

2024

Capital Area Transportation Authority



Shown above is a picture of the CATA logo.

SECTION 5310

PROGRAM MANAGEMENT PLAN

Enhanced Mobility of Seniors &
Individuals with Disabilities

Plan Last Updated – October 2024

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A. INTRODUCTION

The Capital Area Transportation Authority (CATA) is the designated recipient for the Federal Transit Administration's (FTA's) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program. The FTA recognized CATA as the recipient for the Lansing Urbanized Area in FY 2014.

This Program Management Plan (PMP) has been developed in accordance with [FTA Circular 9070.1H](#) (Enhanced Mobility of Seniors and Persons with Disabilities Program Guidance and Application Instructions) and outlines the policies and procedures CATA follows in administering the Section 5310 program. In addition, this PMP recognizes updated legislation for highway and transit funding in FTA programs through authorizing legislation including reauthorizations that amend Federal Transit Laws codified in Title 49 USC Chapter 53. The most recent authorization, the [Bipartisan Infrastructure Law](#), reauthorizes surface transportation programs for Fiscal Year (FY) 2022 through FY 2026.

The Enhanced Mobility of Seniors & Individuals with Disabilities - Section 5310 program (49 U.S.C. 5310) provides formula funding to states and designated recipients to meet the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. CATA, as the major regional transportation provider and designated recipient for the Lansing Urbanized Area, is responsible for program administration. FTA apportions funds based on the number of seniors and individuals with disabilities in a geographic area.

B. PROGRAM GOALS AND OBJECTIVES

The goal of this PMP is to describe the process for managing the FTA 5310 program for the Lansing Urbanized Area. CATA's 5310 program goal is to enhance the quality of life for seniors and individuals with disabilities by providing access to healthcare, employment, education, shopping, and social and recreational opportunities.

To accomplish the program goals, CATA will rely on the following objectives:

- Align available resources with the highest regional priorities to improve mobility for the target populations
- Continue and expand on regional collaboration
- Streamline the project solicitation and selection process
- Distribute Section 5310 funds to providers and subrecipients throughout the region fairly and equitably
- Reduce duplicative administrative efforts
- Build upon beneficial working relationships between direct recipients and local transportation providers with regional partnerships
- Encourage coordination and collaboration among local transportation providers and services
- Collect more information about the performance of funded projects to ensure the most effective use of limited Section 5310 funds
- Involve a variety of stakeholders in Section 5310 planning and project selection

This PMP is a living document and will continue to be updated, as needed, to incorporate any expansions and enhancements of the 5310 program, as well as any revisions to the program's management, requirements, or guidelines. The locally adopted Coordinated Public Transit-Human Services Transportation Plan (CPTHSTP) is available online at <https://michigancoordinationplans.com/region-6>.

C. ROLES AND RESPONSIBILITIES

Capital Area Transportation Authority (CATA) – Urban Area Designated Recipient

CATA, as the designated recipient for the Lansing Urbanized Area, is responsible for administering and overseeing the Section 5310 program. The Designated Recipient will:

1. Document procedures in a PMP
2. Plan for future transportation needs and ensure integration and coordination among diverse transportation modes and providers
3. Develop project selection criteria consistent with the coordinated planning process
4. Notify eligible local entities of funding availability
5. Solicit applications from potential subrecipients
6. Determine applicant and project eligibility
7. Certify that allocations of funds to subrecipients are made on a fair and equitable basis
8. Submit an annual Program of Projects (POP) and grant application to FTA
9. Ensure subrecipients comply with Federal requirements
10. Certify that all projects are included in a locally developed CPTHSTP developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, and non-profit transportation and human service providers; and other members of the public
11. Certify that to the maximum extent feasible, services funded under Section 5310 are coordinated with transportation services assisted by other Federal departments and agencies
12. Ensure that at least 55 percent of the area's apportionment is used for traditional Section 5310 projects carried out by the eligible subrecipients as described in Section 5 of Chapter III of [FTA Circular 9070.1H](#) (Enhanced Mobility of Seniors and Persons with Disabilities Program Guidance and Application Instructions)
13. Oversee the implementation of projects as developed and prioritized in the coordinated plan, including, where not specified in the coordinated plan, selecting entities to carry out projects consistent with procedures approved in the coordinated plan and/or documented in the Designated Recipient's PMP
14. Manage all aspects of award distribution and oversight for subrecipients receiving funds under this program
15. Submit required FTA reports
16. Comply with pass-through entity requirements outlined in 2 CFR Part 200
17. Ensure that all activities are conducted in compliance with Federal civil rights statutes and regulations, including Title VI of the Civil Rights Act of 1964, the Equal Employment Opportunity Act, Disadvantaged Business Enterprise requirements, and the Americans with Disabilities Act
18. Oversee any required audits and award closeout

Tri-County Regional Planning Commission (TCRPC) – Metropolitan Planning Organization

TCRPC is the region's Metropolitan Planning Organization (MPO) and is responsible for the following:

1. Include the program of projects funded by the 5310 program in the Transportation Improvement Program (TIP)
2. Participate as a stakeholder in the development and periodic update of the regional Coordinated Public Transit and Human Services Plan

Michigan Department of Transportation (MDOT) – Rural Area Recipient

MDOT is the administrator for the rural program funds (Section 5311). MDOT's Office of Passenger Transportation (OPT) is responsible for the following:

1. Ensure a fair and equitable distribution of funds
2. Adhere to federal program guidelines
3. Notify eligible applicants about the availability of the program
4. Develop program criteria
5. Solicit applications
6. Monitor and improve coordination of public transportation services at the local and state levels

MDOT's OPT has developed a method for distributing and administering funds independent of CATA.

Federal Transit Administration (FTA)

FTA Headquarters in Washington, DC, serves a broad, program-level role in the administration of the program. FTA Headquarters:

1. Provides overall policy and program guidance for the Section 5310 program
2. Apportions funds annually to the designated recipients
3. Develops and implements financial management procedures
4. Initiates and manages program support activities
5. Conducts national program reviews and evaluations

FTA Regional Offices have the day-to-day responsibility for administration of the Section 5310 Program. FTA Regional Offices:

1. Review and approve grant applications
2. Obligate funds, monitor and close grants, and oversee the recipient's implementation of the annual program, including revisions to the POP
3. Receive Designated Recipient certifications
4. Review and approve PMPs
5. Provide technical assistance, advice, and guidance to Designated Recipients as needed
6. Perform Triennial Reviews every three years or as circumstances warrant and other reviews as necessary

Urban Area Subrecipients

The subrecipient's responsibilities include, but are not limited to:

1. Apply for funding under the Section 5310 Program
2. Ensure compliance with federal, state and program guidelines

3. Have a process for vehicle and equipment procurement, accounting, data collection as required by the project
4. Report program measures to CATA upon request or according to an agreed upon schedule

Public and Private Transportation Providers

Local public and private transportation providers have a role in this process:

1. Participate in the planning and project development process
2. Apply for funding under the Section 5310 Program

Local Governments

The roles of local government units include, but are not limited to:

1. Participate in the planning and project development process
2. Provide feedback on relevant projects as applicable

D. COORDINATION

Title 49 U.S. Code § 5310 requires a that projects selected for Section 5310 funding are included in a CPTHSTP. The plan must be developed and approved through a process that includes participation and input from seniors, individuals with disabilities, representatives from human service organizations, and other members of the public. Proposals for 5310 program funding must meet a need or fill a service gap identified in the local CPTHSTP.

As part of the planning process, CATA assists with the CPTHSTP and participates in the development of the [Tri-County Regional Planning Commission's \(TCRPC's\) Metropolitan Transportation Plan \(Long-Range Plan\)](#).

- The CPTHSTP is focused on identifying the short-term (three to five years) transportation needs of seniors, people with disabilities, and low-income residents in the Tri-County region. Based on an assessment of current services, potential strategies are developed to fill gaps which are prioritized according to funding and implementation rank. Input from the public and key stakeholders is solicited as a part of plan development. Stakeholders include representatives from CATA, EATRAN, Clinton Transit, TCRPC, MDOT, human service agency representatives, customer advocates, private sector transportation providers, local officials, among others. This plan should be updated every four years (this is the minimum requirement based on air quality attainment status) and can be found at <https://michigancoordinationplans.com/region-6>. The CPTHSTP was most recently updated in June 2024 and is active for a period of four years. The updated plan includes a reassessment of transportation needs in the region, development of potential strategies, and identification of activities and projects to improve mobility. Multiple regional focus groups and public participation meetings were conducted to gather input throughout the plan update process.
- The regional Long-Range Plan is written from a broad perspective and covers a 25-year span. It presents the regional vision for future multi-modal transportation and considers and incorporates everything from road construction and traffic congestion to public transit and biking and pedestrian paths (non-motorized facilities). As the designated Metropolitan Planning Organization (MPO) for the

region, TCRPC is required by federal law to update the regional transportation plan every five years to account for changes in transportation needs that result from shifts in regional economic conditions, real estate development trends, funding availability, and public policies. In developing this plan, TCRPC invites input from local elected officials, community stakeholders, and transit riders and non-riders alike, ensuring that local needs, goals, and objectives are addressed in a comprehensive manner. CATA, Clinton Transit, and EATRAN work together to develop the public transportation portion of the Long-Range Plan. The region's 2045 Long-Range Metropolitan Transportation Plan (MTP) (titled *Moving Mid-Michigan*) is currently being updated for 2045 and can be found at <https://www.mitcrpc.org/mtp>.

- The Transportation Improvement Program (TIP) must include projects awarded through 5310 program funding. The TIP is a program of projects receiving federal transportation funding in the metropolitan area. The project may be included in the TIP under a generalized or more detailed project description. Some needs in the Coordinated Plan may not meet 5310 eligible activities. The TIP will need to be updated if a project is selected and awarded and not already accounted for in the TIP. As the region's MPO, TCRPC is currently preparing the [TIP for fiscal years 2026-2029](#), which will run from October 1, 2025, through September 30, 2029, once adopted mid-2025. The FY 2026-2029 TIP will support the [next edition](#) of the MTP (with a planning horizon of 2050), which is on track to be adopted by December 2025.

E. ELIGIBLE SUBRECIPIENTS

At least 55% of the apportioned Section 5310 funds must be available for “traditional” capital projects. These are projects that help provide resources to fill service gaps impacting seniors and people with disabilities. Eligible subrecipients include:

- Private non-profit organizations
- State or local governmental authorities that:
 - Have state approval to coordinate transportation services for seniors and individuals with disabilities
 - Certify that there are no non-profit organizations readily available in the area to provide the service

Local public bodies may apply for Section 5310 funds as coordinators of services for senior persons and individuals with disabilities if designated by the state to coordinate human service activities in a particular area. For example, a county agency on aging or a public transit provider identified by the state as the lead agency to coordinate transportation service funded by multiple federal or state human service programs would qualify.

Up to 45% of Section 5310 funding is available for non-traditional projects. This includes projects that exceed minimum ADA requirements, provide alternatives to public transportation, or improve fixed-route access in a manner that reduces reliance on ADA complementary service. Eligible subrecipients for this category of projects include:

- Private non-profit organizations
- State or local governmental authorities

- Public transportation operators that receive a Section 5310 grant indirectly through a recipient
- Private taxi operators are eligible subrecipients only if they regularly operate shared-ride service, meaning they create efficiencies by combining otherwise unrelated trips

F. LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

With the exception of funds allocated under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and/or American Rescue Plan Act (ARPA), the 5310 grant program requires a local or state match to ensure projects are 100% funded.

To access these 5310 funds being administered by CATA, the FTA requires a local match. Eligible 5310 projects typically fall into two types: capital projects and operating projects, each governed by specific guidelines. The table below provides more information on the expectations and differences between these two project types:

	Capital Projects	Operating Projects
Project Examples	Vehicle purchases, mobility management programs, hardware/ software purchases	Salary, benefits, fuel, supplies
Federal Funding Percentage	FTA provides 80% funding	FTA provides 50% funding
Local Funding Percentage	MDOT has typically provided (and will currently provide for FY 2025) the 20% match requirement*	Applicant responsible for providing 50% funding
Funding Administered By	CATA will administer both the 80% FTA, and 20% MDOT funds	CATA will administer the 50% FTA funds, and the applicant will administer the other 50% funds
Maximum Funding Available to Applicants	Up to 100% funding available for applicant's capital project(s)	50% funding available for applicant's operating project(s)

** This is subject to change at any time by MDOT, in which case the subrecipient would be responsible for providing the local match.*

As the designated recipient, CATA has pre-award authority to incur administrative costs at 100% federal share. However, administrative costs may not exceed 10% of the allocation.

During the application process, applicants will be required to specifically identify the source of local match funds. Matching funds may include (but is not limited to) local tax revenue, private foundation funds, private sector contributions, and non-DOT federal funds.

CATA will verify that the proposed match is legitimate under federal policy and is within the scope of the proposed project. Additionally, CATA will ensure that expenditure of

other federal funds for transportation outside of the scope of this project cannot be applied as credit for local match in 5310 projects.

G. PROJECT SELECTION CRITERIA AND METHOD OF DISTRIBUTING FUNDS

Federal regulations allow for, but do not require, a competitive selection process. Each year, CATA will determine if funds will be allocated using a competitive process led by a CATA selection committee or allocated on a discretionary basis to projects that meet regional transportation needs.

If a competitive process is chosen to determine fund distribution, project selection criteria will be developed based on the principles outlined in the FTA's 5310 Circular and the priorities listed in the CPTHSTP. Projects must demonstrate their ability to improve access and/or remove barriers to public transportation for seniors and people with disabilities.

Broad project selection criteria categories include:

Need and Benefits (*maximum 45 points*)

- Consistency with and support for needs, strategies, and solutions identified in the regional [CPTHSTP](#).
- Extent to which the project eliminates transportation barriers or improves mobility for older adults and people with disabilities
- Extent to which the project provides additional benefits or addresses the needs of target groups

Coordination and Partnerships (*maximum 20 points*)

- Extent to which the project utilizes or coordinates with existing public transportation providers or non-profit organizations, or other partner agencies
- Extent to which the applicant's current vehicles or services are used to provide coordinated services and/or shared with another agency's clients
- Extent to which the project contributes to the development of coordinated transportation services in the region
- Extent of local support (for example, the role of local organizations in the proposed project, letters of support, results of public outreach)

Project Readiness (*maximum 35 points*)

- Reasonableness and completeness of the applicant's financial plan
- Project sustainability beyond the grant period
- Reasonableness and completeness of the project implementation plan and schedule
- Experience to execute the type of transportation project listed in the application
- Demonstration of the applicant's technical capacity
- Number of years the agency has provided transportation services
- Number of years the agency has carried out projects that are similar to their application

The selection process will be open and transparent. CATA will make every effort to reach a wide range of agencies that provide services to seniors and people with disabilities, ensuring equity of access to the grant program benefits among eligible groups, as required by Title VI of the Civil Rights Act. Project application opportunities

will be communicated through public notices in general publication newspapers, media sources targeting minority communities (if available), and communications with CATA partner agencies and private companies as well as on CATA's website: www.cata.org.

CATA ensures equity of distribution of 5310 funding benefits, as required by Title VI of the Civil Rights Act of 1964, in multiple ways. Public participation is the single most important element of the transportation planning process. CATA's Public Participation Plan describes processes in place to successfully engage the citizens, communities and business interests of CATA's entire service area.

CATA ensures inclusion in development of the Coordinated Plan by following the aforementioned Public Participation Plan. The Coordinated Plan was developed and approved in cooperation with multiple stakeholders and establishes long-term goals for providing transportation services to seniors and persons with disabilities and identifies where gaps in transportation services exist in the CATA service area. It also prioritizes which gaps are more important to residents in the region based upon extensive public input and stakeholder engagement. The list of prioritized gaps in transportation services was developed through surveys targeted to seniors and people with disabilities by distributing them through agencies serving these populations; meetings with specialized transportation agency representative and their clients; and, along with other outreach methods used to gather public input including social media posts.

In addition to the competitive selection process, CATA will continue to fund several internal projects to support our 5310 program of projects. These projects are consistent with the priorities and goals identified in the most recent version of the Regional Coordinated Public Transit and Human Services Transportation Plan and include:

- Acquisition of expansion or replacement buses of vans, and related procurement, testing, inspection, and acceptance costs
- Implementation of technology improvements that enhance accessibility for people with disabilities
- Support for mobility management and coordination programs
- Public transportation projects (capital only) planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable
- Public transportation projects (capital and operating) that exceed the minimum requirements of the ADA
- Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA complementary paratransit service
- Public transportation projects that improve accessibility
- Public transportation alternatives that assist seniors and individuals with disabilities with transportation

H. ANNUAL PROGRAM OF PROJECTS DEVELOPMENT AND APPROVAL PROCESS

Based on local need, CATA will determine if the selection process will be held annually or at longer intervals. Longer interval projects may increase project viability by allowing time for a project to take root. It also can reduce administrative costs. CATA will select projects as needed to avoid the lapsing of any funds that are not obligated in a timely manner.

Application and instructional documents will be issued to open the respective year's application cycle. Agencies that are interested in applying for Section 5310 funds must complete an online CATA application. The online application is posted on the CATA website and must be submitted in accordance with the corresponding instructions document.

CATA supports working with applicants to ensure that requests for funding are complete and as compelling as possible. Prior to the submittal deadline, CATA encourages applicants to request a one-on-one technical assistance virtual session where CATA staff may answer application questions and provide guidance on the purpose of the project goals and objectives.

Following the application submittal deadline, a project selection committee will be responsible for scoring applications and making funding recommendations to CATA. Committee members could include individuals within organizations with a detailed knowledge of current transportation providers, services, and the transportation needs of the target populations in each urbanized area.

The project selection committee will be responsible for scoring applications and making funding recommendations to CATA. Committee members could include individuals within organizations with a detailed knowledge of current transportation providers, services, and the transportation needs of the target populations in each urbanized area. The project selection committee reviews and scores each application to ensure eligibility of applicant as well as proposed activity. The project selection committee assists CATA staff in reviewing applications, determining scores based upon the established criteria, and ensuring the appropriate level of traditional projects are included in a final award recommendation. The recommendations of the project selection committee are presented to the CATA Board of Directors, which has the final determination of which projects to fund and approves the awards by resolution. CATA staff notifies all applicants whether their application was awarded or not awarded.

A general timetable for soliciting, reviewing and approving Section 5310 projects is outlined below.

1. Project Solicitation – 2 months
 - CATA publishes legal notices of 5310 funding availability
 - Deadline for project application submission

2. Project Review – 2 months
 - If a competitive process is being used, the project review committee meets to review projects and recommends projects for funding

3. Project Approval – 3 months
 - CATA's Board of Directors approves Section 5310 projects
 - Projects submitted to TCRPC for incorporation into the TIP, either by initial approval or amendment depending on the schedule
4. FTA Project Submission and Approval – timeframe to be coordinated with FTA based on schedule
 - Project applications submitted to FTA through Transit Award Management System (TrAMS)
 - Project grant contracts executed with FTA

This timetable is dependent on the timing of federal apportionments of Section 5310 funds to CATA and may not occur on an annual basis, so a firm start date has not been defined in this document.

I. ADMINISTRATION, PLANNING AND TECHNICAL ASSISTANCE

On a project-by-project basis, CATA reserves the option to use up to 10% in allowable administration funds to cover administrative, planning, and technical assistance costs.

If used, funding will go toward staff salaries, general administrative and overhead costs, office supplies, and other related costs including:

- Managing and filing project applications
- Drafting and negotiating agreements with project sponsors
- Monitoring project implementation and performance reporting

J. TRANSFER OF FUNDS

CATA currently does not have a policy for the transfer of 5310 funds to Section 5307. Should the need for such a policy develop, one will be created and submitted to FTA for approval.

K. PRIVATE SECTOR PARTICIPATION

Project application opportunities will be communicated through public notices in general publication newspapers, media sources targeting minority communities, and communications with CATA partner agencies and private companies as well as on CATA's website: www.cata.org.

CATA will rely on the inventory of transportation services listing published in the Regional CPTHSTP to maintain contact with private sector providers. These organizations will be expected to update information as it changes and notify CATA if they wish to be kept informed of 5310 project announcements.

L. CIVIL RIGHTS

Any grantee under FTA programs is required to comply with all applicable Federal civil rights statutes and with the implementing regulations for the statutes. FTA implements the Civil Rights Act of 1964 by prohibiting discrimination under projects, programs or activities receiving financial assistance because of race, color, creed, national origin, sex or age. The laws include Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity, and Disadvantaged Business Enterprise.

CATA will meet Federal civil rights requirements and monitor subrecipients to ensure compliance with the requirements of Title VI, Equal Employment Opportunity, and the Disadvantaged Business Enterprise Program as described below. The requirements for Civil Rights compliance are extended to subrecipients. CATA will monitor subrecipient agencies on a periodic basis to ensure Civil Rights requirements continue to be met by each subrecipient agency. CATA requires subrecipients respond to a monitoring efforts through the duration of a 5310 project or program's activity or useful life of vehicles.

Title VI

In order to receive federal funding, CATA is required to implement a Title VI program which is to be updated no less than every three years per the guidance of [FTA C 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients](#). The elements of a Title VI Program are determined by [FTA Circular 4702.1B](#) and include:

- Title VI notice to the public, including a list of locations where the notice is posted
- Title VI complaint procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint) and Title VI complaint form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public participation plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with limited English proficiency
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program.

Equal Employment Opportunity (EEO)

FTA requires entities meeting the below thresholds to either submit or prepare and maintain an EEO Program. An EEO Program is a detailed set of procedures and employment information designed to ensure entities meet the EEO requirements.

Any FTA applicant, recipient, subrecipient, and contractor who meet both of the following threshold requirements must implement all of the EEO Program elements, and *submit an EEO Program every four years*:

- Employs 100 or more transit-related employees, and
- Requests or receives capital or operating assistance in excess of \$1 million in the previous Federal fiscal year, or requests or receives planning assistance in excess of \$250,000 in the previous Federal fiscal year.

Any FTA applicant, recipient, subrecipient, and contractor who meets both of the following threshold requirements *must prepare and maintain an abbreviated EEO Program*:

- Employs between 50-99 transit-related employees, and
- Requests or receives capital or operating assistance in excess of \$1 million in the previous Federal fiscal year, or requests or receives planning assistance in excess of \$250,000 in the previous Federal fiscal year.

CATA employs more than 100 transit-related employees and receives capital assistance in excess of \$1 million during the fiscal year. CATA program staff will ensure that EEO programs meet all requirements. The elements of a EEO Program are determined by [FTA Circular 4704.1A](#) and include:

1. Statement of Policy
2. Plan for dissemination both internally and externally
3. Designation of appropriate personnel responsible for carrying out the EEO Program, including the designation of an EEO Officer
4. Utilization analysis
5. Goals and timetables to correct identified areas of underutilization or concentration
6. Assessment of an agency's employment practices
7. Plan for monitoring and reporting on the EEO Program

Disadvantaged Business Enterprise Program

CATA has established a DBE program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. CATA has received Federal financial assistance from the DOT, and as a condition of receiving this assistance, CATA has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of CATA to ensure that DBEs are defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy to:

1. Ensure non-discrimination in the award and administration of DOT-assisted contracts
2. Create a level playing field on which DBEs can compete fairly for DOT-assisted contracts
3. Ensure that the DBE Program is narrowly tailored in accordance with applicable law
4. Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs
5. Help remove barriers to the participation of DBEs in DOT assisted contracts
6. Assist the development of firms that can compete successfully in the marketplace outside the DBE Program

M. SECTION 504 AND ADA REPORTING

Any grantee under FTA programs is required to comply with all applicable Federal civil rights statutes and with the implementing regulations for the statutes. In addition to Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity, and Disadvantaged Business Enterprise, the laws also include and Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

CATA agrees to comply with the requirements of 49 U.S.C. §5301 which states the federal policy that elderly individuals and individuals with disabilities have the same right as other individuals to use public transportation services and facilities, and that special efforts will be made in planning and designing those services and facilities to implement transportation accessibility rights for elderly individuals and individuals with disabilities.

CATA also agrees to comply with all applicable provisions of Section 504 of the Rehabilitation Act of 1973, as amended, with 29 U.S.C. § 794 which prohibits discrimination on the basis of disability and with the Americans with Disabilities Act of 1990 (ADA), as amended, 42 U.S.C. §§ 12101 et seq., and any subsequent amendments to these laws, which requires that accessible facilities and services be made available to individuals with disabilities. Finally, the CATA agrees to comply with applicable laws in implementing federal regulations and directives and any subsequent amendments thereto.

Subrecipients will be required to sign an agreement to the provisions listed above in writing. They will also be asked to report all project measures in a manner that includes disability status.

Section 5310 subrecipients are also required to report the gaps in service that have been filled through the program. This information will be provided in reports submitted to CATA periodically as requested by CATA. Monitoring of subrecipients shall be conducted to ensure that all federal guidelines are being adhered to when using federal funds.

N. PROGRAM MEASURES

CATA will submit program status reports to the FTA for each active grant on a quarterly or annual basis. Revised milestone and completion dates for any 5310 projects will be included in the report if applicable.

The reporting and data collection measures for the 5310 Programs will be prescribed in the grant agreements with subrecipients. The following lists specific data items required based on project type:

1. Traditional Section 5310 Projects (minimum of 55% of apportioned funding)
 - Gaps in service filled – seniors and individuals with disabilities afforded mobility not available without 5310 program support
 - Ridership – Annual actual or estimated number of rides provided to seniors and individuals with disabilities
2. Other Section 5310 Projects (Up to 45% of apportioned funding)
 - Increases or enhancements related to geographic coverage, service

- quality, and/or service times that impact availability of services to seniors and individuals with disabilities
- Additions or changes in physical infrastructure, technology, and vehicles that impact the availability of transportation services for seniors and people with disabilities
- Annual actual or estimated number of rides provided for seniors and individuals with disabilities

Reporting will be completed through FTA's TrAMS system or its successor. Information reported may be consolidated for all projects in the annual report.

A project progress report is required with each invoice along with a detailed accounting of the expenditure of the local match.

O. PROGRAM MANAGEMENT

This PMP describes CATA's policies and procedures for administering the FTA's Section 5310 program in a large, urbanized area. It aligns with all applicable federal requirements as documented in [FTA Circular 9070.1H](#) and the Bipartisan Infrastructure Law as applicable. This PMP is intended to serve as a guide to the general public and prospective applicants and to assist FTA in its oversight responsibilities by documenting CATA's policies and procedures regarding Section 5310 administration. CATA is required to have an approved PMP on file with the appropriate FTA regional office and to update it regularly to incorporate any changes in program management or new requirements. CATA will provide an opportunity for review by stakeholders when it develops a new PMP or significantly revises an existing PMP.

CATA has designated a staff member as the project manager for the PMP. This individual or a designee will review and process all reports, plans and certifications required to be submitted based on Section 5310 regulations. CATA will review information provided by the subrecipients of Section 5310 funds on a quarterly basis, at a minimum.

CATA's project manager will establish and maintain a point of contact with each subrecipient and will monitor compliance through review of required quarterly reports, direct communication, and periodic site visits.

Subrecipient Oversight and Technical Assistance

CATA supports working with applicants to ensure that submittals are complete and as compelling as possible.

Once project awards have been made, CATA is responsible for ongoing oversight of subrecipient to ensure compliance with FTA requirements, as outlined in FTA Circular C 9070.1H, Enhanced Mobility of Seniors and Persons with Disabilities Program Guidance and Application Instructions.

CATA requires compliance with the terms of FTA's Master Agreement and includes executed certifications and assurances from each recipient in its agreements with them.

On an ongoing basis, the risk of non-compliance for each subrecipient is assessed and monitored through periodic reporting of project administrative, operations, and financial

statistics. CATA will provide technical assistance to subrecipients, as needed, to address and correct any issues or findings of non-compliance that are identified.

Additional guidance regarding federal requirements can be found in the following FTA Circulars and other documents:

- C 4220.1F Third Party Contracting Guidance
- 5010.1F Award Management Guidance
- C 4710.1 Americans with Disabilities Act Guidance
- 4704.1A Equal Employment Opportunity Act (EEO) Guidance
- C 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients
- 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- Requirements for Federal Awards

Subrecipient Agreement

CATA will develop and execute subrecipient agreements with each subrecipient selected to receive funding from the Section 5310 program. The amount, type (capital, operating, mobility management, etc.), and the period of performance (term) will be included. Any expenses incurred greater than the budgeted amounts are the sole responsibility of the subrecipient and are not eligible for reimbursement. CATA will be responsible for processing all reports, plans, and certifications required by the FTA, but may require subrecipient status updates as deemed necessary to comply with federal reporting requirements. CATA will oversee all aspects of grant management and subrecipient compliance with federal requirements through regular review of invoices, reports, correspondence, and periodic site visits.

Procurement

When procuring property, supplies, equipment, or services with funds from an FTA grant, designated recipients that are not states and their subrecipients must comply with FTA procurement requirements at 2 CFR part 200 and guidance contained in the current FTA Circular 4220.1F. CATA will directly facilitate all procurements for Section 5310 vehicles.

Financial Management and Accounting Systems

CATA complies with all applicable standards set forth in 2 CFR 200 and guidance in the FTA Circular 5010.1F, Grant Management Requirements regarding accounting records, internal controls, budget control, financial management systems, cost standards, financial reporting requirements, and annual audits. Subrecipients must agree to establish and maintain an accounting system that accurately tracks itemized project costs by line item.

The subrecipient must agree to establish an accounting system that will include a separate account for the 5310 funded projects. The subrecipient also agrees to maintain all checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents related to, in whole or in part, the project so that they may be clearly identified, readily accessible, and available to CATA or FTA upon request.

The subrecipient must agree to retain all data, documents, reports, records, contracts, and supporting materials relating to the project throughout the course of the grant and

for a period after the date of the final expenditure report submission to FTA in accordance with file retention requirements.

Property Management

CATA agrees to maintain continuing control over the subrecipient's use of federally assisted property and constructed improvements to the extent satisfactory to FTA. CATA agrees to ensure the use of federally assisted property for appropriate purposes continuously for the duration of the useful life of that property, as required by FTA.

CATA will maintain an inventory of all Section 5310 property purchased and will request periodic reports from subrecipients to keep this inventory current. CATA staff may also perform site visits to inspect vehicles and equipment. Subrecipients are responsible for all normal maintenance and upkeep on any vehicles or equipment purchased with Section 5310 funds.

Vehicle Inspection, Maintenance, Use, and Disposition

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

Vehicles and equipment must be maintained in good operating order and manufacturer suggested maintenance schedules must be followed. CATA and its subrecipients will follow all required vehicle and equipment management and disposition procedures and guidance as outlined in FTA Circular 5010.1F and as amended by the Infrastructure Investment and Jobs Act (IIJA).

CATA shall maintain responsibility for the repairs and maintenance of the vehicles and any extended or additional warranties. This includes warranty claims, warranty repairs, proof of claim submittal(s) to manufacturers, and any steps taken to follow up on unpaid claims. CATA will provide oversight for subrecipient vehicles purchased with Section 5310 federal funding by conducting vehicle inspections and desk reviews, and periodic progress reports.

Subrecipients will be required to maintain an inventory including the following information:

1. Year/Make/Model or other ID
2. Vehicle Identification Number
3. Agency Vehicle Number
4. Condition
5. Age
6. Remaining Useful Life
7. Replacement Cost
8. ADA Accessibility

The information obtained from these inventories will become part of the inventory record.

CATA will have continuing control over the vehicles and accepts the responsibility of ensuring that the subrecipient will continue to use the vehicle for a public transit benefit. Public benefit is defined under the Section 5310 Program as “transporting seniors and individuals with disabilities.” During the useful life of the vehicle, CATA will be listed as the legal owner on the vehicle’s title; however, the subrecipient will be required to maintain their own insurance policy on the vehicle.

If any vehicles are to be removed from service, the subrecipient must notify CATA prior to doing so.

Section 5310 subrecipients approved for vehicle funding are required to report their ridership data for the vehicles that are awarded until the vehicles are approved for disposition. Data collected includes dates of service, annual mileage, number of trips, number and types of passengers served, i.e. elderly, disabled, ambulatory, etc.

Audit

CATA will ensure that audits are performed pursuant to the requirements of Super Circular 2 CFR Part 200 Subpart F “Audit Requirements” and to resolve audit findings and bring problems to FTA’s attention. Subrecipients receiving \$750,000 or more in all federal sources in a single fiscal year will be required to obtain a Federal single audit and provide a copy to CATA for review.

At least annually, CATA will collect updated information and documentation on subrecipients’ financial processes and controls, through either the Uniform Guidance or an annual financial statement when the subrecipient is excluded from Uniform Guidance audit requirements. In addition, CATA may perform desk audits of a sample of sub-invoices, site visits to review processes, systems and controls, or other procedures as deemed appropriate. Subrecipients may be required to repay disallowed costs, make financial adjustments, or take other actions if it is determined through external agency or internal audit or review that disallowed costs were reimbursed with 5310 funds. CATA reserves the right to pause payment on reimbursement requests until adequate repayment arrangements are made with the subrecipient.

Closeout

CATA will initiate award closeout with within 90 days after all project activities contained within the grant award are completed. A final Federal Financial Report, final budget, and Milestone Progress Report will be submitted electronically via the electronic grant management system at the time of closeout in accordance with FTA C 5010.1F Award Management Requirements.

P. OTHER PROVISIONS

CATA will comply with other federal regulations and will include them in their subcontracts when applicable. These include Buy America provisions, pre-award and post-delivery reviews, restrictions on lobbying, environmental protection, prohibition of exclusive school transportation, drug and alcohol testing, and suspension and debarment.

Buy America Provisions

The Buy America requirements apply to construction contracts and acquisition of goods or rolling stock valued at more than \$150,000. The requirements flow down from Section 5310 subrecipients to first tier contractors, who are responsible for ensuring that lower tier contractors and subcontractors are in compliance. A Buy America clause is included in all Section 5310 subrecipient agreements and third-party contracts.

The pre-award and post-delivery audit requirements apply to the acquisition of rolling stock (vehicles). A clause is included in all subrecipient agreements and third-party contracts.

Pre-Award and Post-Delivery Reviews

The FTA requires grant recipients purchasing a certain number of revenue passenger rolling stock to undertake reviews of the rolling stock before the award of the contract and following delivery of the vehicles. The intention is to improve compliance with Buy America requirements, the grantee's bid specifications, and Federal Motor Vehicle Safety Standards. The requirement to undertake the pre-award and post-delivery reviews arises from 49 U.S.C. 5323(m) and is specified in FTA regulations at 49 CFR part 663. Compliance will be certified on STA's Annual List of Certifications and Assurances.

Lobbying Restrictions

Agencies applying for federal assistance exceeding \$100,000, must certify that no federal appropriated funds have been paid or will be paid, on their behalf, to influence or attempt to influence anyone pertaining to the award, continuation or modification of federal assistance. If funds other than federal appropriated funds have been used for this purpose, the agency is instructed to complete the Standard Form-LLL, "Disclosure Form to Report Lobbying."

Environmental Protection

Proposed projects need to be looked at to determine their affect, if any, on the environment. Most capital projects under 5310 are "categorical exclusions" involving the acquisition of vehicles and vehicle related equipment. If a project has an environmental impact, CATA follows all environmental regulations. There are several categories of projects:

1. Categorical Exclusions – Many projects and activities assisted with bus and bus related category funds normally do not involve significant environmental impacts. The joint FHWA/FTA environmental regulations use the term "categorical exclusions" (CEs) to describe those projects that are categorically excluded from the requirement to prepare an environmental document [environmental assessment (EA) or environmental impact statement (EIS)]. Projects that are predetermined to be categorical exclusions include:
 - Utility and similar appurtenance action
 - Pedestrian or bicycle action
 - Environmental mitigation or stewardship activity
 - Planning and administrative activity
 - Action promoting safety, security, accessibility
 - Acquisition, transfer of real property interest
 - Acquisition, maintenance of vehicles/equipment
 - Maintenance, rehab, reconstruction of facilities
 - Assembly or construction of facilities
 - Joint development of facilities
 - Emergency recovery actions
 - Action within existing operational right-of-way
 - Action with limited federal funding
 - Highway modernization

- Bridge replacement or rail grade separation
- Hardship or protective property acquisition
- Acquisition of right-of-way
- Reserved
- Facility modernization

Additionally, the FTA may approve the designation of certain construction projects as categorical exclusions if the grant applicant provides documentation which clearly demonstrates that the conditions stated above are met and that no significant adverse effects will result.

2. **Projects That May Have an Environmental Impact** – Projects that significantly affect the environment require an EIS. The following are examples of projects that normally require an EIS:
 - A new controlled access freeway
 - A highway project of four or more lanes on a new location
 - New construction or extension of fixed transit facilities (e.g., rapid rail, light rail, commuter rail, bus rapid transit that will not be located within an existing transportation right-of-way)
 - New construction or extension of a separate roadway for buses or high occupancy vehicles not located within an existing highway facility
3. **Projects That Require an Environmental Assessment** – The grant applicant must prepare an EA for any project that is not a CE and does not clearly require the preparation of an EIS. An EA documents the impacts of the proposed project and considers alternatives to the proposed site or design and is subject to public comment. FTA will review the EA and any public hearing comments, and other comments received regarding the EA. A Finding of No Significant Impact (FONSI), depending on the scope and magnitude of the probable environmental impacts, will be made by FTA.

FTA is not permitted to provide federal assistance to support a project requiring an EA or an EIS until FTA has completed the environmental review process and determined either that the project qualifies for a FONSI or that the final EIS supports a federal grant for the project.

School Bus Operations

CATA signs an annual certification agreeing to engage in school transportation operations only to the extent permitted by an exception provided by 49 U.S.C. 5323(f). Agencies, including CATA or any subrecipient, are required to comply with this rule. Any subrecipient will be required to sign a similar agreement.

Drug and Alcohol Testing

All safety-sensitive employees are required to comply with Drug and Alcohol testing requirements.

All safety-sensitive employees may be randomly tested for prohibited drug use anytime while on duty, whether there is an expectation that the employee will perform safety sensitive functions in the immediate future.

Return to Safety Sensitive Work – when a covered employee has not performed a safety sensitive function for ninety (90) consecutive calendar days, regardless of the reason, and the employee has not been in the random selection pool during this time, the employee must take a pre-employment drug test.

Section 5310 subrecipients must establish and implement a drug and alcohol testing program that complies with 49 CFR Part 655, produce any documentation necessary to establish its compliance, and permit any authorized representative of US DOT, CATA, or MDOT to inspect the facilities and records associated with the implementation of the drug and alcohol testing program and review the testing process.

Suspension and Debarment

Subrecipients must certify that their agency and its principals are not currently suspended, debarred, ineligible, or voluntarily excluded from participation in federally assisted transactions or procurements. This certification will be included in subrecipient agreements.

Compliance Monitoring

At a minimum, all subrecipients will undergo a risk level assessment as described below and an in-depth compliance review, consisting of a desk review and a site visit, at least once during the term of the organization's 5310 subrecipient agreement. New subrecipients will receive an in-depth compliance review within one year of the date of their 5310 awards. Compliance reviews for such subrecipients will follow the schedules discussed below thereafter. Documentation of oversight activities in each subrecipient's file will include a copy of the risk assessment and notes of any oversight activities conducted during the year, including results and any corrective actions taken to address issues identified during oversight.

Apart from the regional requirements, the direct recipients continue to monitor the operations of subrecipients according to their current oversight procedures and schedules. Direct recipients are responsible for updating their procedures in accordance with federal guidelines. The scope and frequency of desk reviews and site visits, particularly for subrecipients in the Low and Medium risk categories, is determined by the direct recipients. Subrecipients in the High-risk category typically receive more frequent oversight.

Risk Level Determination

A tiered approach, based on the level of risk of non-compliance with federal, state, and local requirements determined for each subrecipient, guides oversight activities.

Risk levels for each subrecipient are assessed at the time of award of Section 5310 funds and during the contracting process. Information from subrecipients' applications for project funding and follow-up collection of information, and, in the case of subrecipients that are not new to the 5310 program, the direct recipients' knowledge of and experience with the subrecipient, are used to make the risk level determination.

Technical Assistance

CATA supports working with applicants to ensure that submittals are complete and as compelling as possible.

Reporting

CATA is responsible for collecting the data needed from subrecipients to prepare the following required federal reports, as referenced in FTA Circular C 9070.1H, Enhanced Mobility of Seniors and Persons with Disabilities Program Guidance and Application Instructions, as applicable:

- Annual and Quarterly Program of Projects Status Reports, as applicable
- Milestone Progress Reports
- Federal Financial Reports
- Program Measures for both traditional and non-traditional 5310 projects
- National Transit Database (NTD) reports, as applicable
- Disadvantaged Business Enterprise (DBE) reports
- Federal Funding Accountability and Transparency Act (FFATA) information for the Federal Subaward Reporting System (FSRS) by the end of the month following the month any subaward or obligation

Documentation of Oversight Activities

CATA will document risk assessment and oversight activities conducted during the year for each subrecipient. Annually, CATA will prepare a brief annual summary report to document highlights of oversight activities and the performance of 5310-funded projects and services in that year.