

# PENNSYLVANIA STATE MANAGEMENT PLAN

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Federal Programs: 5310, 5311, 5339 & 5316

**Commonwealth of Pennsylvania  
Department of Transportation  
Bureau of Public Transportation  
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## Introduction

The Federal Transit Administration (FTA), an operating administration of the United States Department of Transportation, requires that each state adopt policies and procedures to be used in administering 49 U.S.C. Section 5310, 5311, 5339, and 5316 grant programs. The Pennsylvania Department of Transportation (PennDOT) has been designated by the Governor of the Commonwealth of Pennsylvania as the applicant for, and recipient of Section 5310, 5311, and 5339 funds apportioned to Pennsylvania. PennDOT is also the designated recipient of Section 5316 funding for small urban and non-urbanized areas in Pennsylvania. Within PennDOT, the Bureau of Public Transportation (BPT) is directly responsible for administering Section 5310, 5311, 5339, and 5316 programs. BPT has adopted this combined State Management Plan (SMP) as the policies and procedures for administering the programs.

BPT has primary responsibility for the development, improvement, and promotion of public transportation in Pennsylvania. In meeting its responsibilities, BPT provides technical and financial assistance in support of urban public transit systems, rural public transportation services, intercity bus and rail passenger operations, and private nonprofit operators, which provide mobility services for senior citizens and persons with disabilities. In addition to administering existing programs, BPT formulates recommendations for new or revised public transportation policies, programs, and legislation necessary to respond to the changing needs of users and providers of these services. In furtherance of its responsibilities, BPT is involved in all aspects of grant and program administration including planning, programming, auditing, legal, statistical functions, and oversight.

Upon any substantial revision of the SMP, an opportunity for comment on the SMP is provided to potential subrecipients, potential service providers, other state agencies and representatives of other funding sources, and relevant state associations and professional organizations.

## A. Program Goals and Objectives

### 5310

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. Toward this goal, FTA provides financial assistance for transportation services planned, designed and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas – large urbanized, small urbanized, and rural. The program requires coordination with other federally assisted programs and services in order to make the most efficient use of federal resources.

The objectives of the Program are:

- Promote the coordination of specialized transportation services to senior citizens and individuals with disabilities.
- Make sure that equipment purchased with Section 5310 funds meets the needs of the passengers and complies with all federal regulations.

- Give priority to the purchase of accessible vehicles.
- Provide operating funding for the acquisition of transportation services under a contract, lease or other arrangement.
- Ensure full compliance with Federal and State guidelines and requirements.
- Ensure adherence to PennDOT's Long Range Transportation Plan.

## 5311

BPT's goal of the Section 5311 Program supports the continuation of existing services and the development of new services which are essential for a coordinated, efficient and environmentally acceptable system of public transportation services throughout rural Pennsylvania. Some specific objectives to achieve this goal are:

- Focus on meeting rural public transportation needs by planning for capacity and frequency of rural transit services through more efficient utilization of existing resources and commitment of additional resources where appropriate.
- Improve service quality (reliability, comfort, public information, etc.).
- Implement service improvements and public information programs designed to increase ridership and revenue.
- Facilitate the development of cooperative working relationships among private transit companies, community organizations, local project sponsors, and funding agencies.
- Support a statewide network of intercity bus service that connects rural communities to urban areas and the national passenger transportation network (e.g., intercity bus service, Amtrak, airports, local public transportation, intermodal facilities, etc.)
- Promote the improvement of operating and financial performance of the transit systems through monitoring of transit systems, providing on-site technical assistance, and sponsoring technical studies.
- Coordinate existing services in rural areas.

## 5339

The purpose of the Section 5339 Program is to assist eligible recipients with replacing, rehabilitating, purchasing buses and related equipment, and to construct bus-related facilities including technological changes or innovations to modify low or no emission vehicles or facilities. This enables subrecipients to address replacement and capital expansion needs. Funding is provided through formula allocations and competitive grants.

## 5316

The Job Access Reverse Commute (JARC) Program provides financial assistance for projects benefiting low-income individuals to access employment and employment-related opportunities and to transport residents of urbanized areas and non-urbanized areas, regardless of income, to suburban employment opportunities. This program was discontinued and PennDOT does not obligate any new funding. PennDOT continues to monitor subrecipients to spend down remaining balances. Transit services previously funded by the JARC Program are eligible to be funded with 5311 funding.

Objectives of the Job Access Reverse Commute program are:

- Provide connectivity for low-income persons to jobs and other support services such as day care and continuing education.
- Target existing or expanded transportation services such as shuttles, vanpools, new bus routes, connector services to public transit, and guaranteed ride home programs for welfare recipients and low-income persons.

In addition to developing program goals and objectives for JARC, Pennsylvania has for many years identified and addressed the long-term transportation needs of low-income individuals and persons with disabilities. When Pennsylvania initiated its Welfare Reform activities in 1997, transportation was identified as one of the major barriers to employment for low-income residents. To connect recipients of Temporary Assistance for Needy Families (TANF) and other low-income persons with jobs that are often located in suburban areas with minimal public transportation from urban and rural areas, the Department of Human Services (formerly the Department of Public Welfare) and PennDOT established the Welfare to Work (W2W) Program to increase transportation availability and access to jobs. This program is currently funded through BPT. Also, in 2001, BPT began a pilot program to provide advance reservation, door-to-door transportation for persons with disabilities at a reduced cost. The Rural Transportation Program for Persons with Disabilities (PwD) has been expanded to cover 66 of Pennsylvania's 67 counties. First Class counties are ineligible for the PwD Program by Commonwealth statute. Currently, the only First-Class County is Philadelphia.

## **Planning**

PennDOT continuously engages with industry representatives, including, but not limited to individual agencies, the Pennsylvania Public Transportation Association (PPTA), the American Public Transit Association (APTA), and the American Association of State Highway and Transportation Officials (AASHTO) to prioritize goals and objectives in the administration of federal apportionments. Tracking of goals and objectives includes an annual analysis of past federal expenditures based on the objectives of each program described above. PennDOT may adjust the distribution of federal funds to eligible subrecipients if program-specific goals and objectives are not met. PennDOT investigates the causes of any unmet goals and objectives which are considered in future subrecipient project requests.

## **B. Roles and Responsibilities**

BPT made changes in 2020 to the organizational structure including renaming divisions and revising division responsibilities. Subrecipient oversight responsibilities for all federal apportionments are managed by the Performance, Compliance, & Safety Division. Grants administration for operating grants on all federal apportionments are managed by the Operating Program Management Division. Capital projects and project management for all federal apportionments are monitored by the Planning and Project Delivery Division. Each of the three divisions are managed by a Division Chief who approves all decisions with final approval from the Bureau Director, when necessary. See Appendix A for the current BPT Organizational Chart.

## C. Coordination

BPT works closely with other state and local agencies to develop specific projects and provide for general coordination. Examples of coordination efforts to date are:

- Continuous work with the Department of Aging and Department of Human Services to enhance the mobility of seniors and persons with disabilities through Pennsylvania's free and reduced fare programs for senior citizen transportation and its Rural Transportation Program for Persons with Disabilities (PwD).
- PennDOT solicits input on the development of the program of projects from the Pennsylvania Departments of Aging, Rural and Metropolitan Planning Organizations, and Shared-Ride Transportation Providers.
- Requirement of a single agency, within a county, to coordinate transportation services being provided under the state's Senior Citizens Shared-Ride program and the PwD Program.
- Human Service Transportation Coordination Study with the Departments of Aging, Human Services, and the Office of the Budget.
- The Section 5310 application requires every applicant to describe coordination efforts with the shared-ride provider in that county. The 5310 evaluation process prioritizes applicants demonstrating transportation coordination within their service areas.

Under 49 U.S.C. Section 5310/FAST Act Section 3006, and as part of FTA Circular C.9070.1G Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions, Section 5310 projects selected for funding must be included in a locally developed, coordinated public transit-human services transportation plan and that the plan was developed and approved through a process that included participation by seniors; individual with disabilities; representatives of public, private, nonprofit transportation and human service providers; and other members of the public. These projects may be identified as strategies, activities, and/or specific projects addressing an identified service gap or transportation coordination objective articulated and prioritized within the plan.

The local planning organization is responsible for certifying to PennDOT that each plan was developed through a process that included participation by seniors, individuals with disabilities, other members of the public, and representatives of public, private, non-profit, and human service transportation providers.

In addition, BPT is in continuous contact with its Section 5310, 5311, 5339, and 5316 projects through the efforts of BPT staff. A BPT employee is the initial point of contact for questions, problems, updates, and information regarding the full scope of a project's activities. The annual Pennsylvania Public Transportation Association (PPTA) transit conferences provides opportunities to speak not only with subrecipients, but also with other state and federal officials regarding a broad range of issues, including Section 5310, 5311, 5339, and 5316 programs.



## **D. Eligible Subrecipients**

### **5310**

PennDOT has traditionally provided for public transportation capital and operating projects that are planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities. At least fifty-five (55%) percent of Section 5310 funds are provided to eligible recipients for these types of traditional projects. Eligible subrecipients for traditional 5310 projects include: state or local government authorities, private non-profit organizations, or operators of public transportation. In addition to the traditional 5310 projects, PennDOT can distribute up to forty-five (45%) percent of the available funds for nontraditional 5310 projects, which may be utilized to:

- Exceed the ADA minimum requirements,
- Improve access to fixed route service, which decreases reliance by individuals with disabilities on ADA complementary paratransit service, and
- Provide alternatives that assist seniors and individuals with disabilities with transportation.

Eligible recipients for Non-Traditional 5310 projects include: state or local government authorities, private non-profit organizations, or operators of public transportation.

BPT has not established a procedure that allows public bodies to certify to the Governor that there are no eligible non-profit organizations readily available in an area to provide the service since only those public bodies designated as described above may receive these funds. Furthermore, PennDOT requires that private, non-profit entities obtain a letter of support from the local public transportation entity indicating that Section 5310 funds will finance projects that meet a need unmet by the local public transportation entity. State eligibility is not more restrictive than federal eligibility and BPT does not conduct itself as the primary recipient for any projects.

### **5311**

Only public agencies are eligible to be subrecipients of funds. Applicants typically are either political subdivisions of the Commonwealth (i.e., county, city, borough, township, etc.) or public transit authorities incorporated under the Pennsylvania Municipal Authorities Act of 1945. Private for-profit and private non-profit agencies participate in the program through subcontracts with public agencies or with public sponsorship for capital projects.

Under Section 5311(f), the state provides intercity bus subrecipients operating assistance grants. Activities eligible under the former Job Access and Reverse Commute (JARC) program, which provided services to low-income individuals to access jobs, are now eligible under the Rural Area Formula Program.

### 5339

Eligible subrecipients are public agencies or private non-profit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income. Subrecipients must demonstrate compliance with state and federal requirements and contribute local match. Subrecipients' services must be part of advertised and scheduled fixed route or demand response service open to the general public.

## **E. Eligible Services and Service Areas (only applicable to 5311 and 5339)**

### **5311**

The Section 5311 Program provides public transportation within, into, and from rural areas. To be eligible for Section 5311, the service must be available to the general public and advertised as such. The intent of this definition is to ensure that the systems are designed and function as a public service rather than for the benefit of any one group. Consistent with federal directives, this standard is intended to discourage the substitution of Section 5311 funding for social service program funding. Service areas are generally determined by the geographic boundaries of the agency applying for funding. Activities that were eligible under the former Job Access and Reverse Commute (JARC) program, which provided services to low-income individuals to access jobs, are now eligible under the Rural Area Formula program.

### **5339**

Eligible capital projects include replacing, rebuilding, or purchasing buses and related equipment; and construction of bus-related facilities. These include but are not limited to:

- Acquisition of buses for fleet and service expansion
- Bus maintenance and administrative facilities
- Transfer facilities
- Bus malls
- Transportation Centers
- Intermodal terminals
- Park-and-ride stations
- Acquisition of replacement vehicles
- Bus rebuilds
- Passenger amenities such as passenger shelters, bicycle facilities, and bus stop signs
- Accessory and miscellaneous equipment such as: mobile radio units, supervisory vehicles, fare boxes, computers, and shop and garage equipment
- Clean fuels projects: passenger vehicles used to provide public transportation and powered by compressed natural gas (CNG), liquefied natural gas (LNG), biodiesel fuels, batteries, alcohol-based fuels, hybrid electric, fuel cell, clean diesel, or other low or zero emissions technology
- Introduction of new technology: transit related technology, such as innovative and improved products that provide benefits to transit, including Intelligent Transportation Systems (ITS)

## **F. Eligible Assistance Categories (only applicable to 5311)**

BPT has funded and will continue to fund operating, capital, and technical assistance for eligible subrecipients contingent upon apportionment levels. BPT funds subrecipients' administrative expenses as part of their operations budget.

## **G. Local Share and Local Funding Requirements**

### **5310**

The federal share of eligible capital expenses cannot exceed eighty (80%) percent of a project's expenses. The local share can be no less than twenty (20%) percent of the expenses. The federal share of eligible operating costs cannot exceed fifty (50%) percent of the project deficit. The local share can be no less than fifty (50%) percent of the project deficit. The local share must be provided from sources other than federal funds except where specific legislative language of a federal program permits its funds to be used to match other federal funds. For human service transportation providers designated as county coordinators of shared-ride service, the state may provide Community Transportation Capital (CTC) state funds for the 20% local share. Private non-profit entities are responsible for providing the 20% local share.

### **5311 - Operating**

State matching funds for the Section 5311 Operating Assistance Program come from Act 44 Section 1513 Operating Assistance and local sources. Pennsylvania statute requires a cash match from local sources equal to 15% of the transit system's Act 44 operating assistance allocation. If local match prior to Act 44 was less than 15%, Act 44 includes an increase provision, which requires an agency to obtain 5% more local funding every year until local funding equals 15% of the system's Act 44 allocation.

Section 5311(f) funds are used to provide Intercity Bus Service statewide and are leveraged using an in-kind matching arrangement, based upon connections to existing state investment in public transportation infrastructure. PennDOT only allocates Section 5311(f) for eligible operating expenses.

### **5311 - Capital**

Some state capital funding sources do not require a local match while others require local match to equal 3.33% of the state funding. When local match is required, the typical funding ratio is:

#### Capital

Federal	80%
State	19.355%
Local	0.645%

## Technical Studies

Federal	80%
State	19.355%
Local	0.645%

### **5339**

The 5339 required local and/or state share for capital assistance is twenty (20%) percent of eligible expenses. The twenty (20%) percent match requirement may be met using a combination of local funds and eligible state funds.

The funding ratio typically used for capital projects when Federal Section 5339 funds are used is:

Federal	80%
State	19.355%
Local	0.645%

### **5316**

The JARC program provides funds for capital assistance to support eligible activities. The Federal share of eligible capital expenses will not exceed eighty (80%) percent. Through Act 44 of 2007, Section 1516, BPT is authorized to give high priority to providing state financial assistance as match for federal funding to support the JARC program. The state matches up to twenty (20%) percent for capital activities.

## H. Project Selection Criteria and Method of Distributing Funds

### 5310

Availability of funding is advertised through the *Pennsylvania Bulletin* and a notice is also sent out to all past applicants. In addition, detailed program guidelines, application forms, and instructions are annually updated and available on our SharePoint site, as well as placed on the PennDOT website under the Doing Business/Transit tab.

Fixing America's Surface Transportation (FAST) Act and Bipartisan Infrastructure Law (BIL) funds are apportioned by designated large urbanized areas, small urbanized areas, and rural areas within the state of Pennsylvania.

BPT divides organizations eligible for Section 5310 funding into two categories for project selection purposes:

**Category 1: Organizations eligible for state matching funds** - Eligible participants are state or local governmental authorities, and operators of public transportation services, including private operators of public transportation service. PennDOT provides state matching funds for capital and operating assistance to organizations participating in the Senior Citizens Shared-Ride and Persons with Disabilities Programs. These programs provide reduced fares for senior citizens and persons with disabilities throughout Pennsylvania. The rider, or an approved third-party sponsor, pays 15% of the full fare. PennDOT currently reimburses up to 85% of the full fare. PennDOT's share may change dependent on available state funding.

**Category 2: Organizations not eligible for state matching funds** - This category includes any other private non-profit organizations that transport senior citizens and/or persons with disabilities on a regular basis.

The reason for this process is to allow Senior Citizen Shared-Ride Program agencies to submit one application for both state funds and Section 5310 funds, rather than two applications. It is important to note that while the criteria for determining whether an applicant falls under Category 1 or Category 2 are different, the eligibility requirements for participation in the Section 5310 Program are the same.

Evaluation of Category 1 Section 5310 applications is done by BPT staff and evaluation of Category 2 Section 5310 applications is done by BPT staff along with input on the development of the program of projects from the Department of Aging, shared-ride transportation providers, and Rural and Metropolitan Planning Organizations. The evaluation of Category 1 and Category 2 Section 5310 applications is based on the following criteria. Those applicants who show the greatest justification on these points may be funded:

- Eligible applicant and eligible project type
- Project need and justification
- Positive Mobility Improvements

- Local and Regional Coordination
- Technical and maintenance capability to provide transportation
- Organizational, financial, and grant administration capacity
- Matching Funds

New applicants may apply for Category 2 eligible projects. PennDOT requires all new applicants to attend an introductory training conducted by BPT staff. The training includes state and federal requirements of all Section 5310 subrecipients. The training allows PennDOT to assess the technical and financial capacity of the new applicant. If the new applicant is deemed compliant, PennDOT will add their application into the pool of eligible projects for the annual granting cycle.

In addition, PennDOT requires each Rural and Metropolitan Planning Organization within Pennsylvania to develop and adopt a local coordinated public transit-human services transportation plan. PennDOT requires all planning organizations to certify that the local coordinated plan was developed and approved in cooperation with transportation providers and stakeholders, including individuals with disabilities and seniors utilizing transportation services.

Funds for the Section 5310 Program are available for capital and operating expenses to support the provision of transportation services to meet the needs of seniors and persons with disabilities.

The following types of expenses are eligible:

- Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs
- Extended warranties that do not exceed the industry standard
- Radios and communication equipment
- Wheelchair lifts, restraints, and ramps
- Purchase and installation of benches, shelters, and other passenger amenities
- Lease of equipment when a lease is more cost effective than a purchase
- Acquisition of transportation services under a contract, lease, or other arrangement
- Vehicle rehabilitation or overhaul
- Computer hardware/software
- Dispatch systems
- Fare collection systems
- Transit-related intelligent transportation systems (ITS)
- Preventive maintenance
- Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation
- Capital activities to support ADA complementary paratransit service

Under the FAST Act and BIL, Section 5310 Program funds are available for expenses other than the above capital expenses traditionally funded by the program. Up to forty-five (45%) percent of a rural, small urbanized or large urbanized area's annual apportionment may be utilized for the following other expenses:

- Public transportation projects (capital only) 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 (capital and operating) that exceed the requirements of 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.
- Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

### 5311

On an annual basis, BPT distributes instructions via email to all past subrecipients, detailing both changes from the previous year and how to access applications for funding through PennDOT's electronic grants management system.

BPT does not apportion 5311 funds based on geographic areas. Rather, BPT uses two separate methods of project selection. The first method is to continue funding projects for those subrecipients that receive state operating assistance from Act 44 of 2007. The second method involves responding to locally initiated requests for financial assistance. This includes operating assistance for demonstration or service expansion projects, capital grants, and technical studies, which are all awarded on a discretionary basis.

Factors determining grant awards for operating, capital and technical assistance include:

- Need for services
- Evidence of support (including commitment of local matching funds) by local elected officials
- Evidence of coordination of existing transportation programs
- Availability of funds under other programs
- Evidence that the organization possesses adequate technical, administrative, and managerial personnel and skills to properly administer the program, sustain the operation, or maintain the capital investment
- Ability to comply with applicable state and federal regulations
- Social and economic benefits to residents of the non-urbanized area

Ensuring an organization's technical capacity to successfully manage a project is accomplished by several progressive steps: (a) documentation presented, (b) BPT experience with the subrecipient (either through rural or other BPT programs) relative to timeliness and accuracy of reporting, etc., (c) results of compliance reviews and follow-up, and (d) technical assistance including on-site technical assistance visits.



Any prospective rural project that meets the general public and local sponsorship program criteria will be considered for funding. In such cases, state Act 44 funds are used to supplement Federal funding during the demonstration period.

### Operating Assistance

All project applications and grant administration must follow the state fiscal year (July 1 - June 30). The following schedule is presented to illustrate the sequence of events that would occur for one funding cycle:

Fall – BPT budget request is submitted to the Governor’s Budget Office

Spring – Subrecipients submit detailed project applications to BPT, including a signed 5333(b) Labor Warranty Certification

July 1 – Funding eligibility becomes effective for the new state fiscal year

Following FTA approval of the program of projects and BPT approval of a project application, grant agreements are executed between BPT and each subrecipient. Every grant agreement includes an Exhibit A which details the federal funds awarded. Per 49 U.S.C. 5311(g)(2) the federal award does not exceed 50 percent of the net operating cost of the project application. The grant agreements include all applicable terms and conditions as required by FTA. Each project submits quarterly financial statements and reports of operations. PennDOT reviews the quarterly financial statements to determine the net operating expenses eligible for Section 5311 assistance. Then, if justified, PennDOT processes a payment to the subrecipient according to the Exhibit A. If the subrecipient does not justify the full payment listed in the Exhibit A, PennDOT processes a grant adjustment to reduce the federal funds and associated payments.

At the completion of each fiscal year, subrecipients are required to submit financial statements in accordance with BPT’s [Audit Requirements](#). The statements are reviewed by the BPT to assure compliance with federal and state requirements. A final reconciliation of payments vs. justified funding is completed and the project is then closed.

### Capital Assistance

Capital project funding is awarded and administered in accordance with FTA Circular 4220, as amended. Project justification, specifications, bidding, and procurement will be handled at the state level.

FTA will receive periodic progress reports for all active capital projects under the Section 5311 Program submitted not less than annually through the milestones reporting process. PennDOT will continue to monitor capital projects in the following manner:

- Require detailed application and PennDOT approval prior to grant agreement execution.
- Provide to all projects written guidance regarding procurement, maintenance and disposition procedures and related requirements.
- BPT staff conduct reviews of specifications, bids and quotes prior to acceptance.
- Subrecipients complete and submit to BPT vehicle inspection and acceptance forms prior to payment initiation.
- BPT staff compare invoices/reports of progress to project schedule.

- BPT staff conduct site visits.
- Meetings are held with subrecipients, designers and construction managers to review the status of capital projects
- BPT staff meet with subrecipients on a monthly basis to review the status of all their open capital projects.
- BPT construction managers conduct interim inspections of major projects and final inspections of major construction projects.
- BPT staff facilitate face-to-face meetings at the annual PPTA spring conference to review each subrecipient's capital program.
- PennDOT will attempt to resolve any appeals or disputes which arise because of PennDOT-approved procurement activities.
- Require all projects to be on the approved Statewide Transportation Improvement Program (STIP).

### 5339

Section 5339 is provided through formula allocations and competitive grants. PennDOT typically does not apply to FTA for any of the formula funds allocated within Pennsylvania. Designated recipients in large urban areas apply to FTA for their allocations. The remaining formula allocations to the State are made available to eligible subrecipients. If PennDOT decides to reallocate formula funds to a Section 5311 rural subrecipient, PennDOT will apply to FTA on their behalf. PennDOT enters into a grant agreement with that subrecipient after FTA awards the Section 5339 in TrAMS. PennDOT typically does not apply for any of the competitive grants under Section 5339.

Criteria for selection include a defined need for capital projects, high state and local priority, and availability of match. Criteria for bus or facility expansion are established in consultation with stakeholder advisory committees to meet statewide and local goals.

Vehicles proposed for replacement are evaluated based on the total vehicle condition using three criteria. Criteria assessed for total vehicle condition are age, mileage, and the physical condition of the vehicle.

Facility projects are evaluated for project feasibility including timeline, funding, area needs, improvement to Pennsylvania's transportation system efficiency and safety.

Projects within metropolitan boundaries must be included in the MPO TIP. Projects not within metropolitan planning boundaries are required only to be in the STIP. Each project in the TIP/STIP must include sufficient descriptive material to identify the project or phase of the project.

## **I. Intercity Bus Transportation – Section 5311**

Intercity Bus discretionary operating assistance is needed to maintain many intercity connections in rural locations throughout the state. The continuation of existing services that would otherwise be threatened with discontinuance, especially in areas with no other intercity bus service alternatives, are priorities of the intercity bus program. Proposals for new services would include testing new markets. Awards are made based on the service's importance in maintaining an essential network of intercity public transportation services throughout the Commonwealth.

PennDOT enters into a grant agreement with the Susquehanna Regional Transportation Authority (SRTA) who manages the oversight of intercity bus providers funded by Section 5311(f). All federal and state requirements flow down to SRTA.

When reporting revenue via electronic grants management system, financial statements, and/or other media, Intercity Bus subrecipients must report actual revenue per route and in aggregate.

PennDOT applies no less than 15% of its annual Section 5311 apportionment to Intercity Bus services, unless the Governor certifies that the state's intercity bus needs are adequately met. PennDOT must consult with intercity bus providers before the Governor makes this certification.

Typically, federal 5311(f) funding is disbursed based on the net operating deficit of the service, with no more than 50% of the deficit supported by federal funding. PennDOT may elect to implement in-kind local match procedures for some or all routes. Under an in-kind match arrangement, federal funding may cover up to 100% of a route's deficit. If the Department chooses to implement in-kind match procedures, it will do so in compliance with Section VIII of FTA C 9040.1G.

PennDOT is committed to oversight of the ICB program may oversee SRTA through the following mechanisms:

- Regularly scheduled monthly meetings with SRTA's ICB management employees
- Participation in the procurement process for purchase of transportation services
- Review of invoices prior to 5311(f) reimbursement
- Review of field observation reports, and regular and ad hoc compliance review reports conducted by SRTA on the carriers

## **J. Annual Program of Projects Development and Approval Process**

### **5310**

Our traditional subrecipients that fall under Category 1 (see section H) are required annually to complete their annual unconstrained capital plans prior to the beginning of the state fiscal year which begins on July 1. These capital plans which are included in the BPT's Capital Planning Tool (CPT) are reviewed at a statewide level, and projects that are eligible for 5310 funding are included in the draft 5310 Program of Projects (POP).

Our non-traditional private non-profit subrecipients that fall under Category 2 (see section H) currently apply for funding as part of our annual private non-profit application which is usually available sometime in the summer through our SharePoint site. These applications are reviewed based on specific criteria, and eligible 5310 projects are then included in the draft POP. The draft POP is then reviewed to ensure that funding is included in the correct urbanized areas (UZA's) where the funding is apportioned.

After the final POP has been developed, PennDOT applies to FTA for the funding in TrAMS as part of the 5310 grant submission process. This submission is based on the needs of the county coordinators of shared-ride service and the recommendations of BPT staff along with input from the Office of Aging and Rural and Metropolitan Planning Organizations for private non-profit transportation providers. Approval from FTA is received, along with contracts for PennDOT execution, and funds are distributed to subrecipients.

### **5311**

Applications for Section 5311 operating assistance are due from prospective subrecipients in the spring for funding in the following state fiscal year, which begins on July 1. For capital assistance, 5311 Rural subrecipients are required annually to complete their annual unconstrained capital plans prior to the beginning of the state fiscal year which begins on July 1. These capital plans, which are included in the BPT's Capital Planning Tool (CPT), are reviewed at a statewide level, and projects that are eligible for 5311 funding are included in the draft 5311 Program of Projects (POP).

The state's Section 5311 Final Program of Projects for each state fiscal year is submitted to FTA once all requests for funding have been reviewed and projects have been approved. This submission is based on PennDOT estimates of funding needed for known or potential applicants and reflects appropriate adjustments of previous funding levels. Also included are requests for state administration, Rural Transit Assistance Program (RTAP), and miscellaneous item funding.

After the federal funds are awarded by FTA, State grant applications are completed. BPT reviews applications for completeness and accuracy. If any documentation is incomplete or inaccurate, BPT contacts the applicant and returns the application for modification. For complete applications, which have been approved by the Division Chief and Bureau Director, BPT staff prepare and send to the applicant an approval letter and grant agreement. BPT uses an electronic signature in conjunction with its electronic grants management system. All required signatures are obtained using this process. Once all signatures are obtained, the grant agreement is awarded. Monthly

payments are made in conjunction with the submittal of quarterly progress reports. As described in Section H, the quarterly progress reports ensure federal funds are appropriately disbursed to fund up to 50% of net operating cost.

### 5339

The Buses and Bus Facilities program (49 U.S.C. 5339) makes funding available to States and designated recipients. Funding is provided through formula allocations and competitive grants. Designated recipients in large urban areas apply to FTA for their allocations. The remaining apportionments to the State are made available to eligible subrecipients. PennDOT typically does not apply to FTA for any of the formula funds allocated within Pennsylvania. Based on need, PennDOT reallocates the Section 5339 funds to designated recipients who apply directly to FTA. In the rare case that PennDOT chooses to reallocate funds to a rural subrecipient, PennDOT will apply to FTA and enter into a grant agreement with that rural subrecipient through BPT's electronic grants management system. All Section 5339 requirements pass-through to the subrecipient.

## **K. Funds Transfers**

Since all available Section 5310, 5311, and 5339 funds are committed on an annual basis, no formal procedures exist to affect transfers of funds among other FTA program areas. When the opportunity arises, transfers will be made in accordance with FTA regulations.

## **L. State Administration and Technical Assistance**

BPT has not recently used Section 5310, 5311, or 5339, funds for administration. However, BPT supports training to develop knowledgeable transit management staff and improve the effectiveness of transit operations in a variety of areas including funding, vehicle and equipment procurement, vehicle maintenance, and training programs. Technical assistance offered directly by BPT includes consultation with subrecipients on their regulatory obligations, both state and federal, on fiscal management of their programs, and on other issues as needed.

## **M. State RTAP**

The Pennsylvania Transportation Resource and Information Network (PennTRAIN) was established in 1989 as part of the Pennsylvania Rural Transportation Assistance Program (RTAP) and is administered by the Pennsylvania Public Transportation Association (PPTA). The PennTRAIN program enables BPT to provide technical assistance, high quality training, and other support activities to transit operations and services in Pennsylvania's rural areas. PennTRAIN does not have any local match requirements. Intercity Bus subrecipients are also eligible to receive training under RTAP.

## **N. Private Sector Participation**

By federal statute, the public is required to be involved in the transportation planning process. Specifically, private providers must be consulted in developing transportation plans and programs in both urbanized and rural areas. To this end, Metropolitan and Rural Planning Organizations are strongly encouraged to establish a local Transportation Advisory Committee (TAC) with private provider participation that would afford an opportunity to these providers for input into plan and project development. Planning organizations must encourage every possible transportation provider, including private-for-profit providers, to participate in the project. It is the goal of the Section 5310, 5339, and 5316 programs to promote greater reliance on the private sector in the provision of transportation services where those services can be provided more efficiently by the private sector.

As a basic requirement of every 5311 application, prospective subrecipients must address how private enterprise has been involved in the grant application process. This information must include such items as private operators who are subcontracted to the subrecipient as service providers, public meetings during which input from private entities and individuals was solicited as part of the planning process for the service, and methods of review concerning whether the service could be more efficiently provided by the private sector.

## O. Civil Rights

BPT details how it meets Federal Civil Rights requirements in the approved Title VI and DBE plans. As part of annual grant applications, BPT requires that each prospective subrecipient assure its compliance to Civil Rights requirements. BPT ensures subrecipient compliance with Civil Rights through the compliance review process (see *Section U - State Program Management*). Title VI, DBE and EEO are reviewed at least once every three years.

### Title VI

Title VI of the Civil Rights Act of 1964 requires that the direct grant recipients and sub recipients provide all services and benefits without regard to race, color or national origin. PennDOT has a current Title VI Nondiscrimination Plan on file with the Federal Transit Administration (FTA). This document outlines and describes efforts taken and adhered to by BPT to comply with the requirements of the federal nondiscrimination legislation. A copy of the PennDOT Title VI Policy for BPT is maintained by the PennDOT Bureau of Equal Opportunity.

PennDOT reviews and approves subrecipient Title VI Programs every three years, prior to expiration. The Bureau of Public Transportation is responsible for reviewing Section 5310 and 5311 subrecipients. The Bureau of Equal Opportunity is responsible for reviewing MPO and RPO subrecipients. Both Bureaus coordinate on an as-needed basis and retain copies of approved plans. PennDOT provides one-on-one technical assistance regarding funding applications and compliance to subrecipients that provide services to minorities and low-income persons.

### Equal Employment Opportunity

It is the policy of PennDOT to ensure that all subrecipients of FTA funds and their subcontractors do not discriminate against applicants and employees on the basis of race, color, religious creed, ancestry, national origin, age, sex, sexual orientation, or disability. PennDOT does not exceed the threshold that would require an FTA EEO plan.

### Disadvantaged Business Enterprise

PennDOT has established a Disadvantaged Business Enterprise Program in accordance with 49 CFR part 26. PennDOT receives federal financial assistance from FTA, and as a condition of receiving this assistance, PennDOT has signed an assurance that it will comply with 49 CFR part 26. This assurance is included in PennDOT's DBE Program document, submitted to FTA in December of 2015. PennDOT's DBE program is maintained by the Bureau of Equal Opportunity (BEO).

Every year BPT submits to BEO an estimate of how much federal funding should be expended for BEO to determine PennDOT's overall goal for contracting opportunities with DBEs during the upcoming fiscal year. BPT annually reviews the overall goal for DBE participation. BPT makes every effort to meet this goal and requires subrecipients to do likewise or demonstrate a good faith effort to do so. To encourage the use of DBEs, each subrecipient is provided with the Pennsylvania Unified Certification Program (PAUCP) website address that identifies the Commonwealth-certified DBE's and their various products and services.



## **P. Asset Management (only applicable to 5310 and 5311 - Asset Management for other programs is covered under Section U)**

### **Maintenance**

Each Section 5310 and 5311 subrecipient is required to establish and adhere to a preventive maintenance program covering all assets financed with federal funds. Preventive maintenance schedules are submitted in the application and monitored for adherence during compliance reviews (see *Section U - State Program Management*). Detailed vehicle inventories for our traditional transit agencies are maintained in PennDOT's Capital Planning Tool. An exception to this practice is the vehicle inventory for non-traditional private non-profit 5310 subrecipients maintained in a BPT Access database.

During compliance reviews BPT reviews a random sample of a subrecipient's vehicle preventative maintenance records for the preceding 12 months. The records are compared to the subrecipient's approved maintenance plan and held to an on-time performance of no later than 10%. ADA accessible vehicles and equipment are reviewed using the same procedure as vehicle preventative maintenance.

BPT will examine the subrecipient maintenance plan to ensure that all other federally funded assets are identified. Maintenance must be performed as described in the subrecipient's maintenance plan.

Subrecipients found to be non-compliant are required to submit a corrective action plan to BPT addressing resolution and prevention of future maintenance deficiencies. When BPT has determined the corrective action has rectified the finding, it is closed. If the subrecipient continues to be non-compliant, BPT may impose actions to restrict future funding.

### **Transit Asset Management (TAM) Plan**

The National Transit Asset Management System Final Rule (49 U.S.C. 625) requires that all agencies receiving federal financial assistance under 49 U.S.C. Chapter 53 and own, operate, or manage capital assets used in the provision of public transportation must follow a TAM plan. Agencies are required to fulfill this requirement through an individual or group plan. TAM plans are required to undergo a major update every four years.

PennDOT finalized their first major update to the Pennsylvania Transit Asset Management Group Plan in September 2022. The next update to the plan will be completed prior to October 2026. The current plan can be accessed [here](#) on BPT's website.

PennDOT will annually revisit performance targets and measure performance against those targets in line with the TAM Plan. PennDOT will coordinate with transit agencies that are part of the group plan. Those agencies must then notify their respective planning partners of their annual performance and new performance targets.



## **Q. Charter Rule**

### **5310 and 5316**

PennDOT has adopted a policy that strictly prohibits charter service using vehicles funded with Section 5310 and 5316 funding. To further ensure compliance with this policy, the 5310 oversight program has been expanded to include charter bus compliance during site visits.

### **5311**

FTA's charter regulations, as outlined in 49 CFR part 604, are the governing regulations for establishing a subrecipient's ability to provide charter service. PennDOT requires all 5311 subrecipients to certify its compliance to this regulation through the annual FTA Certifications and Assurances. PennDOT ensures subrecipient's compliance to this regulation through its compliance review process. Additionally, PennDOT requires subrecipients to submit the "FTA Charter Service Quarterly Exceptions Report." Any charter service provided under one of the FTA defined exceptions is reviewed by BPT staff to ensure the service qualifies as an exception. When charter service is provided under one or more of the exceptions under this regulation, the subrecipient is required to maintain notices and records in an electronic format for a period of at least three years from the date of service. This documentation is reviewed during compliance reviews.

## **R. General Description of Civil Rights Laws and Compliance Requirements**

BPT is responsible for ensuring that Section 5310, 5311, and 5339 subrecipients follow all Civil Rights requirements applicable to transit-related projects. Specific Civil Rights requirements are outlined in 49 U.S.C. 5332 of the Federal Transit Act, as amended, Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity (EEO), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and Disadvantaged Business Enterprise (DBE) program requirements. PennDOT ensures subrecipient compliance through regular compliance reviews, which are comprehensive reviews regarding all areas of civil rights and other federal requirements. Deficiencies are remedied through corrective actions. See *Section U - State Program Management*.

## S. Program Measures

### 5310

The following program measures will be collected for traditional Section 5310 Projects:

1. Gaps in Service Filled. The annual Vehicle Report, which is completed by each subrecipient, requires the subrecipient to provide to BPT the annual number of clients who were eligible to receive transportation services. An aggregate number can then be reported to FTA.
2. Ridership. The estimated annual total of one-way passenger trips provided by all Section 5310 funded vehicles is now provided by each subrecipient on their annual Vehicle Report which is submitted to BPT. An aggregate number can then be reported to FTA.

PennDOT will collect the following program measures for recipients of Section 5310 funds for other projects:

1. Service Improvements: Related to geographic coverage, service quality, and/or service times that impact availability of transportation services for seniors and individuals with disabilities because of other Section 5310 projects implemented in the current reporting year.
2. Physical Improvements: Additions or changes to environmental infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for seniors and individuals with disabilities because of other section 5310 projects implemented in the current reporting year.
3. Ridership: Actual or estimated number of rides (as measured by one-way trips) provided annually for seniors or individuals with disabilities on Section 5310 supported vehicles and services because of other Section 5310 projects implemented in the current reporting year.

## **T. NTD Reporting (only applicable to 5310, 5311, and 5339)**

### **5310**

National Transit Database (NTD) considers 5310 subrecipients to be asset-only reporters. BPT uses its Capital Planning Tool and agency information requests to compile all necessary asset information before submitting through NTD online reporting system.

### **5311**

As mandated by 49 U.S.C. 5335 (b), BPT collects and reports data elements to NTD annually. BPT compiles all necessary financial and statistical information from its electronic grants management system reporting system as well as agency inquiries as necessary. BPT inputs the data on NTD's reporting website. After reviewing all information, BPT submits the report to NTD via their reporting website.

### **5339**

Subrecipients who receive financial assistance through 5339 are required to submit annual data to the NTD as a condition of grant award. Specific reporting requirements are included in the NTD reporting instructions manual issued each year. BPT is responsible for collecting and compiling data and reporting them to the NTD. BPT uses the Capital Planning Tool to meet NTD reporting requirements.

## **U. State Program Management**

### **Procurement/Construction Management**

A sample of procurements which are undertaken by Section 5310, 5311, and 5339 subrecipients are reviewed by BPT staff for compliance with applicable federal and state regulations. This review includes adherence to competitive bid requirements, specification content and bid solicitation procedures, bid evaluation and award process, DBE requirements, and Buy America requirements. Subrecipients are required to have written procurement policies which comply with applicable federal, state, and local laws and regulations.

Before proposing capital projects for fixed facilities, the subrecipient must justify the need for the project in a Facility Planning Study, and the proposed project cannot entail significant impacts on the environment. Either BPT through our open-end contracts or the subrecipient will arrange a Class III Environmental Assessment to determine the appropriate environmental document required in accordance with FTA/FHWA environmental regulations (23 CFR part 771). In addition, an independent appraisal and appraisal review must be performed to determine the fair market value of any land to be purchased as part of the project.

All approved projects seeking to construct or renovate facilities are required to prepare a Request for Proposal (RFP) for the required engineering and architectural services. BPT through our open-end contracts provides the necessary technical assistance to prepare the RFP, which includes federal clauses and certifications. Projects are required to follow a standard procedure for evaluating proposals and must submit their recommendation for contract or selection to BPT for approval.

Final design concepts, drawings, specifications, and bidding results are reviewed and approved by the BPT's staff. For construction projects, subrecipients are required to provide professional oversight of the project through such means as hiring a construction manager (CM) or using one that is part of BPT's open-end CM contracts to oversee and certify that all work is being done according to specifications and contracts. In addition, BPT program staff monitor construction activities by attending project meetings and making site visits.

Projects are required to submit program invoices with all necessary backup vendor/contractor billing data in support of payments of project expenses as they are incurred.

### **Small Transit Vehicle Statewide Contracts**

Subrecipients that have been awarded 5310 funding procure their accessible vehicles from a statewide contract. The contract is competitively bid and includes all required federal procurement requirements. These contracts were developed to ensure full and open competition, term limits, and prohibition against geographic preference.

## Financial Management/Accounting System/Audit and Closeouts

BPT has procedures in place to ensure that subrecipients have the fiscal capability to carry out the Section 5310, 5311, 5339, and 5316 programs and receive and disburse federal funds. BPT also requires applicants for federal funding to indicate the sources and amounts of their local match.

BPT has appropriate procedures in place for requesting and disbursing Section 5310, 5311, 5339, and 5316 funds. Subrecipients send payment requests to BPT. BPT reviews the payment requests and sends them to the Comptroller's Office. The Comptroller's Office enters the payment requests into the SAP accounting system and, within a few weeks, pays the payment requests with state funds. Approximately once a month the Comptroller's Office prints a report of accumulated costs and prepares an ECHO request for federal funds. The federal funds then replace the appropriate portion of state funds that have already been paid to the subrecipient.

PennDOT's fiscal management system, SAP, enables BPT to track grant balances accurately. BPT reconciles SAP before and after each ECHO drawdown, so there are no discrepancies in BPT's records.

Subrecipients are responsible for ensuring that audits are performed pursuant to the requirements as implemented in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200). BPT also initiates program of projects closeouts with FTA within 90 days after all work activities for a program of projects have been completed.

## Vehicle Use

Vehicles purchased with Section 5310, 5311, 5339, and 5316 funds must be maintained and used for the intended purpose under which they are purchased. Method for compliance is part of the BPT on-site compliance review. Maximum use of vehicles is encouraged, first for program related purposes, then other federal programs and project purposes. BPT is responsible for ensuring that the subrecipient maintains satisfactory continuing control over vehicles and that the vehicles are being utilized for eligible public transit purposes. Federally funded vehicles are expected to meet their estimated useful life as outlined in BPT's [Estimated Service Life for Capital Items](#) policy. If any vehicles are to be removed from service prior to the end of their useful life, the subrecipient must notify BPT prior to doing so.

BPT will maintain an inventory list of all vehicles purchased under federal programs. BPT will require all 5310 and 5316 subrecipients to submit annual vehicle use reports to ensure that vehicles are used in accordance with program requirements.

## Maintenance and Disposition

BPT requires all subrecipients to have preventative maintenance plans for all state and federally funded assets. As part of the monitoring process, BPT is dedicated to ensuring subrecipient's compliance with preventative maintenance policies. Subrecipients are required to follow BPT's disposition procedures when disposing of any state or federally funded vehicles. BPT's disposition procedures can be found [here](#).

## Compliance Reviews

BPT performs compliance reviews for its 5310 and 5311 subrecipients. Each July (with the change in the state fiscal year), the Compliance, Performance and Safety Division confirms with the Operating and Project Delivery Divisions which subrecipients have unspent federal funds and which subrecipients are expected to receive federal funds. Should any subrecipient(s) be identified, which have or will be awarded new funds, of which they have not received the applicable oversight, the Compliance, Performance, and Safety Division will include such subrecipient(s) in its program of Sections 5310 and/or 5311 Compliance Reviews.

BPT's compliance review process is modeled after FTA's Triennial Review process. Questions and document requests are derived from FTA's Contractor's Manual. Annually, BPT staff from the Performance, Compliance, and Safety Division review the most recently published Contractor's Manual for changes to be incorporated into BPT's Microsoft Excel questionnaire. The questionnaire is completed by every subrecipient receiving reviews and submitted with relevant documentation prior to the agency visit. The questionnaire serves as a guide to ensure all the important facets of each project are addressed during compliance reviews.

BPT conducts reviews of all applicable areas based on funding types for each agency every three years. All documents are kept on file electronically for three years. If a subrecipient is deficient or non-compliant in any review area, the agency is notified through a follow-up letter and corrective action is required. A close-out letter will be issued when all review areas are deemed compliant with FTA regulations.

## Program Specific Subrecipient Monitoring

### 5310

Section 5310 subrecipients must annually perform an inventory on all Federal Section 5310 non-expendable property and report to BPT on their findings. The report to BPT must certify the existence, current use, and continued need for all equipment purchased with Section 5310 funds. Information must also be given on the number of one-way passenger trips provided and the number of clients that were eligible to receive transportation services. Also, all shared-ride coordinators that receive capital equipment funded through the 5310 Program must update their current inventory data annually in BPT's asset management tool, known as the Capital Planning Tool. Additionally, BPT requires Section 5310 subrecipients to annually submit a Civil Rights Report, which documents any civil rights complaints, lawsuits, or compliance review activities, and an Equal Employment Opportunity Certification. Finally, another annual submission required by BPT is the Preventative Maintenance (PM) Report. The PM Report contains information on recent preventative maintenance performed on all 5310 vehicles currently in its subrecipients' fleets. This information will be analyzed by BPT for soundness and used as a factor in prioritizing site visits.

### 5339

Once approved by FTA, successful applicants enter into a standard agreement with PennDOT. The agreement remains in effect until the project's useful life is met. Applicants are responsible for the proper use, operating costs, and maintenance of all project equipment. Applicants must be prepared

to meet all federal, state and local requirements. It is BPT's goal to conduct compliance reviews of 5339 subrecipients at least once every three years to ensure all requirements are being met. If a subrecipient is deficient or non-compliant in any review area, the agency is notified through a follow-up letter and corrective action is required.

## 5316

BPT's Section 5316 subrecipients of capital assets are also direct recipients of Section 5307 funds who report their compliance with FTA asset management requirements through Triennial Reviews. BPT requires annual reports from the subrecipients for assets with remaining useful life which include asset condition, mileage, and service status. Section 5316 funds are no longer awarded to subrecipients for operating expenses.

### State Reporting Requirements

BPT requires that recipients of state Act 44 operating assistance funding report statistical and financial data quarterly through PennDOT's electronic grants management system. This report covers all financial and operating data and serves as a snapshot of the system's performance for that segment of the fiscal year. Subrecipients may allocate costs between programs by following NTD and BPT allocation guidance. Revenues must be directly applied to the program and service from which they were earned whenever possible. This includes the requirement that intercity bus subrecipients directly apply fare revenues by route.

BPT also requires that state Act 44 operating recipients submit annual "Consolidated Operating Legacy Budgets". The legacy budget report covers all relevant operating and financial data from the previous fiscal year. Subrecipients are required to update this report to reflect audited information as it becomes available.

In addition to annual legacy budgets and quarterly progress reports, BPT conducts performance reviews of all fixed route transit agencies in Pennsylvania every five years. The purpose of the review is to assess performance and make transit agencies aware of improvement opportunities. The transit review process is an extensive, short-duration effort intended to assess a transit system's efficiency, effectiveness, and best practices. Performance targets are established as part of the review and then reevaluated five years after the review.



## **V. Other Provisions**

### **Section 5333 B**

Section 5311 subrecipients certify to the BPT every fiscal year that they will adhere to the requirements of the Section 5333(b) Warranty. BPT keeps this information on file for at least the life of the grant.

### **Environmental Protection**

Each capital project receiving Federal 5311 funding must comply with the joint FHWA/FTA guidelines on protection of the environment titled “Environmental Impact and Related Procedures” (23 CFR part 771). Most capital projects funded under Section 5311 will be classified as categorical exclusions (CEs). Larger construction projects or projects in sensitive areas may require the preparation of an environmental assessment (EA).

### **Buy America Provisions**

As a part of any applicable capital purchase, subrecipients using the BPT competitive bid packages certify adherence to the required provisions through a signed certificate included in the package.

### **Pre-Award and Post Delivery Reviews**

As a part of acquiring any capital purchase, subrecipients using the BPT competitive bid packages certify their performance of the reviews through signed certificates included in the package. The signed certificate is returned to BPT through electronic grants management system.

### **Prohibition of Exclusive School Transportation**

PennDOT ensures 5311 subrecipients do not provide exclusive school bus transportation through its compliance reviews. Subrecipients are also advised to contact their BPT contact before beginning any service that may conflict with school bus regulations.

### **Drug and Alcohol Testing**

All 5311 subrecipients are required to have a Drug and Alcohol Policy as required by 49 CFR part 655 and are required to randomly test safety sensitive employees for drugs and alcohol. BPT reviews each subrecipient through the compliance review process. Section 5310 and 5316 are exempt from FTA Drug and Alcohol regulations.

### **State’s Procedures for Monitoring Compliance by Subrecipients**

It is BPT’s goal to conduct onsite compliance reviews for federal subrecipients on a consistent basis. More information on the monitoring process can be found in this document in Section U, State Program Management.

# **Appendix A – Bureau of Public Transportation Organizational Chart**

## Appendix A

### Bureau of Public Transportation

