

**5310 Formula-funded Grant Application Questions**

Who can the grant applicant be in my region? **That decision is left for the RCC to decide and formally approve, with a few limitations. Under the FTA 5310 Program, eligible applicants can be private non-profit organizations, Governmental authorities approved by the State to coordinate services for the elderly individuals or individuals with disabilities, or governmental authorities that certify that no non-profit corporation or association is available in an area to provide service. Therefore the RCC should formally approve a 5310 Formula-funded Regional Transportation Coordinator (RTC) or Lead Agency. The Department's preference is that regions consider selecting RTCs that will begin coordinating and providing regionally-coordinated transportation services.**

Does the Lead Agency for the 5310 Formula funds have to be the same as the Lead Agency for the 5310 Purchase of Service (POS) funds? **No, the region can have a different Lead Agency for the formula funds and the POS funds; NHDOT recommends that the region select a Lead Agency that is a Regional Transportation Coordinator for the 5310 Formula funds and is an entity that will coordinate and provide regional transportation services and eventually utilize the NH Statewide coordination software when that comes online.**

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 transportation providers or Lead Agencies only serve their clients, or a limited group of people. FTA Section 5310 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 and should also be placed on the Lead Agency's website and/or the Regional Planning Commission(s) involved in the project.**

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.**

My Region plans to request funding for several individual projects that will be carried out by multiple agencies/transportation providers. How do we address this in the application and when providing a budget?

The application should be presented to NHDOT as a “Regional Scope of Services” which will include several projects and provide more narrative details about the individual (or agency-level) projects. Within the “Regional Scope of Services” narrative, details and explanations about each individual project and a corresponding budget justification must be included.

Regarding budgets:

NHDOT will require a single (and separate) “Regional Scope of Services” budget page that will include a SUMMARY of the projects in their region, by SFY, and will include:

Agency Name	Project Type & short Description	Total Funds	FTA Funds	Local funds
Agency Name	Project Type & short Description	Total Funds	FTA Funds	Local funds
<u>Agency Name</u>	<u>Project Type &amp; short Description</u>	<u>Total Funds</u>	<u>FTA Funds</u>	<u>Local funds</u>
<b>REGIONAL TOTAL</b>		<b>Total Funds</b>	<b>FTA Funds</b>	<b>Local funds</b>

Any individual project that utilizes “Operating funds” will also be required to submit a separate Attachment A (Excel) budget form; the same as Section 5311 operating requests are required to use. (Note: if a Regional application has 2 “operating” projects, each project will require a separate supplemental Attachment A budget form.

**SFY 2015 Funding**

- How much money will my region receive in SFY 2015? **Please refer to the table of funding available to each region in SFY15 (included on SFY15 5310 funding notice)**
- How long will my region “lay claim” to the SFY15 5310 Formula fund allocation? **SFY15 funds will “belong” to a region until the end of SFY 2015, which is June 30, 2015. After that time any unobligated or unexpended regional funds will be placed back into the general 5310 funding pot for re-distribution.**

What is the eligible FTA percentage for the above activities?

- **The Federal share of eligible capital costs (which include Mobility Management activities, purchase of service, vehicles & equipment) may not exceed 80% of the net cost.**
- **The Federal share of eligible Operating costs may not exceed 50% of the net operating costs.**

**General Service Delivery Questions**

If I am the Lead Agency can I purchase service from my own agency? **No, a Lead Agency is not allowed to “purchase service” from itself. The Lead Agency may be a recipient of a myriad of other “5310 eligible activities,” but just like under the 5310 POS program, may not purchase service from itself.**

What other activities are eligible for funding under the 5310 Formula funds allocated to my region? **FTA defines 5310 eligible activities as:**

- Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.
- Public transportation projects that exceed the requirements of the ADA.
- Public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit.

- Alternatives to public transportation that assist seniors and individuals with disabilities. (Mobility Management, travel training, voucher programs, etc)

**Note: Please refer to the Supplemental document “5310 Eligible Activities” which lists in more detail eligible activities as listed in FTA Circulars**

Can people other than elderly/persons with disabilities, such as the general public, ride on vehicles in the program? **Yes, as long as there is space and it doesn't detract from service to elderly passengers and persons with disabilities.**

Will NHDOT pay the GSA Mileage Rate or the IRS Mileage 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, which can be no higher than the GSA mileage rate. If an application states that it will utilize the GSA rate, then when the GSA rate changes (increases or decreases), your approved mileage reimbursement rate will change accordingly.**

What's the difference between “fares” and “donations”? **Fares and donations are two very different things and therefore should be explained as such:**

- **Donations or suggested donations are recommended, but not required, to help offset an agency's cost of providing service and are not directly tied to a specific trip. Case in point: if an individual does not provide a donation their trip is not cancelled. Therefore:**
  - **Donations or suggested donations do not have to be netted out (subtracted from) the expenses associated with that specific trip and subsequent request for 5310 reimbursement.**
  - **Donations go to the bottom line and can be used as local cash match if desired.**
- **Fares are a required direct payment for a trip. If an individual does not pay a fare, the trip is not provided and thus a fare is directly associated with service delivery and is a revenue directly derived as a result of that service delivery, which if subsidized with federal funds requires:**
  - **Fare revenues must be netted (deducted) out before you request FTA 5310 reimbursement so that the federal participation is on net operating expenses, as is required of the FTA 5310 program.**
    - **(Rate or cost of service) – fares = net expenses**
    - **Note: The NHDOT-created reporting form can accommodate deducting fare revenue and your Lead Agency should work with NHDOT staff to inquire about this**
  - **You must treat all 5310-eligible populations the same; if individuals with disabilities have to pay a fare, then elderly riders must be charged the same fare. You cannot allow seniors to have a donation-only option and require that individuals with disabilities pay a required fare. 5310-eligible populations must be treated the same; both elderly individuals and individuals with disabilities can either be “donations-requested” or “fare-required” and the fares must be the same.**

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.**

Does a Region or provider have to provide 100% service delivery to individuals requesting accessible trips? **No, trip denials for ADA accessible requests should be of a similar ratio to that of ambulatory requests and Regions should review that periodically to ensure non-discriminatory service delivery.**

- **For instance, a region or provider should not have a 5% ambulatory service denial rate and an 80% accessible service denial rate, as this would indicate that the service was designed for ambulatory individuals and precluded those requiring accessible service from benefiting from the program, which utilizes federal funds.**

Is there anything else we need to know about providing accessible service? **Yes, here are a few items to consider:**

- **Any and all marketing materials, service descriptions, websites, etc., that advertise and describe your 5310-funded service must include that the service is fully ADA accessible.**
- **Lead Agencies are required to submit NHDOT-created 5310 invoices and reports that include information on service delivery that is segmented by ambulatory and accessible trip requests and service delivery. Therefore, providers should work with their Lead Agency to ensure that the agency's data collection and call in-take process addresses the NHDOT required data collection.**
- **If your agency, or project, is providing open door hours of service with an accessible vehicle and requires no advance scheduling or reservations, you should delineate ambulatory and accessible service as follows:**
  - **Accessible trips = trips that required use of your wheelchair lift or deployment of your ramp**
  - **Ambulatory trips = trips that did not require use of your lift or ramp**

### **5310 In-Kind Information**

**NHDOT has more clearly defined the ability to utilize In-Kind match, as follows:**

- 1. In-Kind match must be derived (earned) in the billing period in which it is being applied.**
  - 1. In-kind match must be generated & used in the billing period in which it occurred.**
    - a. Example of a Region that bills monthly and submits an invoice for the month of January:
      - i. There are volunteer driver hours (and corresponding in-kind match) worked/earned in January
      - ii. Volunteer hours & in-kind match are in excess of the match required for the month of January
      - iii. "Extra" in-kind match cannot be "banked" and used in February. February invoice must have enough volunteer hours/in-kind match generated within that month to leverage February's reimbursement request
  - 2. Regions/agencies may bill less frequently (quarterly) if they want to have a more generous billing period in which to generate & use in-kind match. Whatever billing period is used must include all cash-based and in-kind based expenses for that billing period**
    - a. Example of a Region that bills quarterly and submits an invoice for January 1 – March 31
      - i. There are volunteer hours (and corresponding in-kind match) worked/earned in all three months
      - ii. Volunteer hours (and corresponding in-kind match) can be totaled for the entire billing period and used to leverage the reimbursement request in the entire 3-month billing period

- iii. "Extra" in-kind match from January – March cannot be used in April or subsequent months.
2. Regional "pooling" of in-kind match is allowed, if a region so desires, and so requests in their grant application
    - i. If one project generates more in-kind match than they need for their own project, the excess of in-kind match can be applied to other regional projects, if it was so specified in the grant application.
      1. Example: An RCC has two volunteer driver programs, that accumulate volunteer driver in-kind match, and the region also has one subcontractor that has all cash-based expenses (paid drivers). If the volunteer driver programs anticipate accumulating "extra" in-kind match that "extra" in-kind match can be used to leverage the draw down of federal funds for the cash-based contractor in their region. (Again, the in-kind contribution must be earned/accumulated in the current billing period and must have been explained as such in the grant application, which is subject to NHDOT approval)

Is there a maximum rate that volunteer driver time can be valued at? NHDOT is establishing a statewide cap (maximum rate) of \$15 per hour for volunteer driver time. Regions can value volunteer driver time at a lower rate if they chose to, but NHDOT is capping the rate at \$15 per hour.

- Note: This rate is based on reviewing the US Bureau of Labor Statistics average hourly mean wage for "Other Transit and Ground Transportation" employees plus allowances for employer-required FICA contributions.

What documentation is needed to use volunteer driver time as in-kind match? In accordance with Federal requirements, time worked should be documented monthly and time reports shall be signed by the volunteer and the agency. If an electronic program or system is being used to track and capture volunteer work (hours, mileage, etc), an agency must have the volunteer's signature on file and when the volunteer driver completes their log electronically & hits submit the system should generate a message or something that essentially states, "By submitting this form, I certify that the information on this form is accurate and my submission should constitute as my signature."

Are there other maximum or established rates for other eligible in-kind services?

The only other requested and utilized in-kind category allowed has been RCC meeting participation for RCC mobility management projects.

- NHDOT will continue to allow RCC meeting participation (for non-USDOT funded RCC members) to be utilized as in-kind match, as follows:
  - The rate for RCC meeting participants is valued at \$35 per hour
  - Only meeting hours, not travel time, may be utilized
    - A copy of meeting minutes and the meeting sign-in sheet will be required to verify in-kind match accumulation
  - The meeting participation must be necessary for and related to the "Regional Scope of Services" as proposed in region's application and subsequently approved by NHDOT.

NHDOT will review, and as necessary, establish a statewide cap (maximum rate) for other eligible in-kind contributions or in-kind services.

## 5310 Formula-funded Invoicing & Reporting

Do we have to use the invoice and reporting forms that NHDOT distributes for 5310 formula funds? **Yes. NHDOT created a structured and thorough 5310 Purchase of Service invoice and reporting form and will be working on developing a similarly appropriate 5310 Formula fund invoice and reporting form. Common invoicing and reporting provides efficiencies and allows NHDOT to compare projects and service delivery for all regions. NHDOT reporting requirements may be subject to change as FTA implements new MAP-21 guidance and data collection requirements.**

### **5310 Formula-funded Contracting & Reimbursement Information**

What are the insurance requirements for SFY14 5310 contracts? **NHDOT is using the recommendation of the SCC Insurance Review Committee to develop insurance requirements for 5310 contracts. The SCC Insurance Issues Review Committee recommended the minimum coverage limit requirements of:**

<b>General Liability</b>	<b>\$1,000,000 per occurrence, \$3,000,000 (aggregate)</b>
<b>Auto Liability</b>	<b>\$1,000,000 combined single liability</b>
<b>Workers' Comp</b>	<b>\$500,000 per occurrence</b>
<b>Umbrella coverage</b>	<b>\$5,000,000</b>

**It was noted that coverage limits would need to be evaluated based on the need of the RCC and participating agencies. Appropriate coverage depends on the individual agency and the proposed liability the agency and Lead Agency assume based on the scope of services in the partnership.**

Will NHDOT amend contract language to be reflective of "new" insurance requirements? **NHDOT will still use the State's P-37 contracting form, but will include a special provision allowing lowered insurance minimums as noted above.**

What type of documentation is required to either reimburse volunteer drivers for mileage or to document volunteer driver time for utilization as in-kind match? **In accordance with Federal requirements, time worked (hours) or expenses incurred (mileage reimbursement) should be documented at least monthly and time & expense reports shall be signed by the volunteer and the agency. If an electronic program or system (software) is being used to track and capture volunteer work (hours, mileage, etc), an agency must have the volunteer's signature on file and when the volunteer driver completes their log electronically & hits submit the system should generate a message or something that essentially states, "By submitting this form, I certify that the information on this form is accurate and my submission should constitute as my signature."**

How frequently will NHDOT accept Lead Agency invoices? **NHDOT will process invoices monthly or quarterly, whatever timeframe is more palatable for Lead Agency to submit for. Understanding that 5310 is a reimbursement-only program, NHDOT fully understands that most Lead Agencies will prefer monthly invoices. Please bear in mind that 5310 invoices must be accompanied by the required 5310 report that is reflective of the same period that the invoice is submitted for.**

Who reimburses individual providers? **Lead Agencies will reimburse individual providers. Lead Agencies submit (aggregate) regional invoices to NHDOT and NHDOT will reimburse Lead Agencies. Lead Agencies are responsible for paying their individual subcontractors/individual providers.**

What backup does a Lead Agency have to submit to NHDOT with its invoices? **NHDOT only requires the NHDOT-developed 5310 invoice and report. All other backup should be available to NHDOT upon request, but is not requested or required for NHDOT to process invoices.**