

STATE OF NEVADA

STATE MANAGEMENT PLAN

**FEDERAL TRANSIT ADMINISTRATION
PROGRAMS FOR**

**5303, 5304, 5307, 5309, 5310, 5316 and 5317
RURAL AND SMALL URBAN AREAS OF NEVADA**

(JULY 2008)

NEVADA DEPARTMENT OF TRANSPORTATION

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CHAPTER I INTRODUCTION

Nevada is divided into three types of areas: rural, small urban (population under 50,000) and large urban/metropolitan (population over 50,000). The term "small urban and rural" is synonymous with "nonurbanized area" and will be used throughout this Plan.

Dispersed populations and vast distances between communities characterize rural areas in Nevada. The quality of available and affordable transportation directly impacts the quality of life for all residents. Small urban areas usually contain basic services. Transit systems serving these areas are generally "demand response"/deviated fixed route that provide services to the elderly, persons with disabilities and the general public.

The 2000 Census found that Nevada has one (1) metropolitan area with a population of over 50,000 (Carson City), one (1) metropolitan area with a population of less than 50,000 (Lake Tahoe) and (2) two metropolitan areas over 200,000 (Las Vegas and Reno). The large urban/metropolitan areas have access to all basic and specialized services and are able to support both a public fixed-route system and an "demand response" system for persons with disabilities. The small urban and rural areas have limited services and usually cannot support both a fixed-route and demand response system.

ROLE OF NDOT

The Governor has designated the Nevada Department of Transportation (NDOT) to administer the small urban and rural FTA programs. The Regional Transportation Commissions (RTC) of Clark and Washoe Counties are the designated administrators of FTA urbanized funds. NDOT administers 5303 planning monies for all urbanized areas in Nevada.

STATE MANAGEMENT PLAN

This 5303, 5304, 5307, 5309, 5310, 5316, and 5317 State Management Plan describes how the NDOT and the sub recipients will administer and manage these FTA programs. This plan describes each of the FTA programs listed above, provides guidelines and requirements for complying with each program, and explains such procedures as project selection, vehicle procurement and reporting requirements.

CHAPTER II

OVERVIEW OF FTA PROGRAMS

SECTION 5303 MPO Planning

Section 5303 funds are used for planning activities in the metropolitan areas of the State. Funds are distributed using a formula that sets aside a specific “base” amount for each metropolitan area. The funds are allocated by each metropolitan area’s percent of urbanized population. FTA funds are administered by the NDOT and passed through to the Metropolitan Planning Organizations (MPO), who must provide a twenty percent 20% local match.

SECTION 5304 Statewide Planning

These funds provide for the development of transportation plans and programs in the small urban and rural areas of the State. Planning activities are determined by the State and involve a twenty percent (20%) match which the state provides.

SECTION 5307 METROPOLITAN PLANNING

The Section 5307 funds provide public mass transportation for urbanized areas with a population over 50,000. Funds can be used for capital, planning and operating expenses. Recipients must provide a twenty percent (20%) local match for capital acquisitions/planning and fifty percent (50%) local match of operating expenses in areas between 50,000 and 200,000. Areas over 200,000 are not eligible for reimbursement. Section 5307 funds are administered by the MPO’s and through the Regional Transportation Commissions (RTC).

SECTION 5309 BUS AND BUS FACILITIES

These funds provide for the acquisition of buses and bus related facilities. Funding is allocated at the discretion of the Secretary; although Congress fully earmarks all available funding. Section 5309 funds for the small urban and rural areas and are administered through the NDOT, while grants for the urbanized areas may be administered through the NDOT or the MPOs and the RTCs. Recipients must provide a twenty percent (20%) local match of the capital acquisition.

SECTION 5310 ELDERLY AND PERSONS WITH DISABILITIES

Section 5310 funds are for special transportation needs of the elderly and persons with disabilities. Eligible recipients are private, non-profit corporations and associations. In certain areas public bodies may be approved by the state to coordinate/administer services for the elderly and persons with disabilities, which certify to the Governor that no non-profit corporations or associations are readily available. Funds are for capital expenses including the purchase of vehicles, vehicle rehabilitation, and the purchase of service contracts. The recipient must provide a twenty percent (20%) local match except where specified.

SECTION 5316 JOB ACCESS REVERSE COMMUTE (JARC)

These formula funds are to encourage the development of transportation services designed to transport welfare recipients and low-income individuals to and from jobs, and to develop transportation services for residents of urban centers and rural and suburban areas to employment opportunities. These funds can be used for capital and operating and all 5316 funds require a fifty percent (50%) local match.

SECTION 5317 NEW FREEDOM

The Section 5317 formula funds are to promote services and facility improvements to address the transportation needs of persons with disabilities that go beyond those required by the Americans with Disabilities Act. These funds can be used for capital and operating with flexible local match requirements.

CHAPTER III

CAPITAL AND EQUIPMENT

Capital expenses include the acquisition, construction and improvement of public transit equipment and purchase of service contracts. Eligible capital expenditures include but are not limited to:

- Rolling Stock
- Vehicle Rehabilitation/Maintenance
- Radios and communication equipment
- Operational support such as computer hardware or software
- Passenger Shelters

CAPITAL ACQUISITION

ROLLING STOCK

The basic types of rolling stock eligible for FTA funding are: mini and standard passenger vans and buses seating ten to forty passengers. The vehicles must comply with the Americans with Disabilities Act (ADA) unless alternative ADA services are readily available.

VEHICLE REHABILITATION

Transit vehicles purchased with FTA funds may be eligible for reimbursement for vehicle rehabilitation expenses with FTA funds. The request must be for repairs that are determined to be outside of general vehicle maintenance costs. The sub recipient is requested to submit at least three estimates for the repairs whenever possible. These requests are reviewed by the Transit Section of Intermodal Planning of the NDOT on a case-by-case basis.

EQUIPMENT

RADIOS AND COMMUNICATION EQUIPMENT

Mobile radios and base stations or cellular phones may be purchased with eligible capital FTA funds. Sub recipients are to follow the Capital Expense Reimbursement Request Manual available from the Transit Section of the NDOT.

COMPUTER HARDWARE/SOFTWARE

Computer hardware and software expenses may be available for FTA funds only if they relate directly to the transportation service. Requests for computer hardware/software must be approved by the Transit Section of the NDOT as stated in the Capital Expense Reimbursement Request Manual.

PASSENGER SHELTERS

Passenger shelters, bus stop signs, park and ride lots, and similar passenger amenities are eligible as capital expenses.

EQUIPMENT

The FTA allows states to use, manage, dispose and transfer equipment acquired under Section 5309, 5310 and 5316 in accordance with State laws and 49 CFR Part 19. A physical inventory of equipment and vehicles and their condition must be maintained by the sub recipient.

REPORTING MOTOR VEHICLE COLLISIONS

All motor vehicle collisions involving a vehicle funded with FTA funds and the NDOT as the lien holder of the title must be reported to the Transit Section of NDOT within 24 hours of the collision.

If a collision occurs that is investigated by law enforcement, the investigating officer will also send the insurance information and a description of damages or injuries to the Nevada Department of Motor Vehicles, Financial Responsibility Section.

If a collision occurs that is not investigated by law enforcement and the collision causes \$750 or more in damages or anyone is injured, you must also complete and send a Report of Accident, SR-1 Form (Appendix D) within ten (10) days to:

Nevada Department of Motor Vehicles
Central Services Division-Financial Responsibility Section
555 Wright Way
Carson City, Nevada 89711-0400

The SR-1 Form must be filed even if you are the only one involved in the collision.

VEHICLE DISPOSITION FROM COLLISION OR DAMAGE

The disposition of a vehicle before the end of its service life requires prior FTA approval per the FTA Master Agreement. The proceeds from the sale, insurance settlement or trade-in of the vehicle may be used to offset the cost of a replacement vehicle or put back into the program for future vehicle procurement.

VEHICLE USE

The NDOT expects all sub recipients to operate FTA funded vehicles in a manner that is consistent with:

- The State Management Plan,
- The Nevada Revised Statutes 484.011 through 484.999 (Traffic Laws),
- Any federal and state laws that pertain to commercial motor vehicles and commercial drivers licensing (CDL) requirements, and
- Any Transportation Services Authority (TSA) requirements.

Sub recipients may use FTA funded vehicles for meal delivery so long as the vehicle is not exclusively used for that purpose and the meal delivery does not displace their passenger transportation services.

VEHICLE DISPOSITION

The NDOT has adopted the FTA guidelines of the useful life of specified vehicles. The NDOT will release interest in a vehicle on the anniversary of the date the vehicle is placed in revenue service. The FTA guidelines for useful life are as follows:

Type of Vehicle	Useful Life
Minivans and Vans	4 years or 100,000 miles
Minibuses w/four wheels	5 years or 150,000 miles
Minibuses, cutaway style, dual rear wheels, wheelbase up to 158"	5 years or 150,000 miles
Minibuses, cutaway style, dual rear wheels, wheelbase 159"-181"	5 years or 150,000 miles
Buses, GVW 14,000-19,000 lbs.	8 years or 200,000 miles
Buses, GVW 19,001-27,000 lbs	9 years or 350,000 miles
Buses GVW greater than 27,000 lbs	12 years or 500,000 miles

SERVICE LIFE (USEFUL LIFE) POLICY

Service life of rolling stock begins on the date the vehicle is placed in revenue service and continues until it is removed from service. Minimum normal service lives for buses and vans are listed below.

- Large, heavy-duty transit buses (approximately 35' - 40', and articulated buses)
12 years or an accumulation of at least 500,000 miles
- Medium-size, heavy duty transit buses (approximately 30')
9 years or 350,000 miles
- Medium-size, medium-duty transit buses (approximately 30')
8 years or 200,000 miles
- Medium-size, light-duty transit buses (approximately 25' – 35')
5 years or 150,000 miles
- Other light-duty vehicles such as small buses and regular and specialized vans
4 years or 100,000 miles

CHAPTER IV

OPERATING

Net operating expenses, costs directly related to system operations, are those expenses that remain after the provider subtracts operating revenues from eligible operating expenses. Operating revenues include farebox revenue and pass revenue at a minimum. Listed below are examples of operating expenses:

- Fuel, oil and other vehicle fluids
- Replacement tires and replacement parts that do not meet the criteria for capital items
- Maintenance and repairs
- Driver's, mechanic's and dispatcher's salaries and fringe benefits
- Licenses
- Leased/rented maintenance and/or bus facility

MAINTENANCE

The NDOT requires sub recipients to have an up to date maintenance plan that outlines the maintenance philosophy of the organization and assigns responsibility for performing maintenance on all vehicles, real property, and equipment in the transit agency. This maintenance plan shall ensure that the maintenance recommendations of the manufacturer are met, maximum efficiency in performance and operation is obtained and maximum bus life and condition are maintained. It requires management, trainers, drivers, fuelers, and mechanics to be trained and accountable for specific roles. Good preventative maintenance results from all staff working together as a team.

GENERAL MAINTENANCE

General maintenance is defined as those repairs to vehicles that involve the replacement of minor components. Minor components include, but are not limited to: batteries, fuel pumps, water pumps, brake pads, windshield wiper blades, belts, filters and other parts valued under \$500.

REPORTING REQUIREMENTS

The NDOT may furnish sub recipients, upon request, a maintenance software program that provides a comprehensive framework of maintenance management responsibilities that include preventative maintenance, periodic inspections and record keeping. A sub recipient may use their own maintenance software program as long as it meets the minimum reporting requirements of the Agreement.

DRUG AND ALCOHOL TESTING

The NDOT has developed a Drug and Alcohol Testing Program as prescribed by FTA for safety-sensitive employees (drivers, dispatchers and maintenance mechanics) in the Section 5307 and 5309 programs. The NDOT has established a “Zero Tolerance” policy for drug and alcohol violations and will monitor all contractors/consultants to ensure and certify compliance to FTA as part of the annual certification.

The FTA 5307 and 5309 Program sub recipients must submit a copy of their organization’s Drug/Alcohol Testing Program to the NDOT to exhibit their acceptance of the Drug & Alcohol requirements. The Program must include a listing of key personnel/organizations responsible for implementing the program.

DRUG FREE WORK PLACE

All sub recipients are required to certify to the NDOT that they provide a Drug Free Workplace in accordance with the Drug Free Workplace Act of 1988.

COMMERCIAL DRIVER’S LICENSE

Drivers of vehicles designed to transport more than fifteen persons (including the driver) must have a Commercial Drivers License (CDL). Mechanics driving these vehicles must also have a CDL. Drivers can obtain a CDL at the Nevada Department of Motor Vehicles (DMV).

TRAINING

Rural Transit Assistance Program (RTAP) funding for training to nonurbanized area transit providers is available through the NDOT. The NDOT may also offer training sessions throughout the state which may include:

- ADA Passenger Techniques and Sensitivity (ADAPTS)
- Defensive Driving
- Air and Bloodborne Awareness
- Drug and Alcohol Abuse Prevention
- Customer Service
- Passenger Assistance Training (PASS)

ALTERNATIVE FUELS

The federal government encourages states to investigate using alternative fuels such as diesel, propane, compressed natural gas or electricity to propel motor vehicles.

RISK MANAGEMENT

FTA sub recipients in the nonurbanized areas are encouraged to have a Risk Management Plan. Risk Management includes the identification, measurement, and analysis of risks; the elimination or reduction of hazards; the assumption or insurance of the risk; and a loss-control program.

SAFETY JURISDICTION

Sub recipients are required to operate their service in a safe manner and prevent the development of conditions that "create a serious hazard of death or injury." The State's Monitoring Program includes safety compliance. If safety violations are found during the monitoring visit the sub recipient is given the opportunity to correct the situation. If a sub recipient fails to correct a safety violation, further financial assistance can be withheld.

SAFETY AND SECURITY

In light of the terrorist attack on September 11, 2001 and the resulting increase nationally in security concerns, the NDOT has recognized the need for increased security awareness, and the need to protect our facilities, equipment, and the transportation infrastructure from physical damage or from being rendered inoperable, as best we can.

The State of Nevada, in accordance with Nevada Revised Statutes, Chapter 414 (NRS 414), is required to mitigate against, prepare for, respond to, and recover from emergencies/disasters in order to provide assistance that saves lives and protects health, safety and property. These emergencies/disasters may range from a small, localized event to a large scale event which requires a presidential Declaration.

A disaster may severely damage the transportation infrastructure. The damage inflicted may influence the means and accessibility of relief services and supplies. NDOT is responsible for keeping State highways and roads repaired and open during a disaster and will assist in traffic control on these routes. This will normally be accomplished through the NDOT District Engineers and Managers at the Maintenance District level.

The Department of Homeland Security (DHS) issued Homeland Security Presidential Directive – 3: the Homeland Security Advisory System (HSAS). The HSAS provides five graduated threat conditions identified by both word and color, with appropriate security countermeasures for each threat level. Its implementation is mandatory for federal facilities and is strongly recommended for State, local and private facilities. The HSAS stated that it strongly appears to be in the Nation’s interest for State/State Department of Transportations to have a “parallel” system to reduce confusion and facilitate needed countermeasure implementation as appropriate during heightened security threat levels. Following the issuance of the HSAS Directive, the American Association of State Highway and Transportation Officials (AASHTO) established a Transportation Security Task Force which is requesting each State DOT to thoroughly evaluate existing security threat and countermeasures in place, documenting the State DOT’s security system, and providing guidelines to secure the nation’s highways and bridges.

The NDOT has developed a Facility and Transportation Infrastructure Security Plan to provide guidelines for security at our facilities. This plan addresses employee training in what to watch for and how to respond to a suspected security problem, the appropriate actions to take in regards to the security of the NDOT’s mobile fleet, and physical measures which can be taken to protect the NDOT facilities.

As stated in Chapter IV of this plan, the NDOT expects all sub-recipients to operate FTA grant funded vehicles in a manner that is consistent with any Transportation Services Authority (TSA) requirements. TSA advises transit providers to follow industry guidelines prohibiting

items such as firearms, ammunition, flammable materials, mace, knives, and explosives. They also produce a “Guide to Motorcoach Security” which provides general guidelines and tips. The TSA recommends that passengers consult with the transportation provider or operator for a prohibited items list, as it will vary by provider.

Additionally, many transit vehicles in rural areas of Nevada have installed security cameras and the NDOT has added cameras as an option for new vehicle orders. Some transit vehicles in Nevada have also installed lights on top of their vehicles that alert police if they are in distress. Within the urban areas of the state, the MPO’s are responsible for developing their own regional transit security strategies.

The RTC of Southern Nevada has adopted a Regional Transit Security Strategy that provides an optimal all-hazard approach, to preparedness, prevention, response, and recovery programs. The transit agencies in Southern Nevada focus their efforts on the prevention of an attack on the transit system.

The RTC of Washoe County considers security of the transportation system an important factor in the development of the objectives and policies for all modes of travel. RTC’s safety and security administrator regularly coordinates with the department of Homeland Security and other emergency preparedness and law enforcement agencies to manage security issues in the region, and to help prevent major disasters from occurring. They have a policy in place that states they will work with local, state, and nationwide law enforcement agencies to enhance the security of public transportation. They also have an extremely active security update program including the installation of surveillance cameras on buses, an automatic vehicle locator (AVL) program on all agency vehicles.

The Carson Area Metropolitan Planning Organization (CAMPO) has a goal to increase the security of all modes of the transportation system. They hope to install surveillance cameras and Global Positioning Systems on all of their transit busses. In general, CAMPO encourages the use of all technologies, tools, and strategies that have the potential to improve the security of the residents in the region and visitors.

In the Lake Tahoe Basin, all of BlueGO's vehicles are equipped with automated GPS vehicle location (AVL), mobile data terminals (MDT), and radio data and voice communication equipment. BlueGO's electronic systems team with the Intelligent Transportation System (ITS) is being implemented in the Basin.

CHAPTER V

PROGRAM ADMINISTRATION

The NDOT administers the FTA grants funds according to FTA rules and regulations. To accomplish this task, the NDOT can use up to ten percent (10%) of its apportioned Section 5310, 5316 and 5317 funds for State Administration.

STATE APPLICATION PROCESS FOR FEDERAL FUNDS

The NDOT completes a Transportation Electronic Award Management (TEAM) System grant application annually for each program. The application includes a program budget that describes the transit projects in the State Transportation Improvement Program (STIP). Certifications and Assurances are published on the TEAM website annually and require electronic signature by the NDOT front office and legal representation. The NDOT certifies, to the FTA annually, compliance with federal regulations in the areas of Civil Rights, the Americans with Disabilities Act and other regulations through the signing of the Certifications and Assurances. The Certifications and Assurances must be signed by the NDOT within ninety (90) days of being published in the Federal Register.

After the application is submitted by the NDOT, FTA is allowed ninety (90) days to review and comment before accepting the grant application.

PROGRAM BUDGET

The NDOT's annual Transit Budget is determined by available federal funds published in the Federal Register and the availability of local matching funds.

PROGRAM OF PROJECTS

The Program of Projects section of each FTA grant application includes all proposed projects for purchase of services under a contract for the elderly and persons with disabilities living in the small urban and rural areas of the state for the federal fiscal year. Each project is included in the STIP.

STATEWIDE MONITORING PROGRAM

The NDOT's Statewide Monitoring Program inspects the sub recipient's site and equipment for compliance. Monitoring is conducted by performing both office and field (on-site) environment reviews.

If the sub recipient is found to be out of compliance with federal/state regulations/procedures they are notified and corrective action is required. If the non-compliance issue is not rectified, Agreements could be terminated.

MONITORING OF SUB RECIPIENTS

The NDOT is responsible for ensuring that sub recipients of FTA funds comply with all applicable federal and state regulations and program requirements.

The NDOT has developed specific monitoring practices that provide for the comprehensive oversight of sub recipients and ensures compliance with all provisions relative to project administration, management and operations.

Federal requirements for Certifications and Assurances are provided to sub recipients through the application process. This signed application, with all attachments included, becomes part of the Agreement. Applications without the proper assurances are rejected. Compliance with Certifications and Assurances may be reviewed during on-site monitoring. Sub recipients that are found to be out of compliance with any provision will be subject to corrective action, specific sanctions or termination. The Certifications and Assurances must be attached to each application every year. All sub recipients will be monitored on site for general Agreement compliance at a minimum of every two years. Sub recipients with major management and oversight responsibilities, may be subject to an administrative/management review and a general compliance on-site review more frequently. All sub recipients subject to FTA Drug and Alcohol testing programs under 49 CFR Part 40 and 49 CFR Part 655 will be monitored on-site annually. The NDOT will also provide Management Information System (MIS) reporting oversight to sub recipients as required by the FTA Drug and Alcohol reporting process.

The NDOT will utilize the following monitoring methodologies to provide sub recipient oversight and ensure compliance with specific program requirements.

The Application/Agreement processes include ongoing review and monitoring of the required annual Certifications and Assurances and reporting requirements.

The NDOT staff or designees perform on-site and office monitoring reviews which often require standardized checklists to ensure that reviews are consistent with specific state and federal regulations and program requirements. On-site monitoring is scheduled on a calendar cycle but may occur at any time as deemed necessary by the NDOT. Monitoring reviews will be conducted in accordance with following guidelines:

Pre-Monitoring Review	Prior to Agreement Process
New Sub Recipient Review	Upon Execution of Agreement
General Compliance On-Site Monitoring	Every two years
Drug and Alcohol Review (on-site)	Every year
Drug and Alcohol Reporting (MIS)	Every year
Ridership/Maintenance Reports	Every month
Follow-up/Corrective Action Review	As Needed
Vehicle Inspection Review	Every two years
Special Monitoring	As Needed

GENERAL COMPLIANCE MONITORING

The monitoring of all sub recipients is conducted by the NDOT or its designees. The monitoring program utilizes worksheets that verify information about the sub recipient, such as contact name, address and location of the site. This identifies use and condition of vehicles being used in the program, and inquires about the sub recipient’s compliance with federal and state regulations and procedures. Areas covered by the monitoring program may include Administration and Management, Reporting Procedures, Facilities and Property Management, Personnel and Training, Operations and Service Provision, Fleet Characteristics, Maintenance, Safety, Budget, Cash Disbursement, Service Planning and Marketing, and Public Involvement.

SPECIAL MONITORING

The special monitoring of specific programs and activities required by federal and state regulations includes but is not limited to:

- Americans with Disabilities Act (ADA)
- FTA Drug Free Workplace Act (DFWA)
- FTA Drug and Alcohol Test Program
- Compliance with FTA Procurement Practices
- The requirements set forth in the State Management Plan and NDOT Agreements (e.g. Vehicle Maintenance Programs and Driver Training)

SERVICE MONITORING

The service monitoring system reviews and examines the maintenance of service standards. Customer complaints may be investigated during monitoring. The monitoring may review routes, schedules and customer satisfaction through surveys (i.e. good points, bad points, what needs improvement, etc).

PERFORMANCE MONITORING

The performance monitoring system reviews are to determine compliance with federal and state regulations and the sub recipient Agreements. Monitoring of budgets for planned vs. actual expenditures. Reports are reviewed for accuracy and timeliness.

GRANT MANAGEMENT

Sub recipients must follow FTA, State and NDOT regulations and policies. Sub recipients are required to keep separate files for transit projects and make them available for inspection at all times.

The NDOT has internal controls to ensure that Office of Management and Budget (OMB) Cost Principles are followed. Expenditures made by the sub recipient are reimbursable if they are contained within the appropriate Cost Principles OMB Circular and are:

- In conformance with the project description and project budget as well as other provisions of the sub recipient Agreement;
- Necessary to accomplish the project;
- A reasonable amount for the goods or services expended;
- The actual net cost;
- Incurred and performed within the Agreement timelines;
- Supported with invoices and proper documentation;
- OMB circulars are followed.

Sub recipients are required to maintain a written code or standard of conduct that governs the performance of its officers, employees, board members, or agents engaged in the award and administration of contracts supported by federal funds. It must ensure that no employee, officer, board member, or agent of the sub recipient will be directly involved in the selection, award, or administration of a contract supported by NDOT/FTA funds if a conflict of interest, real or apparent, would be involved. The code must ensure sub recipient's officers, employees, board members, or agents will not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to a sub agreement.

CHAPTER VI

FUNDING AND FINANCIAL MANAGEMENT

FUNDING

The State budget process includes two elements: funding allocation and state authority. The funding allocation or appropriation is the promise of reimbursement of expenditures received from outside sources such as FTA along with other revenue streams such as the gas tax.

Legislative Authority is what allows the NDOT to incur the costs. If the NDOT does not have the authority it does not matter who is willing to give the NDOT funds. The NDOT cannot incur the costs until they have been approved by the Legislature.

The NDOT applies to the FTA annually for funding based upon the applications for funds received. These FTA grants run on the federal fiscal year, October 1 thru September 30 and are eligible for the year of the award plus two or three years based on the FTA Section Program.

The Nevada Legislature meets every two years to approve State budgets. The State budget year runs from July 1 thru June 30. Authority approved for two years may not be approved for the third year.

FINANCIAL MANAGEMENT

PRE AGREEMENT VERIFICATION

Sub recipients apply to the NDOT for FTA Program funds. The sub recipient's application documents the source of local match funds, yearly budgets, signed Certifications and Assurances and other pertinent information for federal compliance. The NDOT may conduct an on-site visit to ensure the sub recipient's ability to manage the program successfully. Prior to the offer of an Agreement with the sub recipient, financial systems may be reviewed for compliance with the NDOT and federal requirements. When all assurances are met, the NDOT proceeds with the Agreement process with the sub recipient.

REIMBURSEMENT TO SUB RECIPIENTS

All costs must be in accordance with applicable OMB Circulars, such as A-122 and A-87. Sub recipients must submit their requests for reimbursements with clear, convincing and reliable documentation. If the request includes third party contributions, the contributions must be necessary to accomplish program activities and allowable if the sub recipient were required to pay for them. The sub recipient must show how it arrived at the valuation placed on third-party in-kind contributions. Program Income must be in accordance with the FTA Common Rule, 49 CFR Part 18.20. Invoices must have an invoice number, the name and address of the grantee, the NDOT Agreement number, all back up substantiating the request and an authorized signature. The invoice must clearly state the time period the reimbursement is being requested for. All requests for reimbursement should be submitted to the Transit Section of the NDOT within 30 days following the reimbursement period.

INITIATE DRAWDOWN

The NDOT may seek reimbursement monthly, from the ECHO FTA System, for funds reimbursed to the sub recipients. Grant balances are verified utilizing the Transit Section Grant Reconciliation Sheets prior to drawdown.

FINANCIAL STATUS REPORT

The Annual Program of Projects Report is due by October 31 each year. The state submits a report to the FTA for each active grant for the prior 12 month period ending September 30.

A financial status report (SF-269 and SF-269A) is required to be submitted to FTA at the end of each federal quarter to illustrate the financial status of grant funds. Reports are filed electronically through the Transportation Electronic Award Management (TEAM) online system. Funds are considered encumbered when agreements are signed with sub recipients.

AUDITS

Any sub recipient approved to receive FTA funds through the NDOT is subject to a pre-audit of their financial systems. This is done by the Internal Audit Division within the NDOT. The pre-audit may include review of the Internal Controls, Accounting System and the Payroll System. The Internal Audit Division of the NDOT conducts audits on sub recipient agreements upon completion of the agreement.

In addition, if the sub recipient receives more than \$500,000 in federal funds annually, a single audit or program specific audit by an outside auditor is required under Circular A-133.

CLOSEOUT OF GRANTS

The NDOT is required by the FTA to review all open grants and process closeouts when all monies have been expended, the grant is expired, or the project has been completed.

RECORD RETENTION

The NDOT and sub recipient financial records, supporting documentation and all other records pertinent to a grant must be retained for three years after an Internal Audit has been completed and submittal of the Final Financial Status Report to FTA by the NDOT.

CHAPTER VII

CONTRACTING AND PROCUREMENT

CONTRACTING

Prior to the NDOT entering into an Agreement using FTA funds, the grant must be executed with FTA and there must be budget authority. Types of NDOT Agreements:

- Grantee Agreement – for services and transit vehicles
- Independent Contractor Agreement – for technical assistance/training and procurement vendors
- Inter-local/Cooperative Agreement – for other governmental entities cooperating to provide transit services

DISADVANTAGED BUSINESS ENTERPRISES (DBE)

The NDOT's Contract Compliance office ensures that all certified DBEs have the maximum opportunity to participate in the performance of contracts, proposals, purchase orders, and subcontracts. The NDOT takes appropriate measures to ensure sub recipients, contractors, consultants, subcontractors, and vendors do not discriminate on the basis of race, color, creed, national origin, sex, disability, age, marital status or political beliefs.

PROCUREMENT

When procuring property, supplies, equipment or services under an FTA grant, NDOT follows, and requires its sub recipients to follow, the procedures listed below:

- (1) Use a written procurement procedure that reflects applicable state and local laws and regulations, and conforms to applicable Federal law.
- (2) Maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- (3) Assure to the FTA/NDOT that ethical conduct is maintained by adhering to the following requirements:
 - (a) Maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts.
 - (b) The officers, employees, or agents will neither solicit nor accept

gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub agreements.

- (c) A written policy exists that includes procedures for identifying and preventing real and apparent organizational conflicts of interests.
- (4) Provide for a review of proposed procurement to avoid purchase of unnecessary or duplicate equipment.
- (5) Make awards only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Considerations should be: contractor integrity, compliance with public policy, past performance, and financial and technical resources.
- (6) Maintain records sufficient to detail the completed procurement including the method of procurement, contract type, contractor selection or rejection, and the basis for the contract price.
- (7) Conduct procurement in a manner that prohibits the use of statutorily or administratively imposed in-state or local geographical preferences in the evaluation of bids or proposals. (The use of federal funds in procurements does not allow for in-state preferences.)
- (8) The NDOT maintains written procedures to handle and resolve protests relating to their procurement and shall, in all instances upon FTA request, disclose information regarding a protest to FTA. The sub recipient is also required to maintain written procedures for handling and resolving protests relating to procurement, and to notify NDOT of any such protests.
- (9) Currently, the NDOT does not allow FTA funds to be spent on construction projects, but if the state receives a FTA 5309 grant then NDOT would insert value-engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.

COMPETITION

All procurement transactions are conducted in a manner providing full and open competition when procuring goods or services. The NDOT and the sub recipient do not:

- place unreasonable requirements on firms in order for them to qualify to do business;

- require unnecessary experience and excessive bonding;
- use noncompetitive pricing practices between firms or between affiliated companies;
- give noncompetitive awards to professionals and other consultants that are on retainer contracts;
- specify "brand name" products instead of allowing "an equal" product to be offered;

BUY AMERICA

The Buy America regulation states that no FTA funds may be used to purchase vehicles unless all steel, iron and manufactured products used in building the vehicle are produced in the United States. In addition, components used in the vehicle that are produced in the United States must cost more than 60 percent of all components used in the vehicle, and final assembly must take place in the United States.

The NDOT and the State Department of Administration, State Purchasing Division work together to ensure that all new vehicles purchased comply with 49 U.S.C. 323(j), FTA regulations "Buy America Requirements", 49 C.F.R. Part 661, and any implementing guideline FTA may issue. Applicants for FTA funds must certify to the NDOT that they will abide by all applicable procurement requirements imposed by Federal law, executive order, or regulations including the Buy America requirements when purchasing equipment.

PRE-AWARD AND POST-DELIVERY REVIEW

Procurement for vehicles, other than sedans or unmodified vans, must be audited in accordance with FTA regulations, "Pre-Award and Post-Delivery Audits of Rolling Stock Purchases," 49 CFR Part 663. The NDOT conducts pre-award and post-delivery reviews to assure compliance with bid specifications, Buy America requirements, and Federal Motor Vehicle Safety Standards requirements. Since the State Purchasing Division orders the NDOT's transit vehicles, they have been given the task of ensuring bidders (vendors) abide by the pre-award and post-delivery regulations.

The State Purchasing Division is required to conduct a pre-award audit of the bid specifications and a pre-award Buy America audit of the bidders wishing to sell transit vehicles to the state. The State Purchasing Division encloses with the bids a packet of information explaining the FTA regulations and required FTA certifications. The bidder must submit a signed Buy America Certification with a list of proposed components, subcomponents and final assembly information; and signed Bus Testing Certification; Federal Motor Vehicle Safety Standard (FMVSS) certification; lower-tier FMVSS Certification, Debarment and Suspension, Lobbying Certification and Certification on Experience.

Upon vehicle delivery, the State Purchasing Division conducts a Post-delivery audit for Buy America and Federal Motor Vehicle Safety Standards. The State Purchasing Division certifies that Buy America regulations are still being met and the vendor has furnished the required Federal Motor Vehicle Safety Standards certification. If the vehicles do not meet Buy America and/or Federal Motor Vehicle Safety Standards, the vehicles are rejected.

The NDOT's tasks include developing vehicle specifications according to NDOT's process (see Vehicle and Procurement in this Chapter), in-plant inspections of vehicles when required, and conducting the post-delivery determination that the delivered vehicles meet the bid specifications and are free from defects. The NDOT inspects and road tests all delivered vehicles. If defects or specified equipment is missing from the vehicle, the NDOT works with the vendor to ensure the vehicle is fixed before it is delivered to the sub recipient.

NEW MODEL BUS TESTING

Any new bus model must be tested at the FTA-sponsored test facility in Altoona, Pennsylvania, before FTA funds can be expended to purchase them (49 CFR Part 665). This requirement applies to all buses and modified vans, but not to unmodified vans. A new model is defined as one that has not been used in mass transportation services in the United States before October 1, 1988, or that has been used in such service but which, after September 30, 1988, is being produced with a major change in configuration or components.

If a bidder proposes a vehicle requiring New Model Bus Testing, the bidder must ensure that the manufacturer has complied with the testing requirement by enclosing a copy of the bus testing report from the Altoona Bus Testing Center with the bid proposal. Before the NDOT can expend any FTA funds for a new model bus, the State Purchasing Division must certify that it has obtained the New Model Bus Testing report from the bidder.

VEHICLE AND EQUIPMENT PROCUREMENT

VEHICLE

The purchase of FTA funded vehicles starts with the sub recipient's application stating the size and type of vehicle needed and purpose. The NDOT reviews the vehicle application. A letter describing the vehicle to be ordered and an approximate delivery is sent to each sub recipient for signature agreeing to the vehicle with selected options. The NDOT develops the specifications for the requested vehicles and meets with the State Purchasing Division to order the vehicles.

The State Purchasing Division mails an Invitation to Bid (ITB) to all registered vehicle vendors. This ITB includes a packet describing the FTA procurement regulations, and the specification for and number of vehicles being ordered for the State Transit Program (see Pre-award/Post-delivery section of this Chapter). The bids are opened on a specific date and time, and the qualified low bidder(s) is awarded the contract. The State Purchasing Division assures the NDOT the accepted bid meets pre-award requirements and the vehicle consultant assures the NDOT the proposed vehicles meet the requested specifications.

Once the contract is awarded by the State Purchasing Division, the selected vendor(s) orders the requested vehicles from the manufacturer. If more than ten buses are ordered for one sub recipient, the NDOT or designee will visit the manufacturer of the buses during the construction of the vehicles. If the NDOT approves of the service provided by the vendor, the vendor can continue to provide vehicles for three additional years.

After the vendor has been selected, the NDOT's Equipment Division prepares a Purchase Order for each vehicle. The Purchase Order is forwarded to the State Purchasing Division who forwards it to the vendor so the vehicles may be ordered. The NDOT is given a copy of the Purchase Order, and notifies the sub recipient as to the required match for the vehicle (10 %). The vehicles are delivered to the NDOT's Equipment Division in Reno for inspection.

EQUIPMENT

A sub recipient must request approval from the NDOT for reimbursement of funds used to purchase office equipment such as computers, copiers or fax machines directly related to their transit service utilizing the Capital Request Form. The sub recipient will receive written approval/denial from the NDOT based on the availability of capital funds.

CHAPTER VIII

OTHER PROVISIONS

The following FTA provisions are required of the NDOT and all sub recipients.

CIVIL RIGHTS COMPLIANCE

Each sub recipient must certify to the NDOT in their grant application and the NDOT must certify to the FTA that civil rights compliance will be met, and the necessary reports provided. The NDOT and the sub recipients are responsible for compliance with all civil rights requirements applicable to transit related projects, including the non-discrimination prohibitions of 49 USC 5332 and of Title VI of the Civil Rights Act of 1964, as amended; the Equal Employment Opportunity (EEO) requirements; Disadvantaged Business Enterprise (DBE) program requirements; the federal protection for persons with disabilities of Section 504 of the Rehabilitation Act of 1973, as amended; and the Americans with Disabilities Act of 1990 (ADA), as amended.

NONDISCRIMINATION - 49 USC 5332

49 USC 5332 states: "a person may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from the FTA because of race, color, creed, national origin, sex, or age."

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

No person in the United States may use race, color, creed, age, sex or national origin as grounds to exclude another person from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.

The FTA specifies both general and program-specific requirements for Title VI compliance. The NDOT submits the following to the FTA:

- A concise description of any lawsuits/complaints alleging discrimination in service delivery filed against the NDOT/sub recipient within the past year together with a statement of status or outcome of each complaint or lawsuit; and
- A summary of all civil rights compliance review activities conducted in the last three years.

The sub recipient is required to submit to the NDOT a Title VI Civil Rights Act of 1964 Annual Report that includes information on any lawsuits/complaints of discrimination against the sub recipient/operator of service, and a summary of civil rights compliance review activities conducted that year.

The NDOT submits the following to meet the program specific requirements of the Title VI program:

- A description of the process the NDOT uses to develop the annual program of projects submitted to the FTA as part of its grant application to ensure fair and equitable distribution of funds to all including Native American tribes;
- A description of the NDOT's efforts to assist agencies in applying for the FTA funds, to include efforts made to assist minority applicants and Native American tribes;
- A description of the NDOT's criteria for selecting transit providers to participate in the program, that include sub recipients serving significant minority populations and Indian Reservations; and
- A description of the NDOT's ongoing process to monitor sub recipients' compliance with Title VI.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

The NDOT must assure to the FTA that all sub recipients are in compliance with FTA's Equal Employment Opportunity (EEO) objectives. The NDOT may require documentation from sub recipients to ensure that they do not discriminate in employment on the basis of race, color, creed, national origin, sex, age, or disability. (The Federal Highway Administration has been designated by the U.S. Department of Transportation to receive EEO programs.)

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAMS

A Disadvantaged Business Enterprise (DBE) is a small business concern which is at least 51 percent owned by one or more socially and economically-disadvantaged individuals, or in the case of any publicly-owned business, at least 51 percent of the stock is owned by one or more socially and economically-disadvantaged individuals, and whose management and daily business operations are controlled by one or more of the socially and economically-disadvantaged individuals who own it. Socially and economically-disadvantaged individuals are those citizens of the United States who are:

African Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Asian-Indian Americans, women, and other individuals found to be socially and economically-disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act.

The NDOT, through the Contract Compliance Division, takes the necessary steps to ensure that DBE firms have the maximum opportunity to compete for and perform contracts. The Contract Compliance Division, in cooperation with the Transit Section, informs sub recipients of their responsibility to make a reasonable effort to use DBE firms; provides information to the sub recipients about the availability of such firms; monitors the sub recipient's contracting activity for DBE compliance; and reports to the FTA on contracting activities.

The NDOT and sub recipients receiving over \$250,000 in FTA grant project administration and/or operating funds must submit a DBE Program that sets transit goals for DBE participation. In setting a DBE transit goal, the NDOT and the sub recipient need to include only the contracting opportunities. These transit goals must be submitted semi annually to the FTA.

SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973, as amended, 29 USC 794, prohibits discrimination on the basis of disability by recipients of federal financial assistance. The FTA sub recipients sign an "Assurance of Non-Discrimination on the Basis of Disability" that states they will not discriminate against persons with disabilities while providing transportation service. The transportation service has to meet a significant portion of the actual transportation needs of persons with disabilities within a reasonable time. Nevada defines a person with disabilities as an individual whose impairment prevents or restricts normal mobility, which include vision, hearing, mental and physical impairments and who may need special assistance.

Sub recipients are required to provide services as stated in their application to persons with disabilities along with the following:

- (1) Each sub recipient's service area must have at least one accessible vehicle that can accommodate persons with disabilities;
- (2) All accessible vehicles and their equipment must be maintained in proper operating condition;
- (3) A back-up accessible vehicle must be available that can accommodate persons with disabilities when an accessible vehicle is out of service;
- (4) If no back-up accessible vehicle is available, other arrangements have been made to ensure accessible service continues;
- (5) When a sub recipient replaces an accessible vehicle, that another accessible vehicle is available in the service area until delivery of the new accessible vehicle;
- (6) Personnel are trained and supervised so that they operate accessible vehicles and equipment safely and properly;
- (7) Adequate assistance and information concerning accessible transportation services are available to all persons with disabilities; and
- (8) Service is provided in a timely manner, and that no person with a disability is denied access to mass transportation for the general public if the person with a disability is capable of using that system, even if the sub recipient also provides special service to persons with disabilities.

AMERICANS WITH DISABILITIES ACT OF 1990

The Americans with Disabilities Act (ADA) affords equal opportunity for employment, transportation, telecommunications, and access to places of public accommodation for people with disabilities. The ADA refers only to persons with certified disabilities and does not apply to the general elderly population. The federal agency designated to administer the public transportation provisions of ADA is the FTA. The FTA has issued implementation regulations that apply to both public and private transportation providers, even if they do not receive federal funding. These regulations contain provisions for accessible vehicle acquisition, development and implementation of a plan for providing complementary paratransit service, and the prohibition of discrimination on accessible transportation service.

The ADA mandates that complementary paratransit or other special service must be available for individuals whose needs cannot be met by a fixed-route system. The service must be comparable to the level of service offered to individuals without disabilities who use the fixed-route system. Complementary paratransit service must also be provided to a personal care attendant traveling with an eligible rider, and visitors who have been determined by another public entity to be eligible for such service. If the visitor has been certified as eligible by another entity, they are entitled to complementary paratransit service for up to twenty-one days; after that time they must qualify through the local public entity for eligibility. Any animal trained to assist a disabled individual must be allowed to accompany that individual during the ride.

ADA regulations apply only to designated public transportation (other than public school transportation) by bus, rail, or other conveyance (other than transportation by aircraft, intercity or commuter rail transportation) that provides the public with general or special service, including charter service, on a regular and continuing basis. If a public entity contracts with a private transportation provider to operate the "public" system, the private operator must comply with the ADA regulations. Vanpools and airport shuttle systems are required to provide accessible transportation. This may be done by a joint agreement with other shuttle systems, where the agencies share an accessible vehicle.

An ADA Plan is required from each FTA sub recipient. The Plan must describe the current transportation services being offered, and a timetable for implementing accessible or complementary transportation if the present service cannot accommodate persons with disabilities. The ADA Plan is required before sub recipients can receive vehicles with FTA funds and must be updated annually.

Sub recipients receiving FTA funds certify, to the NDOT, compliance with the provisions of the ADA. The NDOT ensures vehicles acquired with FTA funds are equipped, maintained, and operated in accordance with the regulations.

LABOR PROTECTION

FTA Program funds require that fair and equitable arrangements be made to protect the interests of employees affected by such assistance. The Department of Labor (DOL) is responsible under federal law for the administration of Section 5333(b).

A simplified process for assuring employee protection that accommodates the needs of participants in the FTA programs has been developed jointly by the DOL and the U.S. Department of Transportation (DOT). A Special Section 5333(b) Warranty for FTA projects has been developed containing standard terms and conditions covering the requirements of labor protection. FTA sub recipients agree in writing to the Special Warranty. The NDOT certifies to the DOL that each sub recipient included in the FTA program of projects has agreed in writing to the Special Warranty. The Special Warranty is incorporated by reference in the Agreements between the FTA and the NDOT, and the NDOT and the sub recipient. The sub recipient must post the Special Warranty where affected employees may see it.

The NDOT provides to the DOL an up-to-date listing of existing transportation providers that are eligible recipients for FTA funds; are in the service area of the project; and are or aren't represented by a labor organization.

The NDOT cannot request reimbursement from the FTA for a project unless the sub recipient has agreed in writing to the Special Warranty and the NDOT has certified this agreement to the DOL. If any non-compliance problems develop the DOL will inform the FTA and work with the NDOT and the sub recipient to reach a satisfactory solution to permit the release of funds for the project in question.

PRIVATE SECTOR PARTICIPATION

49 USC 5323(a)(1) requires FTA funded projects, to the maximum extent feasible, to provide for the participation of private-for-profit transportation providers. In Nevada, private-for-profit transportation providers are invited to bid on all transit projects and to participate in local specialized (elderly/disabled) transportation.

CHARTER OPERATION

Charter service is defined in 49 CFR Part 604 as providing special service to a specific group that dictates the route and schedule to be used. If the service is under the control of the sub recipient, is open door and the sub recipient can put any rider on the vehicle in addition to the agency's clients, it is not considered charter.

The NDOT signs a charter agreement as part of the annual Certification and Assurances stating the state will abide by 49 CFR Part 604 – Charter Service Final Rule. The NDOT obtains, as part of the application process, a signed charter agreement from each applicant ensuring the sub recipient will also abide by FTA charter regulations.

49 CFR Part 604 prohibits sub recipients from providing charter service using FTA funded equipment if there is at least one private charter operator willing and able to provide the proposed service. Any FTA sub recipient wanting to provide charter service must publish a notice annually and determine whether there are any private charter operators willing and able to provide the service. The sub recipient may petition the NDOT for the following exceptions:

- (1) There are no willing and able private operators;
- (2) The sub recipient is providing the FTA funded vehicles or service to private operators to satisfy a capacity need or a need for accessible equipment (contract with private operator);
- (3) In a non-urbanized area, the service offered by willing and able operators creates a hardship due to minimum duration requirements or distances between charter origin and operator location (by petition to the FTA and notification);
- (4) The sub recipient wishes to use the vehicles in a special event (by petition to the FTA Administrator);
- (5) The sub recipient contracts with private, non-profit organizations or governmental entities that certify the following: the trip serves a majority of persons with disabilities, they are qualified social service agencies receiving funds [primarily Health and Human Services (HHS)] as noted in 49 CFR Part 605, Appendix A; or the trip serves persons receiving public welfare assistance funds (contract and certification);

- (6) In a non-urbanized area, contracts with a government entity or private, non-profit organization that certify the following: more than 50 percent of passengers will be elderly (contract and certification) or they are qualified social service agencies receiving funds (primarily HHS) as noted in 49 CFR Part 605, Appendix A; and The sub recipient has formal agreements with all private charter operators (contract and notification).

SCHOOL TRANSPORTATION

49 USC Section 5323(f) prohibits the use of FTA funds for exclusive school bus transportation for school students and school personnel. The regulation does permit regular service to be modified to accommodate school students along with the general public. Sub recipients may not operate an exclusive school “tripper” service.

The NDOT signs a school transportation agreement as part of the annual Certifications and Assurances to the FTA and obtains a signed school bus transportation agreement from each sub recipient through the application process.

DEBARMENT AND SUSPENSION

The purpose of the Debarment and Suspension Certification required from the NDOT and sub recipient receiving over \$25,000, is to ensure funds are not given to anyone who has been debarred, suspended, or is ineligible or voluntarily excluded from participation in federally assisted transactions.

The NDOT signs this Certification as part of the annual Certifications and Assurances to FTA. The NDOT obtains a signed Certification from each sub recipient during the application process. In addition, signed Debarment and Suspension Certifications are obtained from prospective vendors during NDOT’s procurement process.

RESTRICTIONS ON LOBBYING

Federal financial assistance may not be used to influence or attempt to influence any member of the U.S. Congress or an officer or employee of the U.S. Congress in the making of any federal contracts, grants, or cooperative agreements. Federal funds may not be used for lobbying Congressional Representatives or Senators indirectly, such as by contributing to a lobbying organization or funding a grass-roots campaign to influence legislators (31 USC Section 1352). General advocacy for transit and providing

information to Legislators about the services a sub recipient provides in the community are not prohibited, nor is using non-federal funds for lobbying, so long as the required disclosures are made.

The NDOT, sub recipients, and third-party contractors awarded FTA assistance exceeding \$100,000 must sign a "Restrictions on Lobbying" Certification and, if applicable, disclose the expenditure of non-federal funds for lobbying purposes. The NDOT signs the Lobbying Certification as part of the annual Certifications and Assurances to the FTA. Sub recipients (receiving over \$100,000 in FTA funds) must provide a signed Lobbying Certification during the application process. In addition, signed Lobbying Certifications are obtained from the vendor during the NDOT's procurement process.

CLEAN AIR ACT

The Clean Air Act Amendments of 1990 established many substantive requirements to bring air quality regions that violate the national ambient air quality standards into attainment by prescribed dates. The NDOT and sub recipients must comply with the requirements of the Clean Air Act if applicable.

PROTECTION OF THE ENVIRONMENT

Activities and projects that have very limited or no environmental effects such as Program Administration or Operating Assistance in the Section 5311 Program are categorically excluded from the FTA's requirement to prepare an Environmental Impact Statement (EIS). The NDOT submits an assurance that such sub recipient projects are categorically excluded under the FTA's environmental impact regulations.

EMERGENCY MANAGEMENT

FTA sub recipients are required by the NDOT to cooperate and coordinate with Emergency Management Agencies in their area during disasters. Vehicles may be used to transport people and/or equipment in emergencies.

CHAPTER IX

PLANNING, COORDINATION AND THE PUBLIC

PLANNING

Statewide Transportation Plan is as follows:

“The NDOT has developed a statewide transportation plan in accordance with CFR Title 23 part 450. It considers and provides for, as applicable, connections of and in between rail, commercial motor vehicles and aviation facilities, particularly with respect to intercity travel. It is statewide in scope to facilitate the efficient movement of people and goods. It is set for a time horizon of twenty years and contains as an element a plan for bicycle transportation, pedestrian walkways and trails that are appropriately connected to other modes. It either references or contains applicable short range planning studies, strategic planning studies, transportation needs studies and statements of policies, goals, objectives and performance measures regarding issues such as transportation, demographics, economic development, social and environmental effects, preservation of future right-of-way and energy related issues. It either reflects or references any metropolitan area plan developed pursuant to 23 USC 134 and section 8 of the Federal Transit Act, 49 USC app. 1607. It reflects or references methods to expand and enhance appropriate transit services and to increase the use of such services. It also includes innovative financing methods and investment strategies.”

Copies of the NDOT’s Statewide Transportation Plan are available on the NDOT website, www.nevadadot.com or from either the Program Development or Intermodal Sections of the NDOT.

STATE TRANSIT PLAN

The State Transit Plan is an element of the Statewide Transportation Plan. The plan assesses transit needs; developing plans for short and long-range urban, small urban, rural and Indian Reservation transportation needs.

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) IS AS FOLLOWS:

“The Nevada Department of Transportation (NDOT) administers and implements programs for the planning, development, construction, and operation of the state's transportation systems. The NDOT's mission is to: Efficiently plan, design, construct and maintain a safe and effective seamless transportation system for Nevada's economic, environmental, and social needs.

Annually, the NDOT develops a Statewide Transportation Improvement Program (STIP). The STIP includes a three year list of federally funded or regionally significant non-federally funded transportation projects and programs consistent with the goals and strategies of the Statewide Transportation Plan. Projects in the STIP that are located in non-attainment areas are found to be in conformance with the State Implementation Plan (SIP) before they are included.

Development of the STIP is completed in cooperation with the State's Metropolitan Planning Organizations (MPOS) and local governmental agencies. A MPO is designated for each urbanized area with a population of more than 50,000. At present, there are four MPOS in the State of Nevada. Three of the MPOS were designated by the Bureau of the Census (the Regional Transportation Commission (RTC) of Southern Nevada, the RTC of Washoe County, and the Carson Area MPO). The fourth MPO (the Tahoe MPO) was designated as a MPO through legislation passed by the U.S. Congress.

MPOS are required to develop a Regional Transportation Improvement Program (RTIP) that is consistent with their Regional Transportation Plan (RTP). These plans/programs must be multi-modal and fiscally constrained. The NDOT, the RTC of Southern Nevada, the RTC of Washoe County, the Tahoe MPO, the Carson Area MPO, and regional and local governments follow their locally adopted public participation processes in the development of their TIPS and the STIP. Upon approval by the Governor of the State of Nevada or his designee (the Director of the NDOT), the MPOS RTIP is incorporated without change into the STIP.

The STIP is reviewed by the Federal Highway Administration (FHWA) and the FTA for consistency with federal regulations, and if acceptable, jointly approved.”

COORDINATION

COORDINATED PUBLIC TRANSIT–HUMAN SERVICES TRANSPORTATION PLAN

The United States Department of Transportation (USDOT) has signed an interagency agreement with the United States Department of Health and Human Services (DHHS) to improve the coordination of programs funded by the two Departments. The NDOT does expect public transit systems funded with FTA Program funds to participate in the local planning process for coordination efforts throughout the State. As part of the application process for FTA funds, sub recipients are encouraged to submit documentation describing their coordination efforts. The NDOT participates in this coordination, through the Advisory Committee for Transit (ACT). Invitations to participate on this committee are sent to the:

- Federal Highway Administration
- Department of Human Resources
- Division for Aging Services
- Department of Employment - Training and Rehabilitation
- Community Based Services
- Department of Motor Vehicles
- Department of Public Safety
- Public Service Commission
- Governor's Committee on Employment of People with Disabilities
- State Indian Commission
- Inter-Tribal Council of Nevada
- MPOS of Washoe and Clark Counties, Tahoe and Carson City

Numerous members representing senior centers, rehabilitation agencies, Indian tribes, transit providers, consultants and vendors are also invited to attend and serve as voting members of the ACT. The Chairman of ACT is a member of the State Transportation Technical Advisory Committee (STTAC).

THE PUBLIC - PUBLIC INVOLVEMENT

Efforts to include the public must be documented in the sub recipient's application. Under 49 U.S.C. 5323(b), "any application for a project that will substantially affect a community or the public transportation service of a community" must include verification of adequate opportunity for public review and comment on the project. Applicants must hold a public hearing to discuss the application and to receive input on the project, if requested. Letters of support from local governmental agencies, transportation recipients and social service agencies may also be included in the application

STATEWIDE TRANSPORTATION PLANNING PUBLIC PARTICIPATION PROCESS

The NDOT has a documented public involvement process that describes opportunities for public review and comment at key decision points during transportation planning activities. The Statewide Transportation Planning Public Participation Process:

- Establishes early and continuous public involvement opportunities that provide timely information about transportation issues and decision-making processes to citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other interested parties;
- Provides reasonable public access to technical and policy information;
- Provides adequate public notice of public involvement activities and time for public review and comment at key decision points;
- To the maximum extent practicable, ensures that public meetings are held at convenient and accessible locations and times;
- To the maximum extent practicable, uses visualization techniques to describe plans and studies;
- To the maximum extent practicable, makes public information available in electronically accessible format and means, such as the World Wide Web;
- Demonstrates explicit consideration and response to public input;

- Includes a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services; and
- Provides for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties.

The Statewide Transportation Planning Public Participation Process is available from the NDOT's Intermodal Planning Division or Program Development Division and is available at:

http://www.nevadadot.com/pub_involvement/Participation_Process/pdfs/public_participation_plan.pdf.

RESOLUTION OF DISPUTES

FTA sub recipients must have a written process to resolve disputes arising from the operation of their transit service and are required to provide a copy to the NDOT. The dispute document must explain the handling of concerns or complaints at the local level, and have a referral system for unresolved concerns or complaints. Below is a sample resolution/appeal process.

STATEWIDE TRANSIT PROGRAM DISPUTE RESOLUTION/APPEAL PROCESS

Should an applicant wish to appeal, the applicant must use the following process to be recognized as a valid appeal. The letter of appeal must clearly identify the applicant, contact person, address, phone number, project description and grounds for appeal. Letters of appeal must be hand carried or sent by certified mail and be received by the Department within 30 calendar days of the notification of selection. Letters of appeal can be mailed to:

Nevada Department of Transportation
 Assistant Director of Planning
 Attn: Air, Rail & Transit Manager, Intermodal Planning
 1263 S. Stewart St.
 Carson City, NV 89712

The Transit Manager will review the appeal with the Program Administrator and notify the applicant of the review and any decision within 15 business days of receipt.

If the applicant is not satisfied with the Program Administrator's response, an appeal may be made to the Director's Office, in care of the Assistant Director of Planning. This second appeal must be sent by certified mail and be received within 10 business days of the response from the Program Administrator. The Assistant Director of Planning will provide a written response to the applicant within 15 business days of the receipt of the appeal to the Director's office. Any decision made by the Assistant Director of Planning will be final. There is no further appeal process.

CHAPTER X

PROGRAM SPECIFIC INFORMATION

49 USC 5303 MPO PLANNING

The FTA Section 5303 (C 8100.1B) funds provide for planning mass transportation services by way of a formula grant program. FTA Section 5303 funds may be used for planning, engineering, design and evaluation of transportation projects as well as technical studies related to management, operations, capital, and other similar or related activities in the acquisition or improved operation of transportation systems, facilities and equipment.

GOALS

The goal of the FTA 5303 program is to encourage and promote the development of transportation systems embracing various modes of transportation in a manner which will efficiently maximize mobility of people and goods within and through urbanized areas and minimize transportation-related fuel consumption and air pollution.

ROLES AND RESPONSIBILITIES

The Governor of Nevada, in accordance with 49 USC 5303, has designated the NDOT as the agency to receive and administer federal funds under this program for metropolitan planning organizations (MPO). Some of the responsibilities of being the designated recipient include, but are not limited to:

- Documenting the State's procedures in the State Management Plan (SMP);
- Developing the Transit element of the State Transportation Improvement Program (STIP);
- Ensuring compliance with Federal and State requirements by all MPOs;
- Verifying requests for reimbursement are contained within the MPOs approved Unified Planning work Program (UPWP).

ELIGIBLE SUB RECIPIENTS

MPOs are the only sub recipients eligible for Section 5303 FTA funds.

ELIGIBLE SERVICE AREAS

Eligible service areas are urbanized areas (50,000 and over in population). Projects may include transportation to and from an urbanized area and may extend across county or state lines.

ELIGIBLE PROJECT CATEGORIES

Planning activities developed by the MPOs and contained within an approved UPWP are to accomplish the following:

- Support the economic vitality of the MPO area;
- Increase the safety and the security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility of people and freight;
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system across and between modes;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system.

LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

The FTA portion is eighty percent (80%) and the local share is twenty percent (20%).

49 USC 5304 STATEWIDE PLANNING

The FTA Section 5304 (C 8200.1) federal funds provide for planning mass transportation services by way of a formula grant program. FTA Section 5304 funds may be used for planning, engineering, design and evaluation of transportation projects as well as technical studies related to management, operations, capital, and other similar or related activities preliminary to and in preparation for the construction, acquisition or improved operation of transportation systems, facilities and equipment.

GOALS

The goal of the FTA 5304 Program as defined by FTA is “to support cooperative, continuous and comprehensive planning for making transportation investment decisions statewide”.

ROLES AND RESPONSIBILITIES

The Governor of Nevada, in accordance with 49 USC 5304, has designated the NDOT as the agency to receive and administer federal funds under this program for Statewide Planning. Each state must produce the following fundamental principles relevant to State planning:

- A statewide long-range transportation plan;
- A State Transportation Improvement Program (STIP) which includes the unmodified Transportation Improvement Plans (TIP) from the MPOs.

ELIGIBLE SUB RECIPIENTS

The NDOT is the eligible recipient for Section 5304 FTA funds.

ELIGIBLE SERVICE AREAS

Non-urbanized areas of the State are eligible for Statewide Planning Funds.

ELIGIBLE PROJECT CATEGORIES

Eligible work or activities for FTA 5304 funds include, but are not limited to:

- Studies relating to management, operations, capital requirements, innovative financing opportunities, security and economic feasibility of transit projects;
- Evaluation of previously funded projects;

- Similar work or activities preliminary to the construction of or improved operation of facilities and equipment and other improvements that enhance the usability and community-friendliness of the transit system environment;
- Systems analysis;
- Development of a 20-year transportation plan;
- Development of the STIP;
- Corridor/systems planning studies;
- Analyses of social, economic, and environmental factors related to travel and transportation;
- Air quality planning, and conformity planning;
- Public involvement in the transit/transportation planning process;
- Multimodal facilities planning;
- Joint development planning;
- Computer hardware and software needed to support planning work.

LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

The federal share for eligible planning activities is eighty percent (80%). The remaining 20 percent (20%) is the local share.

49 USC 5307 URBANIZED AREA FUNDS

These funds provide public mass transportation for urbanized areas with populations over 50,000. Funds may be used for capital, planning and operating expenses. Recipients must provide a twenty percent (20%) local match for capital acquisition/planning and fifty percent (50%) local match of operating expenses in areas between 50,000-200,000 in population. Areas over 200,000 are not eligible for reimbursement. Section 5307 FTA funds (C9300.1A) are administered by the MPOs and through the RTCs.

49 USC 5309 BUS AND BUS FACILITIES

The FTA Section 5309 federal funds (C 9300.1A) provide for capital program assistance. These discretionary funds are to be used for transit capital projects.

GOALS

The goal of the FTA 5309 program as defined by FTA is to assist in financing capital projects that will benefit transit systems.

ROLES AND RESPONSIBILITIES

The Governor of Nevada, in accordance with 49 USC 5309, has designated the NDOT as the agency to receive and administer federal funds under this program for capital assistance. Some of the responsibilities of being the designated recipient include:

- Document the State's procedures in the State Management Plan (SMP);
- Notice to the public regarding program availability and solicitation of applications;
- Develop the Transit element of the State Transportation Improvement Program (STIP);
- Develop project selection and application review processes;
- Ensure compliance with Federal and State requirements by all sub recipients;
- Monitor project activities, project audits and closeouts;
- Plan for future transportation needs and coordination throughout the State.

ELIGIBLE SUB RECIPIENTS

Eligible sub recipients include:

- State or local governmental authorities
- Non-profit organizations
- Indian tribes
- Private, for-profit operators of transit service may participate in the program as third-party contractors with the State or other eligible sub recipients
- MPOs

ELIGIBLE SERVICE AREAS

All areas of the State are eligible service areas for FTA 5309 capital assistance funds.

ELIGIBLE PROJECT CATEGORIES

CAPITAL

- Buses for fleet and service expansion;
- Bus maintenance and administrative facilities;
- Transfer facilities;
- Park and ride stations;
- Passenger shelters and bus stop signs;
- Miscellaneous equipment (mobile radios, fare boxes, computers, shop equipment, etc).

LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

The federal share for eligible capital is eighty percent (80%). The remaining 20 percent (20%) cost must be provided locally or by the State.

49 USC 5310 ELDERLY DISABLED

The FTA Section 5310 formula funds (C 9070.1F) are for the special transportation needs of elderly individuals and individuals with disabilities. These funds may be used for capital projects and the purchase of transportation services under a contract. The NDOT allows sub recipients to use the Section 5310 vehicle to provide meal delivery services for homebound persons on a regular basis if the meal delivery service does not conflict with normal transportation services for the elderly and persons with disabilities. Sub recipients cannot request Section 5310 funds to purchase special vehicles to be used solely for meal delivery or to purchase specialized equipment such as racks or heating and refrigeration units related to meal delivery.

GOALS

The goal of the FTA 5310 program is to improve mobility for elderly individuals and individuals with disabilities throughout the State.

ROLES AND RESPONSIBILITIES

The Governor of Nevada, in accordance with 49 USC 5310, has designated the NDOT as the agency to receive and administer federal funds under this program for capital assistance and purchase of service contracts. Some of the responsibilities of being the designated recipient include:

- Document the State's procedures in the State Management Plan (SMP);
- Notice to the public regarding program availability and solicitation of applications;
- Develop the Transit element of the State Transportation Improvement Program (STIP);
- Develop project selection and application review processes;
- Ensure compliance with Federal and State requirements by all sub recipients;
- Monitor project activities, project audits and closeouts;
- Plan for future transportation needs and coordination throughout the State;
- Certify that all projects are derived from a locally developed, coordinated public transit-human transportation plan.

ELIGIBLE SUB RECIPIENTS

- Private non-profit organizations;
- Governmental authorities that certify to the state that no non-profits are readily available in the area where the services are provided;
- Governmental authorities approved by the State to coordinate services for elderly individuals and individuals with disabilities (ex: county agencies on aging or a public transit provider identified by the State as the lead agency to coordinate transportation services).

ELIGIBLE SERVICE AREAS

The areas of the State eligible for these funds are the small urban and rural areas including Indian Reservations.

ELIGIBLE PROJECT CATEGORIES

CAPITAL

- Vehicles
- Vehicle rehabilitation

OPERATING

- Acquisition of transportation services under a contract

LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

The federal share for eligible capital/contracted services is eighty percent (80%). The remaining 20 percent (20%) cost must be provided locally or by the State in cash or in-kind contributions.

STATE ADMINISTRATION

The NDOT may use ten percent (10%) of their apportionment of FTA Section 5310 funds to support program administrative costs including administration, planning, and technical assistance, which may be funded at one hundred percent (100%) federal.

49 USC 5316 JOB ACCESS REVERSE COMMUTE (JARC)

The FTA Section 5316 Job Access Reverse Commute (JARC) (C 9050.1) funds are to encourage the development of transportation services designed to transport welfare recipients and low income individuals to and from employment opportunities. These formula funds may be used for capital or operating expenses.

GOALS

The goal of the JARC program is to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities.

ROLES AND RESPONSIBILITIES

The Governor of Nevada, in accordance with 49 USC 5316, has designated the NDOT as the agency to receive and administer nonurbanized federal funds under this program for capital and operating. Some of the responsibilities of being the designated recipient include:

- Document the State's procedures in the State Management Plan (SMP);
- Notice to the public regarding program availability and solicitation of applications;
- Develop the Transit element of the State Transportation Improvement Program (STIP);
- Develop project selection and application review processes;
- Ensure compliance with Federal and State requirements by all sub recipients;
- Monitor project activities, project audits and closeouts;
- Plan for future transportation needs and coordination throughout the State;
- Certify that all projects are derived from a locally developed, coordinated public transit-human transportation plan.

ELIGIBLE SUB RECIPIENTS

- Private non-profit organizations;
- State or local governmental authority;
- Operators of public transportation services, including private operators of public transportation services.

ELIGIBLE SERVICE AREAS

The eligible service area for 5316 FTA funds are the nonurbanized areas of the State.

ELIGIBLE PROJECT CATEGORIES

Eligible FTA 5316 projects may include, but are not limited to capital, planning, and operating assistance to support activities such as:

- Extended service hours (late night and weekend service);
- Ridesharing and carpooling activities;
- Acquiring Geographic Information System (GIS) tools;
- Deploying vehicle position-monitoring systems;
- Subsidizing the costs associated with adding reverse commute bus, train, carpool van routes or service from urbanized areas and nonurbanized areas to suburban work places;
- Otherwise facilitating the provision of public transportation services to suburban employment opportunities.

LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

The federal share for eligible capital/operating services is fifty percent (50%). The remaining fifty percent (50%) cost is local match.

STATE ADMINISTRATION

The NDOT may use ten percent (10%) of their apportionment of FTA Section 5316 funds to support program administrative costs including administration, planning, and technical assistance, which may be funded at one hundred percent (100%) federal.

49 USC 5317 NEW FREEDOM

The FTA Section 5317 New Freedom funds are for “new” public transportation services and public transportation alternatives beyond those required by the ADA of 1990 (42 U.S.C. 12101 et. seq.) that assist individuals with disabilities with transportation. These formula funds are available for capital and operating expenses. (“new” service is defined as any service or activity that was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005)

GOALS

The 5317 FTA grant program seeks to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities beyond the requirements of the ADA of 1990.

ROLES AND RESPONSIBILITIES

The Governor of Nevada, in accordance with 49 USC 5316, has designated the NDOT as the agency to receive and administer nonurbanized federal funds under this program for capital and operating. Some of the responsibilities of being the designated recipient include:

- Document the State’s procedures in the State Management Plan (SMP);
- Notice to the public regarding program availability and solicitation of applications;
- Develop the Transit element of the State Transportation Improvement Program (STIP);
- Develop project selection and application review processes;
- Ensure compliance with Federal and State requirements by all sub recipients;
- Monitor project activities, project audits and closeouts;
- Plan for future transportation needs and coordination throughout the State;

- Certify that all projects are derived from a locally developed, coordinated public transit-human transportation plan.

ELIGIBLE SUB RECIPIENTS

- Private non-profit organizations;
- State or local governmental authority;
- Operators of public transportation services including private operators of public transportation services.

ELIGIBLE SERVICE AREAS

The eligible service areas for FTA 5317 funds are the nonurbanized areas of the State.

ELIGIBLE PROJECT CATEGORIES

- Enhancing paratransit beyond minimum requirements of the ADA (expansion of service parameters and current hours, rider escorts, mobility aid vehicles, etc);
- Feeder services to commuter rail, bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA;
- Travel Training;
- New Voucher Programs (administration and expenses, driver and aide programs);
- New mobility management and coordination programs.

LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

The Federal share of eligible capital and planning costs is eighty percent (80%). The Federal share of the eligible operating costs is fifty percent (50%). The local share of eligible capital costs is twenty percent (20%), and the local share for eligible operating costs is fifty percent (50%).

STATE ADMINISTRATION

The NDOT may use ten percent (10%) of their apportionment of FTA Section 5317 funds to support program administrative costs including administration, planning, and technical assistance, which may be funded at one hundred percent (100%) federal.

PROJECT ADMINISTRATION

SUB RECIPIENT ADMINISTRATION

The NDOT treats project administration costs for sub recipients as a separate cost category funded up to eighty percent (80%) with FTA funds. A maximum of fifteen percent (15%) of the sub recipient's total FTA funding may be spent on project administration expenses. Eligible project administration expenses may include:

- Salaries of the project director, secretary, and bookkeeper
- Marketing expenses
- Office supplies
- Facilities and equipment rental
- Insurance premiums (non vehicle)
- Cost of administering drug/alcohol testing

Additionally, administrative costs for promoting/coordinating ridesharing are eligible as project administration if the activity is part of a coordinated public transportation program.

LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

CAPITAL ASSISTANCE

The local share for capital assistance is twenty percent (20%) of the net expense. The NDOT may provide one half of the non federal share of the local match for the purchase of vehicles through Nevada Revised Statutes (NRS) 408.271. The local share must be derived from sources other than federal funds except where specific language of another federal program permits its funds to be used to match other federal funds. Capital assistance directly related to a transportation program can be requested through a Capital Assistance Reimbursement Request. These requests are reviewed on a case-by-case basis and reimbursed at eighty percent (80%) of the total net expense. Sub recipients are required to use a competitive method of obtaining repair work or purchasing equipment. Sub recipients must follow the guidelines for all purchases as stated in the FTA's "Best Practices Manual". Exceptions to this process may be authorized by the NDOT.

OPERATING ASSISTANCE

The local share of operating assistance is no less than fifty percent (50%) of which twenty five percent (25%) must be derived from sources other than federal funds or revenues of the system. Local match must be derived from sources other than federal funds except where specific language of a federal program permits. Local match may come from:

- State or local appropriations
- Dedicated tax revenues
- Private donations
- Net income generated from advertising and concessions
- Unrestricted Federal funds such as Title 3B of the Older Americans Act
- Service agreements with a state, local or a private social service agency

PROJECT ADMINISTRATION

The local share of project administration is twenty percent (20%). Project administration must be part of the approved budget. Funds must be derived from sources other than federal funds except where specific language of another federal program permits its funds to be used to match other federal funds.

COST SHARING OR MATCHING

Cost sharing or matching contributions including cash and third party in-kind, may be accepted as part of the local match as long as they meet the following:

- Prior approval by the NDOT
- Verifiable from the recipient's records
- Not included as contributions for any other federally assisted project or program
- Necessary and reasonable for accomplishment of the project and program
- Are allowable under the applicable cost principles
- Are provided for in the approved budget
- Are an integral and necessary part of the approved project and program
- Are fully supported with auditable documentation

METHOD OF DISTRIBUTION FUNDS AND PROJECT SELECTION

The NDOT solicits FTA grant funding applications statewide each February by advertising in over 20 (twenty) newspapers throughout the state including cultural and statewide publications. The advertisement includes the contact information for obtaining applications and the link to the NDOT website where the applications can be downloaded electronically. The applications must be postmarked no later than April 15th. Prospective applicants are required to make a public notice of their intent to apply for FTA grant funds by advertising in their local newspaper. The advertisement must also offer an opportunity for a public hearing if requested. A copy of the announcement and documentation of a public hearing, if held, must be included in the application packet to the NDOT.

The NDOT Transit staff will review the applications for eligibility and completeness based on the criteria established by the Advisory Committee for Transit (ACT). The Transit staff may provide comments on past performance and deficiencies of past applicants. Staff review comments are forwarded to an evaluation committee along with the applications. The evaluation committee will score and rank applications on the criteria worksheets established by the ACT and make recommendations back to the NDOT for distribution of the funds.

Upon notification of the federal award, the NDOT will make the final selection of projects in consideration of the committee's recommendations and prepare the annual program of projects to be proposed to the FTA for funding. The NDOT may adjust funding levels on some projects based on their placement on the prioritized list of projects and the federal allocation.

The annual program of projects is updated in the State Transportation Improvement Program (STIP) each May.

COORDINATION

In an effort to promote coordination between agencies the NDOT participates in Advisory Committee for Transit (ACT). The ACT includes representatives from public and private transportation providers, human service agencies, the general public and persons with disabilities. The NDOT will select nonurbanized projects, as derived from the locally developed coordinated public transit-human services transportation plan, utilizing the assistance of the ACT. The projects selected by the NDOT for FTA Section 5311 funding will promote the maximum coordination of transportation services with transportation services assisted by other federal funding.

PROJECT/LOCAL LEVEL

FTA grant applicants are encouraged to coordinate with local entities and to submit documentation describing their coordination effort in their application packet. Coordination is one of the criteria, established by the ACT, used in the evaluation process to score and rank the applications.

PROGRAM MANAGEMENT

PROCUREMENT

Purchasing large equipment (vehicles) is requested by the sub recipient in their FTA grant application. Major purchases such as rolling stock are procured through the State of Nevada's Purchasing Division who assures purchases are made competitively and in compliance with federal procurement policies. The NDOT and State Purchasing develop the vehicle specifications that the successful vehicle vendor/manufacturer must use. The NDOT develops and enters into an Agreement with the sub recipient for a term equivalent to the useful life of the vehicle. For vehicles, the NDOT may assist the sub recipient with one half of the non federal share of the local match as provided for in the Nevada Revised Statute (NRS 408.271). For non-vehicle purchases the sub recipient is responsible for twenty percent (20%) of the local match.

FINANCIAL MANAGEMENT

ACCOUNTING AND FINANCIAL REPORTING

The NDOT maintains a financial management system of accounting records, internal controls, and budget controls subject to standards specified in state laws. All systems and procedures for financial management are in compliance with 49 CFR 18.20, the “Common Rule” and all other Federal and State Laws.

SUB RECIPIENT GRANTS

The NDOT develops and executes grant Agreements with sub recipients. The Agreements are executed with the sub recipients upon receipt of FTA’s notification to the NDOT on funding allocations for the federal fiscal year.

Grant expenditures are identified by federal grant and sub recipient grant in the American Management System (AMS). Sub recipients are required to include copies of vendor invoices to reimbursement requests and retain originals for audit purposes for three (3) years after final closeout of the grant.

AUDITS

The NDOT Internal Audit Division is responsible for conducting audits in compliance with OMB Circular A-133. Audit reports are considered public information. Sub recipients are required to obtain audits of their financial systems and operations annually by an independent audit firm. The audit firm is required to comply with OMB Circular A-87 and A-133. Any questions regarding the Audit will be resolved by the sub recipient and the audit firm.

FINANCIAL REVIEWS

The NDOT performs monthly financial analysis of budget and agreement funds of each active FTA grant. This is done by utilizing grant reconciliation logs, maintained by both the Transit and Accounting Sections of the NDOT, and the NDOT Financial System. The logs track the Agreements within each FTA grant for reimbursements and balances of available funds. This analysis ensures the required federal financial reporting is completed.

VEHICLE MANAGEMENT

PROPERTY USE, MAINTENANCE AND INSPECTION

Sub recipients of FTA federal funds through the NDOT are required to comply with this SMP addressing property use, maintenance and inspection requirements. Any property purchased under the project shall be used for the purposes described in the grant application and within the Agreement.

The sub recipient shall maintain all licensing and insurance requirements for the vehicle. The NDOT shall hold the title of all vehicles purchased with FTA federal funds through the NDOT until the useful life of the vehicle has been met. At the time the vehicle has met its useful life, the title will be signed over to the sub recipient and must be re-titled with the Department of Motor Vehicles (DMV) by the sub recipient, removing the NDOT from the title.

The NDOT will ensure vehicles are being used in accordance with the project Agreement by monitoring the sub recipients for compliance with the required federal and state maintenance and safety guidelines.

Each sub recipient must establish, maintain and provide to the NDOT policies and procedures that address the manufacturer's recommended maintenance and inspection intervals for vehicles, facilities and any ADA accessible equipment. The NDOT may provide tools to sub recipients to assist with vehicle maintenance/inventory reporting requirements. The NDOT conducts periodic inspections for the purpose of confirming proper maintenance as part of the monitoring compliance review.

The NDOT requires sub recipients to operate vehicles consistent with this SMP, the Nevada Revised Statutes 484.011 through 484.999 (Traffic Laws), any applicable federal and state laws that pertain to commercial motor vehicles and commercial drivers licensing (CDL) requirements, and any of the applicable Nevada Transportation Services Authority (TSA) requirements. Sub recipients may use the vehicles for approved meal delivery as long as it does not displace their passenger transportation services.

If it is determined that a sub recipient is failing to use/maintain a vehicle properly, the sub recipient will be required to comply with corrective actions which could include turning the vehicle into the NDOT to be distributed to another sub recipient.

USEFUL SERVICE LIFE

Service life of rolling stock begins on the date the vehicle is placed in revenue service and continues until it is removed from service. The NDOT will release interest in a vehicle after it has met its useful service life. There may be exceptions to this guideline if a vehicle is requiring excessive maintenance to remain operable. Listed below are the FTA Service Life Guidelines.

Type of Vehicle	Useful Service Life
Minivans and Vans	4 years or 100,000 miles
Minibuses w/four wheels	5 years or 150,000 miles
Minibuses, cutaway style, dual rear wheels, wheelbase up to 158"	5 years or 150,000 miles
Minibuses, cutaway style, dual rear wheels, wheelbase 159"-181"	5 years or 150,000 miles
Buses, GVW 14,000-19,000 lbs.	8 years or 200,000 miles
Buses, GVW 19,001-27,000 lbs	9 years or 350,000 miles
Buses GVW greater than 27,000 lbs	12 years or 500,000 miles

DISPOSITION OF FEDERALLY FUNDED CAPITAL ITEMS

When the NDOT or a sub recipient determines a vehicle is no longer needed for public passenger transportation, the vehicle may be transferred to another sub recipient.

PROPERTY INVENTORY

Sub recipients must provide the NDOT with a property inventory of all vehicles and equipment purchased with federal funds. This inventory must be updated every year as of October 1st. Applicants for FTA grant funds are required to provide this inventory as part of the application packet.

EQUIPMENT REHABILITATION

It is the NDOT's policy to encourage rehabilitation of federally funded equipment if the benefits outweigh the cost.

FTA guidelines regarding rehabilitation are as follows: *“FTA recognizes rehabilitation to be the rebuilding of bus systems to original specifications of the manufacturer. Rehabilitation may include some new components but places less emphasis than remanufacturing does on structural restoration. Instead, rehabilitation focuses on mechanical systems and vehicle interiors. Rehabilitation should provide at least five years of additional service life for a standard, heavy-duty transit bus. For smaller buses, rehabilitation should provide an extension of the minimum normal service life by at least 40 percent”*. Source: FTA Circular 9300.1A, Chapter III.

Examples: For a vehicle with an expectancy of 5 years/150,000 miles of useful service life, the rehabilitation should meet or exceed 2 years/60,000 miles of additional service. With the vehicle expectancy of 4 years/100,000 miles of useful service life, the rehabilitation should meet or exceed 2 years/40,000 miles of additional service.

The NDOT or a designee of the NDOT may provide sub recipients with vehicle rehabilitation assistance in the following:

- Interpretation of FTA policy
- Selection of a rehabilitation method
- Preparation of technical specifications

APPENDIX A

DEFINITIONS and ACRONYMS

DEFINITIONS

ALTERNATIVE FUELS:

Low-polluting fuels which are used in a vehicle instead of diesel or gasoline and comply with the regulations adopted by the United States Environmental Protection Agency (USEPA) pursuant to the standards for the control of emissions from motor vehicles established in the Clean Air Act Amendments of 1990. Examples include propane, compressed natural gas (CNG) and electricity.

BUS SHELTER:

A building or other assembly constructed near a bus stop, to provide seating and protection from the weather for the convenience of waiting passengers.

CHARTER SERVICE:

Special services provided to a specific group that has acquired the exclusive use of a vehicle and dictates the route and schedule to be used.

DEMAND RESPONSE SYSTEM:

This is a transportation service where trips are generated by the passengers, or their agents, to the transit operator. The transit operator dispatches a vehicle specifically for the requested transportation services. This is also called Dial-a-Ride.

DISADVANTAGED BUSINESS ENTERPRISE (DBE):

A small business: (1) that is at least 51 percent owned by one or more socially and economically-disadvantaged individuals, or in the case of any publicly-owned business, at least 51 percent of the stock of which is owned by one or more socially and economically-disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of the socially and economically-disadvantaged individuals who own it.

DISCRIMINATION:

Refers to any intentional or unintentional act, or any failure to act, which has the effect of excluding or denying a person from participation in benefits, or has otherwise subjected a person to unequal treatment under any program or activity because of race, color, national origin, or age.

DISCRETIONARY FUNDS:

A federal budgetary term that refers to any funds whose distribution is not automatic. Discretionary funds are subject to the constraints imposed by the discretionary spending limits set in the balanced budget law.

ENVIRONMENTAL IMPACT STATEMENT (EIS):

A comprehensive study of likely environmental impacts resulting from major federally assisted projects; statements are required by the National Environmental Policy Act (NEPA).

FEDERAL FISCAL YEAR:

The time period the federal government utilizes, which begins October 1 and ends on the following September 30. The year is designated by the calendar year in which it ends (FY07 is from October 1, 2006 through September 30, 2007). (The fiscal year for state and some local governments is July 1 through the following June 30.)

FEDERAL TRANSIT ADMINISTRATION (FTA):

Formerly known as the Urban Mass Transportation Administration (UMTA); FTA is the agency of the U.S. Department of Transportation which administers the federal program of financial assistance to public and specialized transit.

FIXED ROUTE:

Service provided on a repetitive, fixed-schedule basis along a specific route with vehicles stopping to pick up and deliver passengers to specific locations; each fixed-route trip serves the same origins and destinations, unlike demand response.

INTERCITY SERVICE:

Regularly-scheduled bus service for the general public which operates with limited stops over fixed routes connecting two or more urban areas not in close proximity, which has the capacity for transporting baggage carried by passengers, and which makes meaningful connections with scheduled intercity bus service to more distant points, if such service is available. This service is not limited by the size of the vehicle used or by the identity of the carrier. Air, water, and rail service are not included.

INTERMODAL:

Involving or affecting more than one mode of transportation which may include air, rail, highway and transit (also known as "multimodal").

INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA):

The 1991 law that announced a new era in surface transportation because of the emphasis on "intermodalism," the unprecedented increases in authorized spending for transit, the ability to use some highway funds for transit, and the increased reliance on regional planning agencies to weigh transportation options and make decisions utilizing public participation.

JOB ACCESS /REVERSE COMMUTE (JARC):

JARC was established as part of Transportation Equity Act for the 21st Century (TEA-21) to address the unique transportation challenges faced by welfare recipients and low-income persons seeking to get and keep jobs. The JARC program supports public transportation projects that develop and maintain transportation services for welfare recipients and eligible low-income people to and from jobs and activities related to their employment.

LOCAL PUBLIC BODIES:

Municipalities and other political subdivisions of states; public agencies; Indian tribes; and public corporations, boards, and commissions established under the law of the state.

MASS TRANSPORTATION:

The provision of general or special transportation service, either publicly or privately, to the public on a regular and continuing basis in an urban area. This type of transportation does not include school bus, charter, or sightseeing services.

METROPOLITAN PLANNING ORGANIZATION (MPO):

The organization designated by the Governor and comprised of local elected officials that are responsible for carrying out transportation and other planning processes for an urbanized area (over 50,000 in population).

NON-PROFIT ORGANIZATION:

Means a corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. Section 501(c) which is exempt from taxation under 26 U.S.C. Section 501(a) or Section 101. Any organization that has been determined under state law to be nonprofit and the designated state agency has received documentation certifying the status of the non-profit organization.

PARATRANSIT:

Public transportation services outside the usual fixed-route systems. This service is available to the public on demand and does not include taxicabs or other private services.

PERSON WITH A DISABILITY (FTA's Definition):

Any individual who by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability is unable to utilize public transportation facilities and service effectively without special facilities or equipment.

PERSON WITH A DISABILITY (Nevada's Definition):

A person whose impairment prevents or restricts normal mobility, to include vision, hearing, mental, and physical impairments, and who may need special assistance to move.

PERSON WITH A DISABILITY (Americans with Disability Act Definition):

Any individual with a disability who is unable, as the result of a physical, mental or vision impairment, to independently board, ride and/or disembark from an accessible vehicle. This includes individuals with mental or visual impairments who cannot recognize destinations, understand transfers, or distinguish between vehicles at transfer stations.

Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride and disembark from any accessible vehicle.

Any individual with a disability who has a specific impairment-related condition that prevents such individual from traveling to a boarding location or from a disembarking location on an accessible system.

PUBLIC TRANSPORTATION:

Mass transportation by bus, rail, or other conveyance, either publicly or privately owned, which provides transportation to the general public or special service on a regular and continuing basis.

RIDERSHIP:

The features or qualities, of a passenger riding a vehicle, that classify a person into one of the specific groups for reporting purposes. The identified groups can be elderly persons, persons with disabilities, and the general public.

ROLLING STOCK:

The vehicles used in a transit system, including buses and rail cars.

SAFE, ACCOUNTABLE, FLEXIBLE AND EFFICIENT TRANSPORTATION EQUITY ACT-A LEGACY FOR USERS (SAFETEA-LU):

This authorizing resolution, signed on August 10, 2005 by President Bush, guarantees \$286.4 billion in funding for federal surface transportation programs over six years (through FY 2009).

SECTION 5303 (49 USC 5303)

The program is specifically for the MPOs for planning activities. This provides funds for planning, engineering, design and evaluation of transportation projects.

SECTION 5304 (49 USC 5304)

The Section 5304 funds provide for planning mass transportation services statewide. These funds may be used for planning, engineering, design and evaluation of transportation projects.

SECTION 5307 (49 USC 5307)

These funds provide public mass transportation for urbanized areas with populations over 50,000. Funds may be used for capital, planning and operating.

SECTION 5309 (49 USC 5309)

This program of discretionary funds is for bus and bus facilities. The funds provide capital assistance.

SECTION 5310 (49 USC 5310)

Section 5310 funds are specifically for the special transportation needs of the elderly individuals and individuals with disabilities. The funds may be used for capital projects and the acquisition of contracted transportation services.

SECTION 5316 (49 USC 5316) JARC

The 5316 program is for the development of transportation services designed to transport welfare recipients and low income individuals to and from employment opportunities. These formula funds may be used for capital or operating expenses.

SECTION 5317 (49 USC 5317) NEW FREEDOM

The New Freedom program funds are for new public transportation services and public alternatives beyond those required by the ADA of 1990. The funds may be used for capital and SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS:

The individuals who are citizens of the United States and who are: (1) African Americans, which includes persons having origins in any of the Black racial groups of Africa; (2) Hispanic Americans, which includes persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race; (3) Native Americans, which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians; (4) Asian-Pacific Americans, which includes persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific, and the Northern Marianas; (5) Asian-Indian Americans, which includes persons whose origins are from India, Pakistan, and Bangladesh; (6) Women, regardless of race, ethnicity, or origin; and (7) Other individuals found to be socially and economically disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act.

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP):

This NDOT planning document, updated annually, covers all areas of the state. The STIP is the instrument used to implement the plans resulting from the statewide transportation planning process NDOT administers, and implements programs for the planning, development, construction and operation of the state's transportation systems. The STIP includes a three-year list of priority transportation programs and projects derived from and consistent with, the Statewide Intermodal/Multimodal Transportation Plan.

Development of the STIP is completed in cooperation with the State's Metropolitan Planning Organization's (Clark and Washoe County RTCs, CAMPO and the Tahoe MPO) and local governmental agencies. The MPOs in cooperation with the state and public transit operators develop transportation plans and programs for urbanized areas of the state. Development of the STIP is coordinated with federal, state, regional, local and Indian tribal governments through the Statewide Transportation Technical Advisory Committee (STTAC). The STIP includes all regionally significant transportation projects in Transportation Management Areas (TMAs) regardless of funding sources. The number of projects contained in the STIP is limited by the amount of funding anticipated to be available within the three-year period of the STIP. Limiting the projects to the amount of funds available ensures that the STIP is fiscally constrained and financially responsible.

TRANSPORTATION IMPROVEMENT PROGRAM (TIP):

This is the listing of the intermodal transportation projects, to be implemented over several years, developed from the planning process and designed to improve transportation services. This program is required for urbanized areas receiving federal transit and highway grants.

TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

The Transportation Equity Act for the 21st Century (TEA-21) built on the initiatives established in the Intermodal Surface Transportation Efficiency Act (ISTEA). This ACT combined the continuation and improvement of current programs with new initiatives to meet the challenge of

improving safety as traffic continues to increase at record levels, protecting and enhancing communities and the natural environment with provision of transportation, and advanced America's economic growth and competitiveness domestically and internationally through efficient and flexible transportation.

URBAN MASS TRANSPORTATION ADMINISTRATION (UMTA):

This is the former name of the Federal Transit Administration (FTA).

URBANIZED AREA (UZA):

A U.S. Bureau of Census-designated area of 50,000 or more inhabitants consisting of a central city or two adjacent cities plus surrounding densely settled territory, but excluding the rural portion of cities.

VANPOOL:

This represents a group of passengers who share the use and cost of a van for traveling to and from pre-arranged destinations together.

ACRONYMS

ACT	- Advisory Committee for Transit
ADA	- Americans with Disabilities Act
AMS	- American Management System
CDL	- Commercial Driver's License
CFR	- Code of Federal Regulations
CNG	- Compressed Natural Gas
DBE	- Disadvantaged Business Enterprise
DFWA	- Drug Free Workplace Act
DHHS	- U. S. Department of Health and Human Services
DOL	- Department of Labor
DOT	- Department of Transportation
EEO	- Equal Employment Opportunity
EIS	- Environmental Impact Statement
FHWA	- Federal Highway Administration
FTA	- Federal Transit Administration
FY	- Fiscal Year
GVW	- Gross Vehicle Weight
HHS	- Health and Human Services

ISTEA	- Intermodal Surface Transportation Efficiency Act
JARC	- Job Access Reverse Commute
MIS	- Management Information System
MPO	- Metropolitan Planning Organization
NDOT	- Nevada Department of Transportation
NEPA	- Nevada Environmental Policy Act
NRS	- Nevada Revised Statute
OMB	- Office of Management and Budget
RTAP	- Rural Transit Assistance Program
RTC	- Regional Transportation Commission
SAFETEA-LU	- Safe, Accountable, Flexible and Efficient Transportation Equity Act A Legacy for Users
SIP	- State Implementation Plan
SMP	- State Management Plan
STTAC	- State Transportation Technical Advisory Committee
STIP	- State Transportation Improvement Program
TEA-21	- Transportation Equity Act for the 21 st Century
TEAM	- Transportation Electronic Award Management
TIP	- Transportation Improvement Program
TRPA	- Tahoe Regional Planning Agency
TSA	- Transportation Services Authority
UMTA	- Urban Mass Transportation Administration
USC	- United States Code
USDOT	- United States Department of Transportation
USEPA	- United States Environmental Protection Agency
UZA	- Urbanized Area

APPENDIX B

APPLICATION CRITERIA AND PROGRAM DEFINITIONS

CATEGORIES AND CRITERIA

SERVICE

NEED FOR SERVICE - Does application demonstrate a clear need for this service? Application should address population of area, population of user groups, existing service provided (if applicable), other providers in the area, and related uses of vehicles, scheduling, etc. What are the consequences if this application is not approved?

ADA COMPLIANT - How will this project enhance or meet the ADA compliant regulations and needs for the service area? Will the project be fully ADA compliant or are there other ADA comparable and/or complimentary services in the service area? How will training occur for the ADA compliant equipment on the project?

SERVICE AREA - Discuss anticipated/proposed routes, schedules, trip priorities, etc. Describe the geographic service area including scheduled and non-scheduled trips to nearby larger urban areas.

APPLICANTS VISION/MISSION STATEMENT - Include the organization's mission statement that clearly involves the use of this proposed project. It needs to be clear how this project enhances the organization's mission.

ACCESS TYPE - Discuss equal access to your program and use of this project by all persons eligible for use of the vehicle/service to the general public. This needs to include the federal Civil Rights Compliance and Activity issues involving Title VI non discrimination, Equal Employment Opportunity, Disadvantaged Business Enterprises and Americans with Disabilities Act; and state access and disability statutes, policies and guidelines. Services to the general public should include a tentative schedule, fares, days of service, size of vehicle, etc.

EXISTING EQUIPMENT AND INVENTORY - Describe the existing vehicle fleet (if appropriate); the age, condition, make of vehicle, passenger seating capability, mileage, and usage of the existing fleet.

FINANCIAL

MATCH SOURCE/AVAILABILITY - The source of the matching funds must be identified and verified by the source. A letter to the applicant from the contributing agency will satisfy this section. Is the service going to be provided under contract to an agency, if so what are the contract provisions? Is the applicant requesting capital, operating or project administration monies?

INSURANCE - The insurance company that will provide full coverage on the vehicle needs to be identified. If the vehicle will be added to the existing insurance, that policy number should be provided. If the insurance is through a 'self insurance' program with the state, county or city that should be clearly identified. The state requires minimum liability coverage and the NDOT requires full coverage for the vehicle as long as the NDOT holds title. (The standard insurance for a vehicle under FTA funded programs is Liability and Property Damage Insurance with a limit of \$1,000,000 for each occurrence, for bodily injury, and property damage, naming the NDOT as an additional insured, and to be maintained through the entire period of use.)

ACCOUNTING CAPABILITY – The NDOT will review the accounting capability of an applicant prior to entering into an agreement under any FTA program. Applicants should provide a concise description of their accounting capability as part of the application. For operating programs, the revenue sources need to be identified, fares, and other revenues like advertising or carrying small packages. Accounting must be separated for project administrative, capital, and operating monies if those categories are being applied for.

OTHER REVENUE - Describe other revenue (if applicable) that will be used to defray or provide for the total operating, insurance, maintenance, driver and other costs for this project. This can include a description of rider donations, fares, other agency financial assistance, financial assistance from service or community groups, grants, business/charity/volunteer donations, etc. It is imperative that the applicant show sufficient financial support to fund the entire cost of the project.

COORDINATION

RESOURCES - Coordination willingness/intent is a priority. Describe coordination activities in the service area with other providers, community groups, etc. What resources are available for coordination in the service area? Are there working agreements between/among the providers in the service area, and if not, why? Will this project be part of the coordinated plan or working agreement in the service area? If the applicant has a coordinated plan or set of policies/objectives, please attach with the application. If there is not a plan or set of policies/objectives, document willingness to coordinate and anticipated strategies for coordination that will involve this project.

MAINTENANCE AND SAFETY

MAINTENANCE PLAN - Is there a maintenance plan? - For existing applicants provide the existing maintenance plan. New applicants must develop a plan or acquire information from other resources to develop one.

PAST PERFORMANCE – For applicants that are operating projects provided under any FTA program, document past maintenance practices, inspection/monitoring findings, etc.

DOCUMENTS AND REPORTING - Describe where and how vehicle maintenance/accident repairs is documented and kept, access to those records, and reporting to appropriate agencies.

OVERSIGHT - What oversight is provided for routine, scheduled or non-scheduled maintenance activities? Describe the organization's process for ensuring vehicle maintenance will be completed as per manufacturer's specifications and that warranty or excessive maintenance practices are not abused.

TRAINING FREQUENCY - Who will be trained in safety, drivers training, substance abuse awareness, passenger sensitivity, and customer service? How often will training occur, how will new recruits be trained, and who will perform CDL (if required) training? Sub recipients of some FTA funds are required to comply with regulations issued by the Federal Transit Administration on drug and alcohol testing, 49 C.F.R. Parts 655. Among other requirements, these regulations require that all safety sensitive employees be tested for drug and alcohol use pre-employment (drug only), randomly, and post accident, that certifications be made, and that reports be submitted. There are limited exceptions to the testing requirements for contract maintenance workers and for volunteers. The rule requires annual reporting of the results of testing on Management Information System (MIS) forms. Sub recipients submit the MIS forms to the state, which transmits them to FTA.

Describe the process in place for refresher training notifications with training agency.

Describe the process that will ensure drivers are trained to proficiency - Who will train new drivers, recurrent training policies, and how will drivers who are deficient in skills become proficient?

CUSTOMER SATISFACTION AND COMMUNITY SUPPORT

LETTERS OF SUPPORT - Document letters and resolutions of support for this application.

SURVEY REPORTS - Include a summary of informal surveys and on board rider satisfaction surveys (if applicable).

OTHER - Include any other indications of strong community support for the program. This can include considerations for funding from groups, strong rider interest, documentation of high levels of interest by client groups at City Council/Supervisors/Commissioners meetings, etc.

UNMET NEEDS/BARRIERS

CURRENT NEEDS - What are the barriers to effectively operating intercity general public (not only client specific) transportation, coordination, additional services provided, etc?

FUTURE - Describe how flexible the system will be utilizing the project services to respond to future unforeseen transportation challenges that could include major bus carriers dropping routes in your service areas, etc. (This section needs to be very general.)

IMPACTS FROM SOCIO/ECONOMIC LOCAL TRENDS - How is the service area growing with respect to new general public (not only client) riders entering the area, general demographics and economic data?

APPENDIX C

REFERENCES

FEDERAL TRANSIT LAWS - UNITED STATES CODE CHAPTER 53

- 49USC5303 – MPO Planning
- 49USC5304 – Statewide Planning
- 49USC5307 – MPO funds
- 49USC5309 – Bus and Bus Facilities
- 49USC5310 – Elderly and Disabled
- 49USC5316 – Job Access Reverse Commute (JARC)
- 49USC5217 – New Freedom

FEDERAL TRANSIT ADMINISTRATION (FTA) PROGRAM GUIDANCE CIRCULAR

- C1150.1A FTA Programs and Organization
- C4220.1B Third Party Contracting Guidelines
- C4702.1 FTA Guidelines for Title IV Information Specific to FTA Programs
- C4704.1 Equal Employment Opportunity Program Guidelines for FTA Recipients
- C4716.1A FTA Disadvantaged Business Enterprise Requirements for Recipients and Transit Vehicle Manufacturers

- C5010.1B Grant Management Guidelines
- C8100.1B Metropolitan Planning
- C8200.1 Statewide Planning
- C9030.1B Urbanized Area Formula Program
- C9045.1 New Freedom
- C9050.1 Job Access Reverse Commute (JARC)
- C9070.1E Elderly and Persons with Disabilities Program
- C9300.1A Bus and Bus Facilities

ACTS

Americans with Disabilities Act of 1990

Clean Air Act Amendments of 1990

Intermodal Surface Transportation and Efficiency Act of 1991

Transportation Equity Act for the 21st Century

Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users

OTHER

FTA's Best Practices Procurement Manual

- a. Federal Transit Laws, Title 49, United States Code, Chapter 53.
- b. Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users, (SAFETEA-LU) (Pub. L. 109-59, 119 Stat. 1144, August 10, 2005).
- c. Federal-aid highway and surface transportation laws, Title 23, United States Code.
- d. Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105-178, 112 Stat. 107, June 9, 1998).
- e. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) (Pub. L. 102-240, 105 Stat. 1914, Dec. 18, 1991).
- f. Federal Public Transportation Act of 1978 (Pub L. 95-599, Nov. 6, 1978).
- g. Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 et seq.
- h. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794.
- i. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d.
- j. Clean Air Act, as amended, 42 U.S.C. 7401 et seq.
- k. Section 404 of the Clean Water Act, as amended, 33 U.S.C. 1344.
- l. Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, 49 U.S.C. 303.
- m. National Historic Preservation Act, 16 U.S.C. 470f.
- n. Lobbying Restrictions, 31 U.S.C. 1352.
- o. State Infrastructure Provisions of National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note.

- p. Congressional Declaration of Policy Respecting Insular Areas, 48 U.S.C. § 1469a.
- q. Program Fraud Civil Remedies Act, 31 U.S.C. 3801 et seq.
- r. Sections 210 and 305 of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, 42 U.S.C. 4601, et seq.
- s. Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 et seq.
- t. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq.
- u. National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 et seq.
- v. Federal Funding Accountability and Transparency Act of 2006 (Pub. L 109-282, 120 Stat 1186, Sept. 26, 2006).
- w. Davis-Bacon Act, as amended, 40 U.S.C. 3141 et seq.
- x. Drug-Free Workplace Act of 1988, as amended, 41 U.S.C. 701 et seq.
- y. Alaska Native Claims Settlement Act, as amended, 43 U.S.C. 1601 et seq.
- z. Joint Federal Highway Administration/FTA regulations, "Planning Assistance and Standards," 23 CFR part 450 and 49 CFR part 613.
- aa. Federal Highway Administration regulations, "Classes of Actions," 23 CFR part 771.115.
- bb. Federal Highway Administration regulations, "Categorical Exclusions," 23 CFR part 771.117.
- cc. Judicial Administration regulations, "Nondiscrimination; Equal Employment Opportunity; Policies and Procedures," 28 CFR part 42.
- dd. U.S. Department of Treasury regulations, "Rules and Procedures for Efficient Federal-State Funds Transfers," 31 CFR part 205.
- ee. U.S. Environmental Protection Agency regulations, "Determining Conformity of Federal Actions to State or Federal Implementation Plans," 40 CFR part 93.
- ff. U.S. DOT regulations, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," 49 CFR part 18.
- gg. U.S. DOT regulations, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations," 49 CFR part 19.
- hh. U.S. DOT regulations, "New Restrictions on Lobbying," 49 CFR part 20.

- ii. U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964,” 49 CFR part 21.
- jj. U.S. DOT regulations, “Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs,” 49 CFR part 24.
- kk. U.S. DOT regulations “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25.
- ll. U.S. DOT regulations, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 CFR Part 26.
- mm. U.S. DOT regulations, “Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance,” 49 CFR Part 27.
- nn. U.S. DOT regulations, “Government-wide Debarment and Suspension (Non-procurement),” 49 CFR Part 29, as amended by 71 FR 62396, Oct. 25 2006.
- oo. U.S. DOT regulations, “Government-wide Requirements for Drug-Free Workplace (Financial Assistance),” 49 CFR Part 32.
- pp. U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 CFR Part 37.
- qq. U.S. DOT regulations, “Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles,” 49 CFR Part 38.
- rr. U.S. DOT regulations, “Procedures for Transportation Workplace Drug and Alcohol Testing Programs,” 49 CFR Part 40.
- ss. FTA regulations, 49 CFR Chapter VI.
- tt. Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.” (February 11, 1994).
- uu. Executive Order 13330, “Human Service Transportation Coordination.” (February 24, 2004).
- vv. Office of Management and Budget Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments," dated 5-17-95.
- ww. Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," dated 06-27-2003.
- xx. U.S. Department of Transportation (DOT) Order to Address Environmental Justice in Minority Populations and Low-Income Populations, 62 FR 18377 (April 15, 1997).

- yy. U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, 70 FR 74087 (December 14, 2005).
- zz. FTA Circular 4220.1D, "Third Party Contracting Requirements," dated 06-19-03.
- aaa. FTA Circular 5010.1C, "Grant Management Guidelines," dated 10-1-98.
- bbb. FTA Circular 9030.1C, "Urbanized Formula Program Guidance and Application Instructions," dated 10-1-98.
- ccc. FTA Circular 4702.1, Title VI Program Guidelines for FTA Recipients," dated 10-1-98.
- ddd. Notice of Final Agency Guidance on the Eligibility of Joint Development Improvements under Federal Transit Law, 72 FR 5788 (February 7, 2007).
- eee. Federal Highway Administration Notice N 4540.12, Attachment 1 (March 17, 1992).
- fff. U.S. General Services Administration, "Lists of Parties Excluded from Federal Procurement and Non-procurement Programs."
- ggg. FTA Master Agreement FTA MA (13), dated October 1, 2006.
- hhh. "Guidelines for Disbursements," FTA ECHO-Web System Operations Manual.

APPENDIX D

CALENDAR OF EVENTS

- October** Process new federal fiscal year grants with FTA
Complete the annual FTA Certifications and Assurances
Receive final billings and reporting requirements/vehicle inventory reports from prior fourth federal fiscal year quarter

Advisory Committee for Transit Meeting
Progress reports from Grantees
Attend SPR meeting with FHWA regarding the transit program
NDOT reporting to FTA, closeout documentation prior year, drawdown
- November** Update fleet information (transfer titles if applicable to grantee)
Reassign vehicles between grantees as appropriate
- December** Finalize the application execution with NDOT/FTA (if not completed prior)
- January** Review and finalize vehicle procurement order with Equipment Division
Advisory Committee for Transit meeting
NDOT quarterly report to FTA, drawdown
- February** Equipment Division meets with State Purchasing for capital bus items
Update application packet to reflect new guidelines or requirements
Solicit applications via newspaper and/or letters
Review monitoring program
- March** Distribute application packets upon request
NDOT quarterly report to FTA, drawdown
Annual Management Information System due to FTA (applicable only to 5311)

April	<p>Annual FTA/NDOT visit to discuss program, response to reviews</p> <p>Begin application review</p> <p>Advisory Committee for Transit meeting</p>
May	<p>Applications are selected for the next Federal Fiscal Year.</p> <p>Prepare grantee agreements for vehicles, operating funds, project administration applications</p> <p>Provide for the STIP selected grantees, vehicles and funding amounts.</p> <p>Provide FTA a listing of selected grantees, vehicles and funding amounts.</p>
June	<p>Provide grantees that were selected a letter describing the award and purpose</p> <p>NDOT quarterly reports to FTA, drawdown</p> <p>NDOT agreement sent to Grantee for signature</p>
July	<p>Review with other state agencies/coalitions/private providers their financial commitment for the new federal fiscal year</p> <p>Deliver vehicles ordered in the previous funding cycle</p> <p>Advisory Committee for Transit meeting</p>
August	<p>Prepare applications for FTA for next federal fiscal year</p> <p>Corrective action for unresolved monitoring issues</p>
September	<p>Grantee agreements are executed</p> <p>Provide information to the STIP process on the 5311 program for the current fiscal year</p>
All year	<p>Grantee liaison/public relations</p> <p>Data collection from grantees (monthly ridership/maintenance reports, etc)</p> <p>STTAC meetings as scheduled</p> <p>Grantee training and monitoring</p> <p>Audit and closure of Agreements</p>

APPENDIX E

REPORT OF TRAFFIC ACCIDENT



555 Wright Way
 Carson City, NV 89711
 Reno/Sparks/Carson City (775) 684-4DMV (4368)
 Las Vegas Area (702) 486-4DMV (4368)
 Rural Nevada (877) 368-7828
 Fax: (775) 684-4829
 Website: www.dmvnv.com

REPORT OF TRAFFIC ACCIDENT

This form needs to be completed (NRS 484.229):

- **When an accident was NOT investigated at the scene by law enforcement**
- **ONLY** if damage occurred in excess of \$750 to any one person or if the accident resulted in an injury or death
- Within 10 days of the accident.

Instructions:

Please complete all sections. If you do not have the information requested in an area, write "Unknown". Please sign the completed form and return it to the DMV at the above address. Failure to submit this form may result in the suspension of your driving privilege for up to one year.

This form cannot be accepted or processed unless ALL information is completed for ALL DRIVERS in areas provided below. Plate number only will not be accepted.

LOCATION WHERE THE ACCIDENT OCCURRED:

_____ Highway No. or Street Name _____ City _____ County

DRIVER AND VEHICLE INFORMATION:

If more than two vehicles were involved, please provide the additional driver and vehicle information on a separate page.

No.	Driver	Pedestrian	Parked Vehicle	Pedal Cyclist	Other		No.	Driver	Pedestrian	Parked Vehicle	Pedal Cyclist	Other
1	1-	2-	3-	4-	5-		2	1-	2-	3-	4-	5-
Name (Last, First, Middle)							Name (Last, First, Middle)					
Street Address			City	State	Zip		Street Address			City	State	Zip
Driver License No. and State				Soc. Sec. No.			Driver License No. and State				Soc. Sec. No.	
License Plate No. and State			Year and make				License Plate No. and State			Year and make		
Body Type		Vehicle ID No.					Body Type		Vehicle ID No.			

OWNER INFORMATION:

If the driver and owner of the vehicle are the same, please state "Same as Above" under owner's name.

_____ Owner's Name (Last, First, Middle)					_____ Owner's Name (Last, First, Middle)				
Owner's Address	Street	City	State	Zip	Owner's Address	Street	City	State	Zip
_____ Owner's Driver License No. and State			_____ Owner's Soc. Sec. No.		_____ Owner's Driver License No. and State			_____ Owner's Soc. Sec. No.	

ACCIDENT INFORMATION:

Date and time of accident:

If you answer "Yes", please explain in the space provided:

Yes No Was there damage to property other than the vehicle? Describe: _____

Property Owner's Name: _____

Property Owner's Address: _____

Please write a brief description of the accident:

INSURANCE INFORMATION: ATTACH A COPY OF YOUR INSURANCE CARD

This information is necessary to verify that the vehicle was insured at the time of the accident. If insurance was not in effect on the date of the accident, your driving privilege and registration may be suspended under the Nevada Safety Responsibility Act.

Policy No: _____ Policy effective from: _____ to: _____

ESTIMATE OF REPAIRS:

An estimate of repairs or a statement of total loss must be attached if there was damage to a vehicle or property in excess of \$750.00. Void if not attached.

PERSONAL INJURY:

If an injury occurred, a doctor's statement of injury **MUST be attached**. Attach doctor's statement for each individual that was injured in your vehicle. Void if not attached.

Driver

Passenger

Name _____ Age _____ Sex _____

Street Address _____ City _____ State _____ Zip _____ Relationship to Driver of Your Vehicle** _____

* Husband, wife, son, daughter, etc.

Nature and Extent of Injuries _____

By completing this form, you are authorizing the Department of Motor Vehicles to release your name, mailing address, and insurance information to the other parties involved in the traffic accident.

SIGNATURE:

I hereby certify all statements made in this report are true. I agree and understand any person who completes this report knowing or having reason to believe the information is false is guilty of a gross misdemeanor. (NRS 484.236)

Signature: _____ Date: _____

***** VOID IF NOT SIGNED *****