

### **5310 POS Grant Application Questions**

Describe any efforts to leverage funds from other sources to support this project. Would this include matching funds for the 80/20 match? **. Yes, leveraged funds could include the match, as well as other funds that might be used to support it.**

Describe any eligibility limitations on passengers who will be served. What does this mean? **Some 5310 agencies or Lead Agencies only serve their clients, or a limited group of people. These 5310 POS funds are for services for elderly and people with disabilities as defined by your RCC's Purchase of Service application and we want to be made aware of any restrictions—age restrictions, mobility restrictions, etc.**

Public Notice of grant application. Can you explain this requirement? **A public notice needs to be published in the newspaper.**

Section 3 of the application refers to the need to provide *information on civil rights compliance review activities* and a *Title VI notification process* - I'm not sure if we're required to have either of these as we're not an FTA service provider:

- a. List minority population in the service area. **You can provide US Census data and statistics based on the population for the areas you would provide service to.**
- b. Describe any active lawsuits or complaints alleging discrimination based on race, color, or nation origin. **You can answer the question as yes or no to any active lawsuits. If yes, you would need to describe.**
- c. Describe civil rights compliance review activities of your agency that have been conducted in the past three years. **If you agency has not had any civil rights compliance review activities in the past three years, does your agency have in place a policy or procedure that addresses civil rights complaints? If a civil rights complaint was processed, what procedures would be followed to address the complaint?**
- d. Describe your agency's Title VI notification process and complaint tracking procedures. **Does your agency have a policy or procedure in place that provides notification to the general public in regards to submitting a Title VI complaint? How would someone from the general public know they could submit a complaint and the process for submitting and tracking a complaint - please explain.**

### **New Funding (SFY13)**

It has been suggested that the funding available to the regions for SFY13 will be the same as SFY12, is that true? **Yes**

- Is that still the expectation or will the amounts be modified by any “carryover” funds from the first round of grants? **All funds in a region's two-year contract (SFY12-13) will be available for expenditure through SFY13 (June 30, 2013) and will include “carryover” SFY12 funds that were not expended during SFY12.**

- If there will be different funding levels, when will we be notified of the amount available? **Please refer to the table of funding available to each region in SFY13 (included on SFY13 5310 POS funding notice)**

How the funding will be disseminated to the region will influence the decision on the amount the region will apply for:

- Will new funding be incorporated into the existing 2-year grant contracts? **YES**
- Will there be a new contract for SFY13's "round 2" of funding? **NO, amended into current two-year contract as noted above**

If the "round 2" funds are incorporated into the existing 2-year contract:

- Will the new "in-kind" match rules apply only to the new funds? **January 2012 In-Kind match guidelines will apply to any funds expended on or after July 1, 2012.**
- Will the unsubscribed SFY13 funds still be available to the region in the subsequent year of funding, as had been the case for SFY12 funds? **No, SFY12 and SFY13 funds that are not requested and expended by June 30, 2013 will be placed back into the general 5310 POS funding pot for formula-based distributions that all 10 regions will receive funds from. Regions only "lay claim" to the SFY 2012 & 2013 regionally-allocated funds through their current SFY 2012-2013 contract period.**
- Will the "use it or lose it" rule still apply to POS funds not spent by the end of the contract period? **Yes, see above question.**

### **General Service Delivery Questions**

If a volunteer driver drives a client from his/her house in Town A to Boston but does not bring the client back on the return trip from Boston to Town A, can the driver count the miles from the return trip as eligible for reimbursement? A similar question is - Can a volunteer driver count the miles driven from his/her home unoccupied to the client's house they are picking up as reimbursable miles? **Each region should develop its own policy on reimbursement of mileage for volunteer drivers and whether or not to reimburse for "dead head miles" (not transporting an individual). It is recommended to reimburse for the mileage, but the agency should establish a policy.**

If a volunteer driver picks up an individual living in Keene to go to the hospital and then picks up a second individual living in a different location but he is also going to the hospital, can each trip be counted as a separate trip (even though the destination is the same)? **Yes, you would count each trip separate even though the destination is the same. It would be considered 2 trips.**

In our Region, Provider ABC is only being reimbursed for fixed cost per trip (\$XX.XX per trip) and is not receiving mileage reimbursement. Can the Provider ABC bill for a volunteer driver 'trip' (not the gas mileage reimbursement) that does not have an individual in the vehicle (e.g. return trip to Town A from Boston after transporting an individual)? **If it is the lead agency's policy/practice to reimburse the trip both ways, then NHDOT will reimburse the cost for both ways. It would be up to the lead agency to establish a policy regarding reimbursement of trips with and without an individual.**

What trainings are required for the 5310 POS and which ones are available to volunteer drivers for no cost by the State? **The RCC's establish the training requirements. RTAP funds will cover the cost of Defensive Driving training only, if scheduled through NHDOT's RTAP program. NHRTAP only covers DDC registration fees and not staff time for attendance.**

How many trips in a week can one rider take? Do we have to provide service if there is a fixed-route operator that can provide the service? Can we prioritize trip purpose? **These questions and a myriad of others should be resolved by the RCC and Lead Agency when creating program rules. Eligibility rules, restrictions and such should be created to resolve some of these issues; bear in mind that rules must be implemented across the board and cannot be unjustly applied to only persons requesting Accessible Vehicle trips.**

Will NHDOT pay the GSA Rate or the IRS Rate? What if these rates change during the contract term? **NHDOT will reimburse the rate in which the region stated in their applications to NHDOT; proposed reimbursement rates from applications were the basis for contract documents.**

If a volunteer group or Lead Agency is unable to find a provider to provide an accessible vehicle, can we still provide ambulatory trips? **No, a provider or Lead Agency, depending what the application states, must identify an accessible vehicle provider that can be contracted with for accessible service or project funds cannot be used.**

A volunteer driver program is organized on the basis of availability of volunteers. Application of the accessible vehicle component for the purposes of this program means having access to lift-equipped vehicle if an individual requires one and cannot be accommodated in a volunteer vehicle. The accessible vehicle and service availability is similarly allocated on the basis of availability, so we can reasonably ask the person requesting an accessible ride to reschedule as we do a volunteer car rider due to inability to schedule due to capacity at the time/date requested? **This is correct.**

### **5310 POS Invoicing & Reporting**

Do we have to use the invoice and reporting forms that NHDOT distributed for our 5310 POS contract? **Yes. NHDOT created a structured and thorough 5310 invoice and reporting form that captures all the information and data necessary for our office to quickly process invoices and track service delivery. Common invoicing and reporting provides efficiencies and allows NHDOT to compare projects and service delivery for all regions.**

Do we really need to segregate Ambulatory trip requests/denials from Accessible Vehicle trip requests/denials? **Yes. FTA requires that all POS projects, including volunteer driver programs, have accessible vehicles available for persons with disabilities. FTA Section 5310 funds are made available to provide service to Elderly Individuals AND Individuals with Disabilities and therefore each region must ensure that accessible vehicles are available to provide accessible trips.**

Report Ambulatory and Accessible trips requested and delivered separately to track how many lift-equipped vehicle trips there are for persons needing accessible vehicles vs. ambulatory persons riding "conventional" volunteer trips. Is the purpose of the separate trip reporting is to provide audit evidence that the denial rates for ADA and non ADA service are comparable. **This is correct; service delivery/denial data should be reviewed, at least, every quarter to review trends and any disparity in service delivery for ADA and non-ADA riders.**

Does my region have to provide all accessible trips that are requested? **No, the goal is to provide a comparable level of service to individuals requiring an accessible vehicle. The data collection form that NHDOT requires tracks and captures that data and allows each region to monitor the progress of their projects and review service delivery. Regions should monitor their projects and ensure that the denial rate for persons requiring an accessible vehicle is approximately the same rate as ambulatory persons.**

Accessible vehicle trips are expensive, what if we can't find an accessible provider that will provide the trip as inexpensively as a volunteer driver will? **NHDOT fully agrees that you might have to pay an accessible vehicle provider a higher rate and NHDOT will under your contract allow you to pay the accessible provider their fully allocated cost, which will be higher than a volunteer driver rate.**

What rate can a region pay to an accessible vehicle provider that might provide some accessible trips for us? **The rates billed for these services will be the fully allocated hourly operating rates (including wait times), or the agreed upon rate of the contracted service provider. Rates should be negotiated with providers.**

Does the 5% Mobility Management (admin) require a local match? How much Admin money can I request at a time? **The 5% Mobility Management (administration) charges are reimbursable at a ratio of 80% Federal and 20% local, not 100% as some Regions have requested. Additionally, the Department will allow more than 5% of each billing period's expenses to be charged to the Mobility Management (administration) category provided that the expenses are substantiated with back-up and the total request for Mobility Management (administration) reimbursement does not exceed the maximum amount allowed under contract. Also, the Lead Agency must fulfill its contractual obligations and continue to provide its scope of services throughout the contract period regardless of whether they have used all their Mobility Management funds or not. (Basically, a region can request its entire year's worth of Mobility Management (admin) funding in the first quarter as long as (1) there is back-up to support the request and (2) no subsequent invoices are submitted for additional Mobility Management (admin) funds and (3) the Lead Agency fulfills its contract obligations for the year. Once a region has requested its contracted Mobility Management (admin) funding it can only request Purchase of Service funding.)**

#### **Procurement of Alternate ADA Service:**

The experience of some volunteer programs with accessible vehicle components is that a very small number of trips in accessible vehicles are provided relative to the number of volunteer trips. The expectation is that the number of requests will be low based on the experience at these other established volunteer driver programs and therefore if a contract with another provider is necessary, it will fall under the threshold for a micro purchase. It is fine to make arrangements for the service with one or several providers. The service would fall under the category of a Micro Purchase (under FTA rules) as it would be for an amount of under \$3,000. The following is excerpted from FTA Circular 4220.1F which discusses procurement:

- a.) Micro-Purchases. Consistent with the Federal Acquisition Regulation (FAR), FTA considers micro-purchases to be those purchases of \$3,000 or less.
  - (1) When Appropriate. If permitted by State and local law, the recipient may acquire property and services valued at \$3,000 or less without obtaining**

*competitive quotations. These purchases are exempt from FTA's Buy America requirements*

*Davis-Bacon prevailing wage requirements, however, will apply to construction contracts exceeding \$2,000, even though the recipient uses micro-purchase procurement procedures. FTA does not intend to imply that the recipient must treat any purchase of \$3,000 or less as a micro-purchase. The recipient may set lower thresholds for micro-purchases in compliance with State and local law, or otherwise as it considers appropriate.*

*(2) Procedures. The following procedures apply to micro-purchases:*

*Page VI-8 FTA C 4220.1F*

*11/01/2008*

*Rev. 1, 04/14/2009*

*Rev. 2, 07/01/2010*

*Rev. 3, 02/15/2011R*

*(a) Competition. The recipient should distribute micro-purchases equitably among qualified suppliers.*

*(b) Prohibited Divisions. The recipient may not divide or reduce the size of its procurement merely to come within the micro-purchase limit.*

*(c) Documentation. FTA's only documentation requirement for micro-purchases is a determination that the price is fair and reasonable and a description of how the recipient made its determination. FTA does not require the recipient to provide its rationale for the procurement method used, selection of contract type, or reasons for contractor selection or rejection.*

**The Lead Agency or their contractor could enter into contracts with (through a micro-purchase procurement) one or several accessible providers to provide accessible trips in their region. Rates could be negotiated with these accessible subcontractors based on a per hour, per trip or per mile basis. Lead Agencies and Contractors will want to consider what the training requirements of any subcontractors will be. NHDOT did not stipulate what the training requirements were for each region, but allowed each region to dictate its own training requirements.**