Chapter 1 - Introduction

PURPOSE OF THE 5310 MANUAL

This 5310 Program Manual was developed to provide comprehensive guidance on Federal and State rules and regulations pertaining to the Federal Transit Administration (FTA) Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310) that is administered through the Maryland Transit Administration (MTA) Office of Local Transit Support (OLTS). The goal of the Section 5310 program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding the transportation mobility options available. The Maryland Section 5310 program provides grant funds for capital and operating expenses to recipients for 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, as well as for alternatives to public transportation projects that assist seniors and individuals with disabilities with transportation.

Authority for the Program

The Section 5310 program is authorized under the provisions set forth in the Moving Ahead for Progress in the 21st Century Act (MAP-21), which was enacted on July 6, 2012, and reauthorized under the Fixing America's Surface Transportation (FAST) Act, which was signed into law on Dec. 4, 2015. These provisions authorize the U.S. Secretary of Transportation to apportion funds to each State for grants under this program.

In Maryland, the MTA of the Maryland Department of Transportation (MDOT) has been designated by the Governor to receive these funds and administer the program in accordance with State and Federal laws, statutes, and regulations.[1]

The MTA is the direct recipient for these funds, and in turn provides grants under these programs to local organizations, referred to by the FTA as **"subrecipients."** MTA is responsible for informing the subrecipients of their obligations under the FTA programs, as well as for oversight of the subrecipients' compliance with the requirements.

The MTA also administers the previously awarded Section 5310, Job Access and Reverse Commute (JARC) and New Freedom funds allocated to Maryland, except for

[1] The Washington Metropolitan Council of Governments (MWCOG) is the designated recipient of funding for the Washington Urbanized Area, which, within Maryland, includes Montgomery and Prince George's Counties.

the JARC and New Freedom funds in the Washington, DC-VA-MD Urbanized Area (these funds are administered by the Metropolitan Washington Council of Governments). With the passage of MAP-21, the JARC and New Freedom programs were consolidated into the Section 5310 program and other FTA programs. Old "legacy" JARC/New Freedom funds will be funded under the new, MAP-21 Section 5310 program as warranted.

Who Should Use this Manual

This manual is geared for those subrecipients of Section 5310 funds in Maryland who do *not* also receive other FTA funding through MTA. In most cases these subrecipients will be affiliated with human service programs rather than public transit programs.

Those subrecipients that *do* also receive FTA funding under the Sections 5307, 5309, and/or 5311 programs (public transit funding programs) are known in Maryland as the Locally Operated Transit Systems (LOTS) and are subject to more extensive requirements which are addressed in MTA's *Locally Operated Transit System (LOTS) Manual*.

How to Use this Manual

If your organization has been awarded funds from the MTA under Section 5310, you are expected to:

- Become familiar with its contents. You don't need to remember all the requirements, but you do need to know that a requirement exists for a particular topic and where to find it in the manual;
- Follow the requirements outlined for each FTA/MTA requirement applicable to the type of funding you get. Some Federal requirements apply across the board, while others are purpose-specific. See Attachment 1.A to this chapter to see which requirements are most likely to apply.
- Use the templates provided to prepare required Federal plans or programs;
- Refer to the additional resources cited where the Federal requirements are more in-depth than can be covered in this manual;
- Use the manual to answer questions you may have about a specific topic (an index is provided for this purpose); and
- Share relevant plans/programs with other members of your organization as well as any contractors who are required to follow specific requirements.

If you are unable to find the answer to a question related to MTA/FTA requirements within this manual, contact your 5310 Program Manager.

KEY REFERENCE DOCUMENTS

In addition to this manual, subrecipients should refer to the following documents for program information and guidance.

State Management Plan

The *Maryland State Management Plan for Section 5310 (Enhanced Mobility of Seniors and Individuals with Disabilities), Section 5316 (Job Access and Reverse Commute), and Section 5317 (New Freedom) Programs* documents the State's policies for managing these three programs. The State Management Plan was updated in 2015.

Grant Application Packages

Application requirements are described in the current Fiscal Year edition of the Section 5310 Program application that is developed and updated on a biennial basis. Forms and instructions for completing the forms to apply can be found within each application.

MTA sends a letter announcing the availability of funding to an extensive statewide mailing list. A public notice is also published through press releases and on applicable websites announcing the availability of funding to the general public and any public or private agency interested in the program. The application packages are transmitted to Section 5310 applicants in the fall of each application cycle.

Many of the Federal and State requirements are listed within the certifications and assurances that must be signed and submitted with the Section 5310 application. These signed certifications and assurances become part of the grant agreement if awarded. The certifications and assurances are updated each grant cycle to reflect the FTA's Annual List of Certifications and Assurances for FTA Grants and Cooperative Agreements, published in the *Federal Register* early in each Federal Fiscal Year. In signing these, your organization is agreeing to meet these requirements (and is legally bound to do so) for the entire life of the grant/vehicle useful life. This manual provides information on what your organization needs to do in order to comply with many of these requirements.

Your Grant Agreement with MTA

The grant agreement is the legal document which lists the requirements which your organization is subject to as a result of receiving the grant funding. The grant agreement is a contract between MTA and your agency. It is issued after notification of a grant award. The terms *you*, *your agency*, and *human service agency* are used interchangeably throughout this manual, and when used, specifically refer to each Section 5310 subrecipient that has a 5310 grant agreement with the MTA.

FTA Circulars

The FTA publishes a circular on each of its grant programs. The following circular pertains to the Section 5310 program:

- C 9070.1G - Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions (2014)

The following circulars pertain to the legacy JARC and New Freedom programs:

- C 9045.1 - New Freedom Program Guidance and Application Instructions (2007)
- C 9050.1 - The Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions (2007)

In addition, the following FTA circulars address requirements common to all FTA grants:

- C 4220.1F - Third Party Contracting Guidance (2013) - details procurement requirements (summarized in Chapter 4 of this manual).
- C 4702.1B - Title VI Requirements and Guidelines for Federal Transit Administration Recipients (2012) - details requirements related to non-discrimination in service based on race and national origin (summarized in Chapter 3 of this manual).
- C 4704.1 - Equal Employment Opportunity Program Guidelines for Grant Recipients (1988) - details requirements related to non-discrimination in employment (summarized in Chapter 3 of this manual).
- C 4710.1 – Americans with Disabilities Act (ADA): Guidance (2015) - details requirements related to complying with the ADA as well as Section 504 of the Rehabilitation Act of 1973 (summarized in Chapter 3 of this manual).
- C 5010.1D - Grant Management Requirements (2012) - details requirements related to financial management and recordkeeping.

FTA Circulars can be downloaded from the FTA website, currently starting at the following page:
https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/fta-circulars

The Super Circular (2 CFR Part 200)

In addition to FTA circulars, all FTA grants are subject to the requirements of 2 CFR Part 200 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2014), commonly referred to as the "Super Circular." Issued by the Office of Management and Budget (OMB), the Super Circular, contains overarching Federal requirements pertaining to financial accounting, audits, and other grants administration activities.

The Super Circular can be found in the Electronic Code of Federal Regulations at this web page:
http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

ADDITIONAL RESOURCES

Section 5310 subrecipients can find helpful information, including best practices and technical assistance on many topics related to human service transportation, through these organizations, websites, and publications:

- The **Transportation Association of Maryland (TAM)** hosts an annual conference; an annual "roadeo" for drivers, training, and other events for transit and community transportation providers; and facilitates peer-to-peer assistance through online discussions. Their contact information is: website: www.taminc.org, phone: 410-730-6310, toll free: 1-866-TAM-0700.
- ***Maryland Transit Update***, a joint newsletter of MTA's Maryland Rural Transit Assistance Program (RTAP) and TAM, is published quarterly in electronic format. To subscribe, contact TAM or send an email request to bhamby@kfhgroup.com.
- The **Community Transportation Association of America (CTAA)** is a national organization that provides a wide array of technical assistance for community transportation providers. Assistance includes training, extensive resources on their website (www.ctaa.org), and an annual conference. CTAA also manages several Federally-funded resource centers, including the National Center for Mobility Management.
- The **National Aging and Disability Transportation Center (NADTC)** is an FTA-funded technical assistance program working to increase access to transportation for older adults and individuals with disabilities. Many of the resources offered by the NADTC were developed under the former Project ACTION program and the former National Center on Senior Transportation. Website: http://www.nadtc.org/.

- The **National Center for Mobility Management (NCMM)** is an FTA-funded initiative of the United We Ride program.
  Website: http://www.nc4mm.org/.

- The **National Rural Transit Assistance Program (RTAP)** is an FTA-funded technical assistance program focused on rural transit services.
  Website: http://nationalrtap.org/

Topic-specific additional resources are also indicated throughout the manual.

COMPLIANCE OVERSIGHT

The MTA monitors subrecipients' compliance with FTA and MTA requirements through several approaches, including:

- Comprehensive compliance reviews are periodically conducted by the MTA or the MTA's consultant on all FTA 5310 subrecipients. These reviews involve a desk review of required documentation as well as an on-site review conducted at least once over the useful life of the Federal asset.
- Other compliance reviews are periodically conducted by the MTA or the MTA's consultant that focus on specific compliance areas such as Title VI, procurement, etc.
- MTA staff will conduct periodic site visits of all subrecipients, and may perform spot-checks of compliance with Federal and State requirements, condition of vehicles, etc.
- Quarterly reports that each subrecipient submits to MTA during the life of the grant or useful life of the equipment.
- Periodic training in any one of the applicable Federal requirements. Attendance is mandatory

MTA compliance reviews and site visits are an opportunity to receive technical assistance in how to meet Federal and State requirements. MTA wants all subrecipients to be successful in their projects and to continue to be eligible for funding.

FOR MORE INFORMATION

Questions regarding the Section 5310 program should be addressed to:

Maryland Transit Administration
Office of Local Transit Support
6 St. Paul Street, 9th floor
Baltimore, MD 21202

Phone: 410-767-3790 (or your designated 5310 Program Manager)
Fax: 410-333-0901

SUMMARY OF PROGRAM REQUIREMENTS:

At the end of each chapter, you will find a summary of the Section 5310 Program requirements that you as a subrecipient of Federal Section 5310 funds must comply with. When cited at the end of each chapter, each subrecipient will be required to provide the required form, policy, plan/program or information. Some of this material will be project specific (such as vehicles) so carefully read each requirement at the end of each chapter to determine applicability. Where a requirement is specified, you will also find a sample or template attached to the end of each chapter which you may use to satisfy the requirement.