDOT works in cooperation with these local groups in developing TIPs. In accordance with federal regulations, MPOs establish project priorities which are included in GDOT’s statewide program.

1.5.4 Coordination with the Regional Commissions

The Transit Program supports the state’s 12 planning regions by providing annual planning funds to assist in the development of a stakeholder-led transportation plan to enhance service delivery, improve customer satisfaction, and increase the efficiency and effectiveness of regional transportation services.

1.6 State Management Plan Updates and Revisions

GDOT is required to have an FTA-approved SMP on file with the FTA Region 4 office. The approved SMP remains valid until one of the following occurs:

- FTA approves a later plan submitted by the state;
- An FTA State Management Review results in a specific request made to GDOT by FTA for a revised SMP; or,
- FTA announces significant new program changes.

For more information on updating requirements for the SMPs, see [FTA Circular 9040.1G](#).

2.0 OVERVIEW OF GDOT TRANSIT PROGRAMS, GOALS, OBJECTIVES, AND ELIGIBILITY

FTA provides federal financial assistance that is administered by GDOT to serve the mobility needs of Georgians. The eligibility criteria, services and service areas vary by program. This section of the SMP describes the federal funding programs in generalized terms. Supplementary guidance posted on FTA’s website (<https://www.transit.dot.gov>) provides the most up-to-date information on FTA programs managed by GDOT.

2.1 Goals and Objectives

The GDOT Transit Program developed the Statewide Transit Plan in 2019-2020, with a 2050 planning horizon. The plan provides a cohesive statewide vision and implementation strategies for improving mobility and transit access across the state. The plan evaluates socioeconomic trends, changing traveling patterns, and emerging technologies. The plan's vision and goals are as follows:

“Improve the quality of life and economic opportunities for all Georgians by supporting an innovative, connected, reliable, and accessible multimodal public transportation network.”

- Provide a safe and sustainable transit network;
 - Optimize public transit programs to best meet public transit systems and travelers' needs;
 - Ensure public transit coverage across the state to support mobility and access for all;
 - Connect rural transit to regional and urban centers; and
- Leverage technology and innovation to support public transit ridership and performance measures.

GDOT also supports FTA's goals and objectives for the 5311 Program as outlined on pages II-2 and II-3 of FTA Circular 9040.1G:

- Enhancing access in rural areas to health care, shopping, education, employment, public services, and recreation;
- Assisting in the maintenance, development, improvement, and use of public transportation systems in rural areas;
- Encouraging and facilitating the most efficient use of all transportation funds used to provide passenger transportation in rural areas through the coordination of programs and services;
- Providing financial assistance to help carry out national goals related to mobility for all, including seniors, individuals with disabilities, and low-income individuals;
- Increasing availability of transportation options through investments in intercity bus services;
- Assisting in the development and support of intercity bus transportation;
- Encouraging mobility management, employment-related transportation alternatives, joint development practices, and transit-oriented development; and
- Providing for the participation of private transportation providers in rural public.

2.2 Section 5303 / 5304 Metropolitan and Statewide Planning Programs

FTA Sections 5303 and 5304 funding programs support cooperative, continuous, and comprehensive planning for making transit and transportation investment decisions in Georgia. Eligible Subrecipients for the Section 5303 program include Georgia's Metropolitan Planning Organizations (MPOs) which develop transportation plans, programs, and conduct technical studies relating to public transportation in accordance with established USDOT planning factors. FTA planning funds, apportioned annually by FTA through a formula to GDOT, includes consideration of each State's urbanized area population in proportion to the urbanized area population for the entire nation. In Georgia, Section 5303 funds are sub-allocated by GDOT to MPOs by a formula that considers each MPO's urbanized area population, their individual planning needs, and a minimum distribution. The Transit Program within the Intermodal Division is responsible for oversight of Sections 5303 and 5304 activities carried out by its subrecipients.

2.3 Section 5307 - Urbanized Area Formula Program

GDOT is the Designated Recipient for urbanized areas under 200,000 in the State of Georgia. Guidance for the Section 5307 program is found in [FTA Circular 9030.1E](#). Funding is made available to designated recipients that are public bodies with the legal authority to receive and dispense federal funds. Eligible

activities include planning, operating and capital expenses to provide public transportation in urbanized areas with a population of less than 200,000. Projects must originate from the applicable transportation planning process, be contained in a local MPO TIP, and be included in the STIP.

2.4 Section 5311 - Non-Urbanized (Rural) Area Formula Program

The Federal Transit Administration FTA Formula Grants for Rural Areas Program, codified at 4 U.S.C. 5311 Section 5311, is authorized to provide funding assistance for public transportation in rural areas. GDOT provides federal funds under the FTA Section 5311 Program annually to eligible subrecipients in rural areas with populations of less than 50,000. GDOT is the designated recipient of FTA Section 5311 funds and administers the 5311 Program in the State of Georgia. FTA apportions Section 5311 funding proportionally by a statutory formula based on each State's non-urbanized area population, population density, and low-income individual's factors as well as transit service levels reported to NTD.

Eligible applicants include state agencies; regional commissions; local public agencies, and private nonprofits. Private-for-profit companies may apply for the 15% required set-aside of the state's annual apportionment designated as 5311(f) intercity bus funds.

Eligible federal financial assistance includes operating expenses directly related to transit operations such as costs for fuel, oil, driver, mechanic and dispatcher salaries. Capital expenses include rolling stock; vehicle rehabilitation or overhaul; radios and communications equipment; wheelchair lifts; passenger shelters; construction or rehabilitation of transit facilities, etc.

Other categories of expenses that may be eligible for federal financial assistance include planning funds and mobility management activities. Subrecipients should seek technical assistance from assigned Transit Program staff during the annual application process before requesting these funds.

The budget submitted as part of the annual application process must define the category and the amount of funds the subrecipient is requesting. Any variation requires prior approval from GDOT. Eligible project costs must be in accordance with 2 CFR Part 200, Subpart E, FTA Circular 9040.1G (as amended).

On an annual basis, GDOT conducts a call for projects and prepares a Program of Projects (POP) that provides for the fair and equitable distribution of FTA Section 5311 funds within the State, as well as maximum feasible coordination with transportation services assisted by other Federal sources.

The Section 5311 program also includes the following sub-programs specified by FTA regulations and more fully defined below:

- Section 5311(b)(3) Rural Transit Assistance Program (RTAP)
- Section 5311 (f) Intercity Bus Program (ICB)
- Section 5311 Appalachian Development Public Transportation Assistance Program (ADTAP)
- Section 5311 (c) (2)(B) Tribal Formula Grants

2.4.1 Section 5311 (b) (3) – Rural Transit Assistance Program (RTAP)

The Rural Transit Assistance Program (RTAP) (49 USC §5311(b) (3)) provides grants to states for transportation research, technical assistance, training, and related support services in rural areas. GDOT is the designated administrator for RTAP funds. RTAP provides a source of funding to assist in the design and implementation of training and technical assistance projects and other support services tailored to meet specific needs of transit

operators in rural areas of Georgia. This training concentrates on helping subrecipients comply with federal program requirements through the provision of technical assistance. Training provided by GDOT's Transit Program includes subrecipient workshops, annual conferences and throughout the year based upon needs identified through subrecipient risk assessments, compliance reviews, and/or new FTA regulations.

2.4.2 Section 5311(f) – Intercity Bus Program

The Section 5311(f) Intercity Bus Program in Georgia (49 USC §5311(f)) provides funding to improve intercity bus connectivity between rural areas and urban areas, to end the isolation of rural areas that are increasingly underserved by bus and transit services. GDOT is required to expend at least 15 percent of its annual FTA Section 5311 apportionment to support intercity bus service unless the Governor certifies, after consultation with affected intercity bus service providers, that the state's intercity bus service needs are adequately met. The goal and objective of the Intercity Bus Program is to provide a vital link between otherwise isolated rural communities and the rest of Georgia, creating a seamless public transportation network. GDOT issues call for projects to eligible intercity bus providers outlining the criteria for eligible activities, including construction, rolling stock, bus shelters, and technology and safety/security equipment. With the exception of operating assistance approved using CARES Act funds and/or in response to the COVID-19 pandemic, operating expenses are not eligible activities under GDOT's intercity bus program.

2.4.3 Appalachian Development Public Transportation Assistance Program (ADPTA)

This program, created under MAP-21 and perpetuated through the FAST Act, is funded with a portion of the Section 5311 program to provide additional funding to states in the Appalachian region. FTA apportions the funds GDOT for purposes eligible under Section 5311; including capital, operating, planning and reverse commute projects along with administrative costs. The following Georgia counties are eligible for ADPTA funding: Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Dade, Dawson, Douglas, Elbert, Fannin, Floyd, Forsyth, Franklin, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Hart, Heard, Jackson, Lumpkin, Madison, Murray, Paulding, Pickens, Polk, Rabun, Stephens, Towns, Union, Walker, White, and Whitfield. Eligible activities include operating and capital expenses to provide public transportation in ADAPTA counties listed above. Planning funds are eligible under the FTA guidelines and may be considered on a case-by-case basis following discussions with the local subrecipient.

2.4.4. Section (c) (2) (B) - The Tribal Transit Formula Program

The Tribal Transit Formula Program provides funding to federally recognize Indian tribes to provide public transportation services on tribal land in rural areas. In order to receive formula funds a tribe must report to the NTD on an annual basis.

2.5 Section 5339 - Bus and Bus Facilities Programs

The goal of the 5339 program is to improve the readiness of fleet, other equipment and facilities through capital investment.

Eligible subrecipients include state agencies; regional commissions; local public agencies, and private nonprofits.

Eligible capital activities include the replacement, rehabilitation or purchase of rolling stock; passenger amenities such as bus shelters and signage; related equipment and the construction of transit-related facilities.

General preventive maintenance expenses are not eligible under this program.

Currently these funds are used in supporting the annual call for projects for rural and small urban needs. Other statewide capital needs may also be identified. GDOT staff ensure the project selection criteria and distribution of Section 5339 funds is consistent with all state and federal regulations.

3.0 Local Match Requirements

This section provides an overview of the local share and local match requirements for GDOT administered FTA Transit Programs. Table 2 below illustrates generalized funding assistance and match requirements by project type in Georgia. All funding is subject to availability. In cases where GDOT cannot provide the State match, it is the subrecipient’s responsibility to pay the State share percentage as local match. Note that because of federal regulations, the non-federal share percentages can differ from operating costs to capital costs within the same program (e.g., Section 5307 non-federal match differs for capital and operating projects).

Table 2: State and Local Funding Shares by Funding and Program Type

Funding Type	Federal Share**	State Share*	Local Share
Projects Requesting Operating Assistance (FTA Sections 5307, 5311)	Up to 50%	0%	50% or more
Projects Requesting Capital Assistance and Mobility Management (FTA Section 5307 and 5311)	80%	10%	10%
Projects Requesting Planning Assistance (FTA Sections 5303 and 5304)	80%	10%	10%
Projects Requesting Capital Assistance (FTA Section 5311(f))	Up to 80%	0	20%
Projects Requesting Capital Assistance for Bus and Bus Facilities (FTA Section 5339)	80%	0%	20%
Projects Requesting Capital Assistance for Related to Americans with Disabilities Act (ADA)	90%	5%	5%
Projects Requesting Capital Assistance for Clean Air Act (CAA) Related Projects	90%	5%	5%

**This funding is based on availability of State of Georgia funds. If GDOT cannot provide the State match, it is the subrecipient’s responsibility to pay the State share percentage. GDOT does not provide a State share for projects under FTA’s Section 5311(f) and Section 5339 Bus and Bus Facilities programs.*

***Based on available funding in approved agreements, eligible COVID-19 related expenses receive up to 100% federal reimbursement using CARES Act funds.*

3.1 Permitted Funding Sources

State of Georgia general appropriations are usually the source of the State share for matching federal transit funds. Operating assistance must be funded through local sources, such as general revenues, local sales tax or other revenues. In certain cases, where Transportation Investment Act (TIA) funding has been approved locally, Transportation Special Purpose Local Option Sales Tax (TSPLOST) funds may be used for transit operating assistance. All local share percentages must come from non-DOT sources, except for Federal Lands Highway Program funds.

3.2 Eligible Sources of Local Share

Federal law permits the use of the following sources for the local share of FTA projects:

- Cash
- In-kind contributions or donations to the project if the value can be documented and is previously approved by GDOT*
- Amounts appropriated or otherwise made available to a U.S. department or agency that are eligible to be expended for transportation
- 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;
- Local SPLOST revenue; and
- Medicaid NEMT contract revenues.

** GDOT policy does not permit soft or in-kind matches for planning grants.*

3.3 Prohibited Local Funding Sources

State policy does not permit the use of transportation development funds (formerly referred to as toll credits) to be used for local matching funds in Georgia. GDOT policy does not permit soft or in-kind matches for planning grants.

Farebox revenue cannot be used as local match, but must be used to reduce the net operating cost of a project before federal assistance can be requested and applied to the transit service. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service. Non-FTA purchase-of-service revenue and other revenues associated with the transit project must be used as either local match (if needed) or to offset the operating cost of transit services. Any available purchase of service or other revenue generated by the transit system are treated as program income and must be used for transit-related purposes (capital or operating assistance) as specified under FTA regulations. Non-FTA federal funds for the purpose of a transportation project can be used as a local match funding source.

4.0 PROJECT IDENTIFICATION/SELECTION AND FAIR AND EQUITABLE DISTRIBUTION OF FUNDS

This section of the SMP describes the state's criteria for selecting projects and distributing funds fairly and equitably among various applicants for funding, including tribal governments and other entities serving Native American populations.

4.1 Project Selection

GDOT uses a coordinated, annual call for projects to solicit competitive applications for all FTA programs. Project selection criteria for each program are developed and customized according to the FTA program- specific goals and objectives and quantitative and qualitative assessments conducted by the GDOT Transit Program in consultation with MPOs, Regional Commissions, and others. Annual criteria are subject to change and are detailed in funding applications and the program guides. All GDOT project/program funding is awarded in a manner consistent with FTA program requirements.

Beginning with the FY 2022 Call for Projects, applications are submitted online in the Blackcat Transit Management System. User access is granted to all subrecipient agencies who contract with GDOT. To gain access, new applicants should contact their GDOT District Transit Project Manager. The online application includes a series of fillable PDF files, a signed transmittal letter, authorizing resolution, original legal ad and notarized publishers' affidavit from the newspaper, as well as other required documents listed in the application.

4.2 Fair and Equitable Distribution of Funds

GDOT's application review process and associated methodologies are structured to ensure a fair and equitable distribution of funds to all eligible subrecipients. All applications are treated equally and reviewed using the same criteria and procedures. GDOT has adopted a policy whereby support for existing systems and new systems within un-served areas have the highest priority for funding under the Section 5311 Program. Applications received from areas with existing programs are required to coordinate with these existing transit programs to avoid a duplication of services. While applications received from areas without existing public transit systems are a high priority, these applications must be evaluated against program eligibility requirements as well as other sustainability factors, including, but not limited to the following:

- Positive feasibility study projections and/or a proposed system start-up plan;
- Level of city, county, and regional commission support;
- Transit asset management and vehicle maintenance plan; and
- Management teams' experience in transit operations.

GDOT's methodology to award funds is based on system operations performance, demographic factors, and historical benchmarking. This methodology is complementary to how FTA apportions Section 5311 funds to states. The rural formula is based on land area, population, low-income factors, and vehicle revenue miles. The operating assistance methodology is based upon a ranking system between one and five for each metric, where five corresponds to better operating performance. According to GDOT's approved Transit Asset Management (TAM) plan, capital requests are evaluated, incorporating the Useful Life Benchmark (ULB) for each specific type of equipment requested. GDOT ensures all inputs used to assess and score subrecipient applications are up-to-date and accurate. For example, population and poverty data are derived from the most recent 5-year American Commuting Survey (ASC) prepared by the U.S. Bureau of the Census. Data from the most recent National Transit Database (NTD) submittal is used for the operating performance and system/service metrics. Data that cannot be verified as accurate is not used. The underlying principles associated with the methodology for evaluating operating and capital funding requests are further explained below.

Operating Assistance Methodology

The principal factors used in the operating assistance methodology are Operating Performance Metrics (PF) and Service/System Characteristics (SF). Within the two key factors are specific metrics as listed:

- Operating performance metrics (PF)
 - Cost per hour
 - Cost per trip
 - Cost per vehicle
 - Farebox revenue per trip
- Service / system characteristics (SF)
 - Miles per trip
 - Trips per vehicle
 - % population in poverty
 - % population ages 65 or older

Each subrecipient receives a ranking between 1 and 5 for each of the metrics listed above. Five (5) represents the highest performance and service/system characteristics and one (1) represents the lowest level. The rankings are developed using the most recent performance and demographic data available for all subrecipients. It should be noted rankings are calculated separately for subrecipients that operate three or fewer vehicles and those that operate four or more vehicles.

GDOT has established *minimum and maximum* recommended federal operating contract award levels for each subrecipient using a formula based on the average of the rankings for the operating performance (PF) and system/service characteristics (SF).

The minimum recommended award is equal to:
(Maximum spent in prior five years) x 1.05 + PF + SF ranking

5.0 ANNUAL PROGRAM OF PROJECTS

The following timeline outlines activities and associated timelines for each step in the development of the annual Program of Projects. This timeline is used for all FTA programs where GDOT is the designated recipient.

GDOT calculates the total funding available for the Section 5311 Program of Projects by identifying all unobligated funds in previously awarded FTA Section 5311 grants to GDOT plus the adjusted net amount of the current years Section 5311 apportionment. Unobligated balances from previously awarded FTA grants often occur following the close-out of subrecipient contracts with unspent federal operating and/or capital funds. Upon contract close-out, these balances are then returned to the FTA grant for redistribution. The net amount of the current year apportionment is calculated by deducting 15% of the apportionment to fund intercity bus services and 10% to fund administrative costs. The remaining amount, 75% of the gross apportionment, is added to the remaining unobligated balances to arrive at the total amount available to cover subrecipient requests for operating and capital expenses.

Annual Program of Projects Timeline	
July 1 – June 30	State Fiscal Year
October – December	Annual Call for Projects
December – February	GDOT completes review of Applications & develops POP POP reviewed and approved by GDOT Intermodal Management
March	Grant application developed in TrAMS Application reviewed/approved by GDOT Intermodal Management Submitted to FTA for review
April	<i>Notice of Intent to Award</i> letters issued by GDOT to subrecipients
June	Grant Awarded to GDOT by FTA
July	GDOT executes contracts with subrecipients

5.1 General Planning Requirements

Under 23 USC 135 and 49 USC 5304, all federal funds programmed for transit projects must be included in the State of Georgia’s STIP. GDOT also prepares a program-specific Program of Projects (POP) for each of its FTA programs, including Sections 5303, 5304, 5307, 5311, and 5339. Each FTA application references a project that appears in the POP developed through a statewide planning effort that incorporates local recipient needs across all FTA programs administered by GDOT.

GDOT receives applications from potential subrecipients and reviews each, evaluating the proposed projects, eligibility, program specific criteria, and all required supporting documentation. Following the review of all applications, the amount of recommended funding for each subrecipient is used to develop the program-specific POP to be included in GDOT’s grant application to FTA and submitted electronically to the FTA’s TrAMS system. GDOT and its subrecipients are responsible for careful execution of certain pre-award and post-award procedures. More specific information on the pre-award and post-award processes can be found at FTA’s website located at <https://www.transit.dot.gov>.

5.2 Application Procedures

Each year, typically in late September, GDOT advises its subrecipients of the availability of FTA funds, including apportioned funds to specific areas, and announces a call for projects for the subsequent fiscal year. The deadline for submitting funding requests (applications) is on or about November 30th of each year. The deadline is specified in the call for projects.

The application procedures for each FTA funding program administered by GDOT are outlined in GDOT’s annual call for projects for each program and in each program guide. Some application requirements and criteria may vary slightly from year to year. Applicant organizations should adhere to all criteria and requirements printed in the call for projects. Application requirements include some provisions which

apply to all FTA funding programs as well as program-specific application procedures.

5.3 Evaluation and Approval Process

Each application undergoes a multi-step review process before a panel of knowledgeable transit program evaluators before a final funding recommendation is made and incorporated into the Program of Projects (POP).

GDOT will consider funding all applications that:

- Meet the FTA transit project eligibility guidelines;
- Are properly documented as a funding request in a complete application
- Included in the appropriate STIP or TIP; and
- Have committed the required level of local matching funds.

It should be noted the total federal funding level for the Program of projects (POP) cannot exceed the total amount of Section 5311 funds available, including funds from the current fiscal year apportionment, unobligated carryover funds from previous years and funds transferred from other FTA Programs, or flexible funds for highway or transit.

6.0 STATE ADMINISTRATION AND TECHNICAL ASSISTANCE

This section of the SMP describes the planning resources and technical and management assistance the State makes available to local areas. It also describes how the State uses FTA Section 5311 funds within the 10 percent (10%) limitation for administration, planning, technical assistance, and research.

Transit Program staff are subject matter experts and available to assist local planners and operators in the following areas:

- Compliance and transit asset management
- Transit Planning
- Grants and contracts, and Program delivery.

Specific responsibilities and types of assistance available can be found in the program guides.

All four groups of subject matter experts are monitored by the Transit Program Manager, who in turn, coordinates the Transit Program activities with the Division Director of Intermodal and two Assistant Division Directors. The Division reports to the Chief Engineer, who, in turn, reports to the GDOT Commissioner.

6.1 Management and Technical Assistance

GDOT through its Atlanta General Office, District offices, workshops and seminars provides technical assistance in the preparation of funding requests, program compliance and monitoring, financial management, program delivery and operations, and administration and management. The Department utilizes up to 10 percent (10%) of its Section 5311 apportioned funds for administration, planning and technical assistance to support these programmed activities. Additional technical assistance for rural transit systems is provided using FTA Rural Transportation Assistance Program (RTAP). Other eligible assistance categories under RTAP include research, training, professional development and any support

services. These resources are available at no cost and are accessible through the National RTAP website.

7.0 PRIVATE ENTERPRISE COORDINATION

GDOT is committed to the involvement of private for profit organizations in the provision of public transit services. GDOT encourages subrecipients to appropriately use private sector contractors. Subrecipient applicants must provide reasonable notice to private sector transportation providers regarding proposed services and opportunities for their participation in such services.

To ensure that all interested persons, businesses, and agencies have been notified of a subrecipient's intention to provide transportation services and that they have adequate opportunity to comment, the subrecipient must issue a public notice describing its proposed services during the annual application process. The notice should invite interested private operators within the service area to comment or request a public hearing on the proposed services by written notice to the subrecipient. A minimum of 15 days response time must be provided. Private sector participants are also encouraged to participate in the locally coordinated planning process.

8.0 CIVIL RIGHTS

This section of the SMP describes the manner in which GDOT meets federal civil rights requirements and monitors subrecipients to ensure compliance with the requirements of Title VI, Equal Employment Opportunity (EEO), and Disadvantaged Business Enterprise (DBE). The GDOT Civil Rights officer oversees all EEO, DBE and Civil Rights requirements and procedures.

Several laws and administrative requirements apply to all federal grant programs and, therefore, are applicable to the various FTA funding programs. Compliance features for some of these requirements have been further defined by the Federal Transit Administration, inclusive of several unique provisions applicable to all FTA grant assistance programs. GDOT uses a combination of quarterly and annual reports, desk audits, site visits, compliance reviews, operating statistics, project invoicing and other means to monitor compliance with federal and state rules and regulations.

8.1 Title VI

GDOT is committed to ensuring compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. GDOT's Title VI Program is administered by the GDOT Equal Employment Opportunity Office. GDOT assures that no person shall, on the grounds of race, color, national origin, sex or sexual orientation, 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 necessary steps to provide meaningful access to services for persons with Limited English Proficiency, including interpretation services, if needed.

All subrecipients must provide a Title VI Plan that includes the public notification of their Civil Rights compliance procedures under Title VI. The statement must include a nondiscrimination policy, procedures to request more information, and complaint procedures. This information must also be available in other languages as per the LEP plan within the Title VI Plan. Subrecipients are required to update their Title VI programs annually, and 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. Requirements for the creation of a Title VI plan are specified in [FTA Circular 4702.1B](#), Chapter III, and Section 4(a) and are outlined in further detail in the program guides. Program guides contain information related to complaints, investigations, access to services, equity analyses, beneficiary rights, environmental justice, and public participation.

8.2 Equal Employment Opportunity

All subrecipients are required to submit to GDOT assurances indicating their compliance with FTA's Equal Employment Opportunity objectives, as detailed in FTA Circular 4704.1A at <https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/regulations-and-guidance/civil-rights-ada/56501/eo-circular-c-47041a.pdf>

If any subrecipient meets the threshold specified in that Circular (receipt of \$1,000,000 or more in the previous federal fiscal year in capital or operating assistance or planning assistance in excess of \$250,000, and 100 or more public transit related employees), they must submit a full EEO program documenting their nondiscrimination on the basis of race, color, creed, national origin, sex, age, or disability.

The Department has developed an EEO policy statement, signed annually by the GDOT Commissioner and published on display boards throughout the GDOT headquarters and district offices. GDOT's Equal Employment Opportunity Office is responsible for initiating and monitoring Title VI activities and preparing all required reports.

8.3 Disadvantaged Business Enterprise (DBE)

It is the policy of the GDOT to ensure nondiscrimination in the award and administration of federally assisted contracts and to use Disadvantaged Business Enterprise firms (DBEs) in federally-assisted contracting and procurement activities. It is the policy of GDOT to implement the provisions of 49 CFR Part 26 with the following objectives:

- Ensure nondiscrimination in the award and administration of FTA-assisted contracts in the DOT's highway, transit, and airport financial assistance programs;
- Create a level playing field on which DBEs can fairly compete for DOT assisted contracts;
- Ensure that DOT's DBE Program is narrowly tailored in accordance with applicable law;
- Ensure that only firms that fully meet the eligibility standards specified in 49 CFR Part 26 are permitted to participate as DBEs;
- Help remove barriers to the participation of DBEs in DOT-assisted contracts; and,
- Assist the growth of firms so that they can compete successfully outside the DBE Program.

FTA funded projects and contracts must comply with the U.S. Department of Transportation's regulations on the participation of business concerns owned and controlled by socially and economically disadvantaged individuals. The regulations are outlined in *Participation of DBEs in DOT Programs*, (49 CFR, and Part 26) which became effective on March 4, 1999 (64 F.R. 5096). GDOT has developed a Disadvantaged Business Enterprise Program Plan for DBE firms that can be easily accessed at: <http://www.dot.ga.gov/PS/Business/DBE>.

GDOT has established a DBE program in accordance with regulations and objectives of the United States Department of Transportation (USDOT) found in 49 CFR Part 26. GDOT requires each transit vehicle

manufacturer (TVM), as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that the TVM has complied with the requirements of the TVM's DBE program goal.

GDOT receives in excess of \$250,000 annually in FTA federal funds, exclusive of funds for the purchase of vehicles, and is required to develop and submit a 3-year DBE goal with supporting methodology to FTA for approval. Subrecipients are required to make and document every reasonable effort to utilize DBEs in order to contribute to GDOT's attainment of its current approved FTA goal.

FTA Circular 9040.1 outlines the USDOT's requirements and delineates the steps GDOT, subrecipients, contractors and subcontractors of Section 5311 funds should take to set goals and meet other requirements for FTA-assisted contracts and procurements.

9.0 ASSET MANAGEMENT AND MAINTENANCE

This section of the SMP describes the GDOT asset management policies and maintenance plans and procedures required of subrecipients for vehicles and facilities, including maintenance of ADA accessibility features purchased with federal and state funds.

In 2012, *MAP-21* mandated and in 2015 the *FAST* reauthorized FTA to develop a rule to establish a strategic and systematic process of operating, maintaining and improving public transportation capital assets effectively through their entire life cycle. As a result of Transit Asset Management (TAM) final rule, FTA now requires GDOT to collect and use asset inventory and condition data, establish "state of good repair" performance targets, develop strategies to prioritize investments, and prepare a plan to meet those targets.

"State of good repair" is defined in the implementing regulations (49 CFR Part 625) as "the condition in which a capital asset is able to operate at a full level of performance." "Capital assets" include vehicles, other equipment, and facilities. Annual reports must be submitted on the status of each category of capital asset into the NTD.

The Final Rule for Transit Asset Management can be found at: <https://www.gpo.gov/fdsys/pkg/FR-2016-07-26/pdf/2016-16883.pdf>.

9.1 Transit Asset Management Plan

The FTA final rule required States to develop a group TAM Plan for all subrecipients under the FTA's Section 5311 Rural Area Formula Program. The statute also required States and direct recipients to develop group TAM Plans for their Tier II provider subrecipients. Tier II providers are those transit operators with 100 or fewer vehicles in revenue service and that do not operate rail fixed-guideway public transportation systems. Conversely, Tier I providers—those operators with 101 or more vehicles in revenue service or operators of rail fixed-guideway public transportation systems—must develop their own, individual TAM Plan.

GDOT's Group TAM Plan was finalized in September 2018. The next update to the plan will be completed prior to September 2022. The full plan can be found on the [GDOT website](#). Under a Group TAM Plan, a Tier II provider and subrecipient of FTA's Section 5311 Rural Area Formula Program remain responsible for carrying out transit asset management practices for its own public transportation system.

In accordance with the FTA regulation, GDOT's TAM Plan, which covers a four-year (FY 2019 – FY 2022) period, includes the following core elements:

- **Inventory of Capital Assets** used to provide public transit, within three categories—Rolling Stock, Equipment, and Facilities.
- **Condition Assessment** of inventoried assets for which a transit provider has direct capital responsibility
- **Use of a Decision Support Tool** to analyze asset and condition data and develop a methodology to prioritize those assets' state of good repair re-investment needs
- **Prioritized list of investments** based on decision support tool and projected funding estimated to be reasonably available over the four-year period

9.1.1 General Policy

All property purchased with GDOT-administered funds is the responsibility of the transit system. GDOT conducts the procurement for rolling stock under the Section 5311 program whereas subrecipients under the Section 5307 program are responsible for the procurement of all rolling stock.

Title to all rolling stock purchased with federal and state funds under the Section 5311 program is vested in the name of the subrecipient with GDOT as the first and only lien holder. Title to rolling stock purchased with federal and state funds under the Section 5307 program is vested in the name of the subrecipient.

Subrecipients are required to maintain insurance coverage on all vehicles purchased with FTA funds.

- Not less than \$500,000 liability insurance for bodily injury per person
- Not less than \$700,000 for all bodily injuries
- Not less than \$50,000 property damage

These limits, consistent with the minimum limits required by the State of Georgia under O.C.G.A. § 36-92, are applicable without regard to the type of vehicle or passenger capacity used for public transportation

GDOT has asset management and maintenance management standards that apply to facilities, 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, or based on the useful life period as determined, whether or not the program or project continues to be supported by federal funds.

Subrecipients of funds administered by GDOT are required to certify that any property purchased with those funds is used for public transportation services within the subrecipient's service area or other area described in the application. Subrecipients are responsible for maintaining required insurance coverage, conducting physical inventories, implementing adequate property control systems and maintaining the equipment in proper working condition. Each subrecipient must meet the maintenance standards throughout the useful service life as defined in the subrecipient's approved Maintenance Plan.

9.1.2 Asset Inventory

FTA Circular 5010.1C defines equipment as all tangible, personal property that has a service life of more than one (1) year and an acquisition cost that exceeds \$5,000 per unit. This definition includes vehicles, equipment, facilities and other real property and supplies.

Equipment records must be maintained as written or computerized property records and provide information on the following criteria:

1. Description
2. Identification number
3. Date of acquisition
4. Title
5. Cost
6. Federal and state percentage of funding
7. Source of funding -Grant number(s) and FAIN
8. Location of the asset
9. Use
10. Condition
11. Disposition

Fixed assets are tracked by the Transit Program as part of the Transit Asset Management Plan (TAM) and must be recorded as an asset by subrecipients in their own fixed asset accounting system.

Physical inventories must be taken at least once every two years to ensure that the assets exist, are usable, and needed according to Section 200.313 Equipment of the Super Circular, 2 CFR, and Part 200. The physical inventory must be reconciled to both the subrecipient's and GDOT's equipment records. A copy of the physical inventory reconciliation is provided to the assigned Transit Project Manager. More information can be found at; https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl%C2%A0

9.1.3 Transit Vehicle Maintenance

Subrecipients are required to maintain all transit vehicles at a high level of cleanliness, safety, and mechanical soundness. GDOT requires each subrecipient to have a written maintenance plan approved by its governing board for FTA-funded transit (revenue) vehicles. The maintenance plan should identify the goals and objectives of the maintenance program, including vehicle life, frequency of road calls, and maintenance costs compared to total operating costs. The maintenance plan should establish the means by which the subrecipient will meet its goals and objectives.

These plans should describe a system of periodic inspections and preventive maintenance to be performed at defined intervals consistent with the manufacturer's maintenance policies. Plans should be updated with the purchase of new rolling stock to account for new technology and/or new manufacturer's recommended maintenance intervals and programs, and incorporate actions to maintain each vehicle type and model on a specific cycle. These actions should be designed to ensure proper care and maximize vehicle longevity. All preventive maintenance programs should also address FTA-funded on-board security systems.

Transit program staff review the subrecipient's maintenance and safety programs, conduct periodic inspections of transit vehicles funded with state and federal funds, and issue notices of required corrective actions following these inspections to ensure all vehicles are in a state of good repair.

9.1.4 Transit Facilities

Transit facilities constructed, purchased, renovated or improved utilizing federal and/or State funds shall

retain federal interest for the expected life of the facility or for as long as the facility is used for transportation purposes. FTA's current useful service life requirement for facilities is forty years. If for any reason the facility is no longer needed for the purposes of public transit, the provisions of State statutes pertaining to the disposition of real property, provisions on facility ownership and use, and the FTA Circular 5010.1, *Grant Management Guidelines*, as amended or revised, shall apply.

FTA may provide capital financial assistance for building facilities that support transit operations and provide passenger amenities, such as 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.

FTA's general policy regarding facility size is to provide assistance for facilities that are adequate for the applicant's present needs and that will realistically meet future needs. Applicants must be able to fully describe the project and estimate the cost of the facility. 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. A commitment to maintain a state of good repair for the facility is also required; therefore, the facility must be cross-referenced in the applicable TAM Plan, which may be a group plan that includes the subrecipient, as applicable. The GDOT Small Group TAM Plan provides more detailed information on facility assets.

All subrecipients are required to develop a Facilities Maintenance Plan. The program should contain the responsible party for facility and equipment maintenance, a listing of inspections and routine maintenance designed to ensure care and maximize the life of facilities and equipment

GDOT shall conduct on-site compliance inspections at a minimum of every three years of all state and federally-funded facilities, whether new construction, renovation or expansion of existing facilities. Procedures for developing a Facilities Maintenance Plan and state of good repair thresholds are available upon request from the GDOT Transit Program.

9.1.5 Maintenance of ADA Equipment

Subrecipients must maintain in operative condition those features of vehicles and facilities that are required to make these assets readily accessible to and usable by individuals with disabilities. These features include, but are not limited to, lifts and other means of access to vehicles, securement devices, elevators, signage, and systems to facilitate communications with persons with impaired vision or hearing. Accessibility features shall be repaired promptly if they are damaged or out of order. Reasonable steps must be taken to accommodate individuals with disabilities when an accessibility feature is out of order. ADA equipment should be maintained based on the manufacturer's suggested maintenance guidelines at a minimum.

9.1.6 Records Retention and Management

The permanent file for vehicle(s) and other major capital items purchased in part or in whole with GDOT administered funds are routinely reviewed during full compliance on-site visits and desk-level risk assessments. Records must be maintained for the life of the asset plus five years after disposition.

10.0 CHARTER RULE, SCHOOL BUS RULE, AND RELATED REQUIREMENTS

This section describes GDOT's policies for complying with the Charter Rule (49 CFR Part 604), including process used to ensure subrecipients are in compliance with the Charter Rule and policies regulating incidental use of federally-funded equipment.

10.1 Charter Service

As a condition for continuous FTA funding, subrecipients are required to annually sign a certification of no intent to provide charter services with their applications. This prohibition applies to bus and van services provided by direct recipients, subrecipients, or Third Party Operators (TPOs) that provide bus or van services funded by FTA grants administered by GDOT.

Charter service refers to transportation provided by a recipient or subrecipient at the request of a third party for the exclusive use of a bus or van for a negotiated price. Charter service is not demand response transit services to individuals. The following features may be characteristics of charter service:

- A third party pays the transit provider a negotiated price for the group;
- Any fares charged to individual members of the group are collected by a third party;
- The service is not part of transit provider's regularly scheduled service, or is offered for a limited period of time; or,
- A third party determines the origin and destination of the trip as well as the scheduling; or,
- Transportation provided by a recipient to the public for events or functions that occur on an irregular basis or for a limited duration; and,
 - A premium fare is charged that is greater than the usual or customary fare.
 - The service is paid for in whole or in part by a third party.

The only allowable exception would be in cases where a transit provider has to provide transit services to or transport governmental official(s), such as local government staff and elected officials. Such services or transportation must be reported to GDOT and also to FTA using the Charter Reporting Tool. The transit services and all transportation provided to government or elected officials must not exceed 80 hours in a given year (for more information on charter service, please refer to 49 CFR Part 604).

10.2 Emergency Leases to replace Out of Service Vehicles

If emergency situations arise and a vehicle will be out of service for an extended period of time (one or more months), a subrecipient may request written approval from GDOT to lease another vehicle from a commercial leasing agency to replace the "out-of-service" vehicle. GDOT should be provided with a copy of the proposed lease agreement for review. Any such lease must be approved by GDOT in advance and a copy kept on file by GDOT with the original titles for all vehicles operated by subrecipients. Subrecipients must report the need for an emergency lease to GDOT through their District Transit Program representative.

10.3 School Bus Service

Subrecipients are prohibited from providing exclusive school bus service unless the service qualifies and is approved by the FTA Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service. School tripper service that operates and is branded like all other regular service and provides service to the general public in addition to students is allowed.

10.4 Use of Federally Funded Vehicles for Medicaid Non-Emergency Medical Transportation (NEMT) and Other Contracted Transportation Services

Subrecipients executing agreements to provide NEMT, human services, or other transportation services must not replace or minimize the primary mission to provide general public transportation services.

Copies of all contracts and renewals must be provided to GDOT as part of the application process and/or upon request.

10.5 Other Incidental Use

Vehicles and equipment purchased with State and federal transit funds are based on use for general public transportation. FTA and GDOT allow incidental use of vehicles and equipment under the following conditions:

- The incidental use does not interfere with the public transit services for which it was originally obtained;
- Incidental use may include meal and parcel delivery;
- The incidental use does not result in a reduction of service quality or availability for public transportation;
- The incidental use does not exceed 20 percent of the total use of a vehicle and,
- Proceeds (revenues) from incidental use must fully cover the expense incurred for performing the incidental use, be returned to the transit program for transit purposes and be reported as program income.

11.0 AMERICANS WITH DISABILITIES ACT (ADA)

This section of the SMP describes the state's policies and general methods for monitoring subrecipients' compliance with ADA-related regulations and for processing the plans, reports, and certifications submitted to it under the provisions of those regulations.

It is the policy of GDOT to enforce Section 504 of the *Rehabilitation Act of 1973*, (Section 504), as amended (29 USC. 794), which prohibits discrimination on the basis of handicap by recipients of federal financial assistance. The *Americans with Disabilities Act of 1990* (ADA), as amended (42 USC 12101 et seq.), affords equal opportunity for employment, transportation, telecommunications, and places of public accommodation for people with disabilities. FTA Circular 4710.1 offers new ADA guidance. Subrecipients must comply with 49 CFR Parts 27, 37, and 38 implementing the ADA and Section 504. These provisions must:

- Prohibit discrimination against individuals with disabilities;
- Specify accessibility requirements for the design and construction of new transportation facilities;
- Require that vehicles acquired be accessible and usable by individuals with disabilities, including individuals using wheelchairs or complete an equivalent service certification annually for the useful life of the vehicle;
- Require governmental authorities, including a private nonprofit entity "standing in the shoes" of the State as a subrecipient operating fixed route transit, have complementary paratransit plans on file; and,
- Ensure compliance in the areas of employment, public services, public accommodations, telecommunications, complaint procedures and other provisions.

Each transit agency will have written policies and procedures designed to meet ADA requirements. The ADA has separate sets of requirements for public fixed-route and public demand-responsive services.

Facilities that are built using federal funds must meet ADA regulations for accessibility.

As a condition of FTA funding, subrecipients must demonstrate compliance with ADA and all other FTA

and applicable 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. Subrecipients are required to immediately notify GDOT of ADA-related complaints or issues

GDOT must annually certify compliance with federal transit regulations as well as other federal cross-cutting requirements. This is completed through the annual Certifications and Assurances process within the FTA TrAMS system.

Additional information can be found in FTA's Circular 4710.1, Americans with Disabilities (ADA) Guidance at

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final_FTA_ADA_Circular_C_4710.1.pdf

12.0 NATIONAL TRANSIT DATABASE (NTD) REPORTING

Public transportation providers are required to report operating and financial data to the FTA through the National Transit Database (NTD, as required by 49 USC 5335(b).

The NTD is the primary source for information and statistics on the transit systems of the United States. GDOT's Transit Program is responsible for the annual submission of service and financial statistics for the state's rural transit systems to the FTA. GDOT collects and sends the required data electronically directly to the NTD for each of Georgia's 5311 Rural Transit subrecipients each year. The three reporting exceptions are:

- Federally recognized Indian Tribes that report directly to NTD;
- Urbanized area subrecipients that report directly to NTD; and,
- Subrecipients operating in an urban /rural environment must also report directly to NTD with guidance from GDOT.

13.0 STATE PROGRAM MANAGEMENT

This section describes how the State administers its program management responsibilities in such areas as FTA grant management, procurement, financial management, property management, vehicle use, maintenance and disposition, accounting systems, subrecipient compliance, audit, and closeout. The generalized descriptions of state procedures for project management oversight, financial reviews and project monitoring and on-site inspections and compliance reviews are outlined in this document. More detailed information on these topics can be found in the Program Guides for each of the FTA programs administered by GDOT.

Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found within 2 CFR Part 200 and 2 CFR Part 1201 apply to all federal grant awards issued on or after December 26, 2014. 49CFR Part 18 and 19 will apply only to federal grants obligated on or before December 25, 2014.

13.1 Procurement

Laws that govern procurement and contracting requirements for the state of Georgia and all state agencies are detailed in Section 50-5 of the Official Code of Georgia, Annotated (O.C.G.A.). To access O.C.G.A visit www.legis.ga.gov. Political subdivisions, in cooperation with the state, are required to develop and adopt procedures embodying sound principles of appropriately competitive procurement.

Subrecipients of FTA funds may follow policies and procedures allowed by the state when procuring property and services under a federal award in accordance with Part 200.317 of the Super Circular (2 CFR

200). Subrecipients are required to have written procurement policies and procedures that comply with FTA Circular 4220.1F to include protest procedures.

GDOT, as a state agency, adheres to its published procurement procedures which comply with the following state and federal requirements:

- Provide for full and open competition on all procurements over \$10,000
- Include all applicable FTA clauses, including compliance with Buy America, Debarment and Suspension and restrictions on Lobbying
- Prohibit geographic preferences
- Comply with the five year limitation on purchases of rolling stock or replacement parts
- Award only to responsible contractors
- Take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible

Subrecipient procurement activities are monitored by GDOT staff from the procurement planning and solicitation through the award, delivery and post-award reimbursement process. Additional reviews may occur during compliance on-site reviews and risk assessments. It is GDOT's policy, consistent with FTA regulations, to provide full, fair and open competition,

Additional information regarding federal procurement requirements can be found at 2 CFR Part 200.317 – 200.326: <https://www.ecfr.gov/cgi-bin/text-idx?node=2:1.1.2.2.1.4.31&rgn=div7>

13.2 Financial Management

GDOT maintains a financial management system of financial reporting, accounting records, internal controls, and budget controls subject to standards specified in the state laws, enforced by the State Auditor and the State Budget Office. All systems and procedures for financial management are in compliance with 2 CFR Part 200, also called the "Super Circular". All projects included in the annual program of projects (POP) shall be assigned a project number for identification purposes.

GDOT is responsible for conducting oversight activities to ensure subrecipients receiving FTA funds utilize the funds in a manner consistent with intended purpose and in compliance with regulatory and statutory requirements. GDOT conducts a number of oversight activities to accomplish this goal.

Subrecipient Financial management procedures and internal controls must be in accordance with FTA Circular 5010.1E "Grant Management Requirements" and 2 CFR 200, the "Super Circular." Subrecipients shall report transportation-related costs and revenues to GDOT using the Uniform System of Accounts (USOA). This is intended to simplify reporting and increase accountability. USOA is the basic reference document for the National Transit Database. It contains the accounting structure required by Federal Transit laws (previously Section 15 of the Federal Transit Act). GDOT must be able to reconcile the subrecipient's chart of accounts to the USOA accounts. The GDOT monthly invoice form requires subrecipients to report revenue and expense using the USOA codes. GDOT and the subrecipient are both responsible for documenting and supporting all costs charged to any federal grant. Examples of supporting documentation include, but are not limited to:

- General Ledger Reports

- Payroll Records and Reports
- Time Records
- Purchase Orders
- Invoices for goods and services purchased
- Executed contracts with Third Party Operators (TPO)

GDOT reserves the right to request additional supporting documentation deemed necessary to adequately substantiate the eligibility of charges to the federal grant.

In its role as the FTA designated recipient of Sections 5303, 5304, 5307, 5311, and 5339 funds, as amended, GDOT must demonstrate the ability to match and manage FTA grant funds, cover cost increases, as appropriate, and conduct and respond to applicable audits.

Consistent with the state's role, it is the responsibility of the subrecipient of Sections 5303, 5304, 5307, 5311, and 5339 funds to have the financial capacity to manage the program grant. Subrecipients must demonstrate the ability to match and manage FTA grant funds, cover cost increases, as appropriate, and conduct and respond to applicable audits. The subrecipient's financial capacity requirements include the ability to have financial resources to provide the local match and to maintain and operate the federally funded assets. Subrecipients should have adequate funds available to maintain transportation operations for a minimum of 90 days given the cost reimbursement nature of the FTA grant program.

All subrecipients must submit an annual budget with all grant applications along with documentation supporting the funding request as well as all required FTA certifications and assurances. This documentation must be maintained and readily available for review as requested.

13.3 Audits and Closeouts

Subrecipients expending \$750,000 or more in federal funds during the subrecipient's fiscal year must submit to the GDOT Office of Audits a copy of their Single Audit, formerly known as the A-133 audit, within nine months of the subrecipient's fiscal year end or within one month of the audit reports release, whichever is sooner. 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 2 CFR Subpart F.

Additional information on the requirements of 2 CFR Subpart F can be accessed at: <https://www.ecfr.gov/cgi-bin/text-idx?node=sp2.1.200.f>.

The annual single audit must be performed by an independent auditor who is required to determine and report on whether the subrecipient organization has internal control systems that reasonably assure it is managing Federal assistance programs in compliance with applicable laws and regulations. The audit 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; and,
- A report of any findings or questioned costs.

The subrecipient has nine (9) months to develop and complete a corrective action plan (CAP) upon notification of findings and/or questioned costs from the Single Audit.

GDOT is required to determine whether subrecipients are spending Federal assistance funds in accordance with applicable laws and regulations. The GDOT Office of Audits is responsible for making the final determination on issues related to the expenditure of federal funds in accordance with applicable laws and regulations. The GDOT Transit Program may participate in state audit reviews from time to time related to Single Audits.

13.4 Subrecipient Oversight / Compliance Monitoring

The GDOT Transit Program is authorized to monitor all project activities, services, project administration and management practices supported with federal and/or state funds to ensure compliance with all program regulations. GDOT maintains an active subrecipient oversight program to ensure compliance with all FTA requirements. A continuous system of checks and balances is built into project monitoring through various means such as invoice processing, data collection review, subrecipient site visits, preventive maintenance reports, vehicle inspections, and drug and alcohol monitoring. These methods are enhanced through open channels of communication, site visits, risk assessments, and a structured review process more clearly defined below:

GDOT's annual monitoring program begins with the completion of a desk level risk assessment by the assigned Transit Project Manager. The risk assessment tool is structured to identify subrecipients at more risk for noncompliance of FTA and/or GDOT requirements. The risk assessment tool is labeled as [Exhibit 12-1](#) and included in the appendix. The categories evaluated as part of the desk level risk assessment include:

- Financial Management
- Technical Capacity
- Maintenance
- ADA General
- Civil Rights
- Procurement
- Charter / School Bus
- Drug and Alcohol

Subrecipients categorized as having a higher risk are evaluated to determine the most appropriate corrective action response to mitigate the risk. Corrective actions may include, but are not limited to, requesting a Corrective Action Plan (CAP); conducting an Agreed-Upon-Procedures Audit, or conducting a comprehensive on-site compliance review. Subrecipients normally receive a desk level risk assessment in years one and two followed by a full on-site comprehensive review in the third year,

13.5 Reporting and Records Retention

The GDOT Transit Program prepares and submits the following reports to FTA in accordance with the TrAMS User Guide for Recipient Organizations.

- Milestone Progress Reports for each open grant (annually and/or quarterly)
- Federal Financial Reports for each open grant (annually and/or quarterly)
- DBE Reports (Semi-annually: June 1 and December 1 of each year)
- Charter Reports (quarterly when there has been charter activity)

- Federal Funding Accountability and Transparency Act (FFATA) Reporting (continuous)
- NTD reports (annually)
- Drug and alcohol MIS reports (annually)

GDOT subrecipients are required to provide the following reports to the GDOT Transit Program:

- Reimbursement request (monthly)
- Transit Data for NTD (monthly)
- DBE Reports (semi annually)
- Drug and Alcohol MIS Report (annually)
- Other reports as requested by the Transit Program.

13.5.1 Records Retention

GDOT requires subrecipients to retain copies of all executed contracts, financial records, legal documents, audits, and all supporting documents for three years from the date of the final reimbursement submitted.

14.0 OTHER PROVISIONS

This section of the SMP describes the process by which GDOT complies with other federal requirements such as the employee protection provisions of Section 5333(b); the National Environmental Policy Act (NEPA) and other federal environmental laws, regulations, and executive orders; Buy America provisions; pre-award and post-delivery reviews; prohibition of exclusive school transportation; and drug and alcohol testing, and GDOT's requirements for monitoring subrecipient program compliance.

In addition, all requirements included in the annual FTA certification and assurances and the FTA Master Agreement flow down to subrecipients as part of the GDOT grant application process, subrecipient agreements, and oversight activities.

14.1 Section 5333(b) Labor Protection – Applies to 5307 Only

Compliance with fair labor practices is required all FTA 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 and Assurances into their comprehensive certification and assurance documentation required by all FTA grant applicants, the Department of Labor (DOL) still requires that the labor protection documents be signed and reported to their Department before a grant is executed. These labor protection documents provided by DOL are obtained by the FTA during the grant submission process prior to grant approval.

14.2 Environmental Review Requirements

The National Environmental Policy Act (NEPA) requires agencies using federal funds to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions. GDOT agrees to comply with NEPA Act requirement through the annual FTA Certifications and Assurances. NEPA establishes an umbrella process for coordinating compliance with the federal and state environmental laws through the preparation of an Environmental Impact Statement (EIS), Environmental Assessment (EA), or Categorical Exclusions (CE) under the guidance of a Federal Lead Agency. For GDOT's subrecipients, FTA serves as the Federal Lead Agency for most projects. The process for complying with NEPA and federal surface transportation

statutes is defined in the Joint Federal Highway Administration/Federal Transit Administration's Environmental Impact and Related Procedures (23 CFR 771) which can be found on-line at: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/NEPA_reg_clean.pdf.

14.3 Buy America

FTA's Buy America requirements prevent the obligation of any amount that may be appropriated to carry out its program for a project unless "the steel, iron, and manufactured goods used in the project are produced in the United States" (49 U.S.C. § 5323(j)(1)).

FTA's Buy America requirements apply to third-party procurements by FTA grant recipients. GDOT and all GDOT subrecipients must include in its bid or request for proposal (RFP) specifications for the procurement of steel, iron or manufactured goods (including rolling stock) an appropriate notice of the Buy America provision and require, as a condition of responsiveness, that the bidder or offeror submit with the bid or offer a completed Buy America certificate in accordance with 49 CFR §§661.6 or 661.12

When procuring rolling stock, which includes train control, communication, traction power equipment, and rolling stock prototypes, the cost of the components and subcomponents produced in the U.S. must be:

- more than 65 percent for FY2018 and FY2019
- more than 70 percent for FY2020 and beyond
- Final assembly for rolling stock must occur in the U.S.

All procurements shall be reviewed by GDOT's Transit Program to ensure eligibility and compliance. No reimbursement for capital expenses will be issued until all required documentation has been received, reviewed and deemed satisfactorily complete

GDOT agrees to Buy America requirements through the annual FTA Certifications and Assurances. More detailed Buy America requirements and procedures can be found at <https://www.transit.dot.gov/buyamerica>

14.4 Lobbying Restrictions

Lobbying is defined as influencing or attempting to influence an officer or employee of any Federal department or agency, a member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a member of the U.S. Congress in connection with obtaining a federal grant, cooperative agreement, or any other federal award. Contracts, grants and cooperative agreements using federally appropriated funds are actions covered by restrictions on lobbying. GDOT agrees to lobbying restrictions through the annual FTA Certifications and Assurances. More detailed requirements and procedures can be found in the program guides.

14.5 Drug and Alcohol Testing Program

Subrecipients of 5311 funds are required to establish a drug and alcohol testing program in compliance with 49 CFR Part 655 *Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations of the FTA* and 49 CFR Part 40 of the USDOT. Subrecipients are required to annually certify compliance with these federal regulations. Failure to comply may result in a suspension of funding.

The *Omnibus Transportation Employee Testing Act of 1991* mandated the Secretary of Transportation to issue regulations to combat prohibited drug use and alcohol misuse in the transportation industry. For that portion

of the transportation industry having to do with the provision of and service to the public of “mass transportation,” the FTA is the agency delegated with the authority and responsibility for issuing these implementing rules. These rules are encompassed in 49 CFR Part 655. FTA provides guidance and updates to regulations on drug and alcohol testing procedures and protocols at: <https://transit-safety.fta.dot.gov/DrugAndAlcohol/default.aspx>.

GDOT has a zero tolerance drug and alcohol testing policy and requires each subrecipient to have either a Zero Tolerance or Second (2nd) Chance Policy. GDOT agrees to FTA Drug and Alcohol Testing requirements through the annual FTA Certifications and Assurances. More detailed requirements and procedures can be found in the program guides.

14.6 Drug and Alcohol Management Information System (DAMIS)

Subrecipients are required to annually report drug and alcohol testing records in the Department of Transportation’s Drug and Alcohol Management Information System (DAMIS). Subrecipients and applicable Third Party Contractors (TPO) reports are due in the web portal on or before February 15th of each year. GDOT’s Transit Program staff review all subrecipient and contractor data entered into DAMIS and approves the final report no later than March 15th of each year.

14.7 Debarment and Suspension

The purpose of the USDOT Nonprocurement Suspension and Debarment regulations (2 CFR part 1200) is to ensure that Federal assistance funds are not provided to anyone who has been debarred, suspended, determined ineligible, or voluntarily excluded from participation in Federally assisted-transactions. The U.S. General Services Administration’s (GSA) System for Award Management (SAM) provides a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving Federal contracts or Federally-approved subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits. GSA maintains a website (<https://www.sam.gov>), which is updated in real time as changes to the data occur.

In addition, GDOT and its subrecipients are prohibited from contracting for goods and services from individuals or organizations that have been suspended or debarred from receiving Federally-assisted contracts. Further details on debarment and suspension requirements and procedures can be found in the program guides.

14.8 Davis-Bacon Act

For the FTA programs, 49 U.S.C. Section 5333(a) applies Davis-Bacon Act prevailing wage requirements. This provision applies only to construction projects. In the event that a project involves construction, Section 5333(a) requires the USDOT Secretary to ensure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of loans or grants under 49 U.S.C. Chapter 53 be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The USDOT Secretary may not approve any such loan or grant without first obtaining assurance that required labor standards would be maintained upon the construction work. This assurance is obtained when recipients accept grant funds and sign the FTA’s master agreement.

14.9 Trafficking in Persons

GDOT agrees to comply and assures the compliance of each subrecipient, with Federal requirements and guidance, including: (a) Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as

amended, 22 U.S.C. § 7104(g), and (b) The terms of this section 4.g, which have been derived from U.S. OMB regulatory guidance, “Award Term for Trafficking in Persons,” 2 C.F.R. part 175, per U.S. OMB’s direction.

14.10 Motor Carrier Safety and U.S. FMCSA Requirements

GDOT agrees to comply and assures that its Subrecipients and Third-Party Operators will comply with the economic and insurance registration requirements of the:

1. U.S. Federal Motor Carrier Safety Administration (FMCSA) regulations, “Minimum Levels of Financial Responsibility for Motor Carriers,” 49 C.F.R. part 387, if it is engaged in operations requiring compliance with 49 C.F.R. part 387, it is engaged in interstate commerce, and it is not within a defined commercial zone, and
2. The provisions of 49 U.S.C. § 31138(e)(4), which supersede inconsistent provisions of 49 C.F.R. part 387, and reduce the amount of insurance the Recipient must obtain to the highest amount required by any State in which the public transportation provider operates, if it operates within a public transportation service area located in more than one State, and receives Federal assistance under 49 U.S.C. §§ 5307, 5310, and 5311.

GDOT also agrees to comply and assures that its Subrecipients and Third-Party Operators will comply with:

1. The safety requirements of U.S. FMCSA regulations, “Federal Motor Carrier Safety Regulations,” 49 C.F.R. parts 390 – 397, to the extent applicable; and
2. The driver’s license requirements of U.S. FMCSA regulations, “Commercial Driver’s License Standards, Requirements, and Penalties,” 49 C.F.R. part 383, and “State Compliance with Commercial Driver’s License,” 49 C.F.R. part 384, to the extent applicable, with the substance abuse requirements and guidance of U.S. FMCSA’s regulations, “Drug and Alcohol Use and Testing Requirements,” 49 C.F.R. part 382, and implementing Federal guidance, to the extent applicable.