

METROPOLITAN TRANSIT AUTHORITY

PROGRAM MANAGEMENT PLAN

SECTION 5310 –

ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH

DISABILITIES

September 30, 2014

**ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH
DISABILITIES PROGRAM MANAGEMENT PLAN**

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METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS
ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH
DISABILITIES
PROGRAM MANAGEMENT PLAN

1. BACKGROUND

The Moving Ahead for Progress in the 21st Century Act (MAP-21), signed into law on July 6, 2012, with an effective date of October 1, 2012, repealed the New Freedom program (49 U.S.C. 5317) and merged the New Freedom program into the Section 5310 program. As a result of this merger of programs, activities eligible under the New Freedom program are now eligible under Section 5310, and, consistent with Section 5317, funds are apportioned among large urbanized areas, small urbanized areas, and rural areas, instead of only to states, as the law previously provided. In addition to the types of projects eligible under the traditional Section 5310 program and the former New Freedom program, a new eligible activity is public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit.

The goal of the Section 5310 program is to improve mobility for elderly individuals and individuals with disabilities throughout the country. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of elderly individuals and individuals with disabilities in all areas—urbanized, small urban, and rural. The program requires coordination with other federally-assisted programs and services in order to make the most efficient use of federal resources.

MAP-21 continues to require that recipients certify that projects selected are included in a locally developed, coordinated public transit-human services transportation plan (the RCTP). MAP-21 changes require designation of an eligible recipient for each urbanized area of 200,000 or more.

2. PROGRAM MANAGEMENT PLAN

The purpose of this Program Management Plan is to document policies and procedures for administering the Enhanced Mobility of Seniors and Individuals with Disabilities program in the Houston Urbanized Area (UZA).

The Federal Transit Administration (FTA) Circular 9070.1 allows the designated recipient to establish arrangements to administer and conduct the selection process. The Metropolitan Transit Authority of Harris County, Texas (METRO) is the designated recipient for Section 5307 Houston Urbanized Area Formula funds and is also the designated recipient for the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant program. METRO will submit grant program applications, receive the resulting FTA grant contracts, and manage the grant program. Successful applicants will be subrecipient(s) to METRO and will be subject to meeting the operational and reporting requirements of the FTA funding program.

METRO, as the designated recipient for 5310 in the Houston UZA, will allocate a designated amount, based on the last three years of eligible activities and associated grant funding, to the dedicated transit providers in the UZA. Allocations must show a demonstrated transit benefit as it relates to the service area. Remaining funds would be allocated to non-profit organizations through a competitive process. METRO will issue a Call for Projects and lead a project evaluation committee to make recommendations to the METRO Board of Directors for the allocation of funds.

Beginning in FY2013, projects selected for funding will be included in the applicable metropolitan Transportation Improvement Program (TIP), Statewide Transportation Improvement Program (STIP), and the Regional Public Transportation Coordination Plan, locally developed by the Houston-Galveston Area Council (H-GAC) in collaboration with public transportation stakeholders in the 13-county Gulf Coast Region. Due to the significant staff effort required to conduct the competitive selection process and manage the grants awarded under the program, METRO may elect to request reimbursement for administrative costs resulting from their program participation.

3. PROGRAM GOALS

The Gulf Coast Region Updated Regionally Coordinated Transportation Plan (RCTP) and the Regional Transportation Plan (RTP) includes long-term transportation related goals that were developed through an extensive public involvement process. The RCTP and RTP include special emphasis on transit accessibility, environmental justice, and related policies, projects, programs, and strategies that will lead to improvements in the public transportation services for the elderly, disabled and low income individuals.

The process for long range planning includes the development and approval of the RTP by the Transportation Policy Council (TPC), which serves as the Metropolitan Planning Organization for the Gulf Coast Planning Region. The TPC includes elected officials, representatives from transportation stakeholder agencies, and various public interest groups.

The goals of the Houston Urbanized Area Enhanced Mobility of Seniors and Individuals with Disabilities grant program include but are not limited to:

- Fostering delivery of improved regional transportation services;
- Complementing or “filling-in” holes in existing transportation services;
- Avoiding duplication of existing administrative or transportation services provided within the region;
- Funding eligible projects that provide service within the scope of the program purposes and
- Supporting cost effective delivery of transportation services to elderly and/or disabled communities.

Furthermore, FTA will be capturing overall program measures to be used with the Government Performance and Results Act (GPRA) and the Performance Assessment Rating Tool process for the U.S. Office of Management and Budget. FTA will conduct independent evaluations of the program focused on specific data elements in order to better understand the implementation strategies and related

outcomes associated with the program. The following indicators are targeted to capture overarching program information as part of the Annual Report that each grantee submits to FTA. Specific reporting requirements for recipients can be found in Chapter 6.

The indicators established for the Section 5310 program are:

- Gaps in Service Filled.
- Ridership.
- Service Improvements.
- Physical Improvements.

Applications that do not support the above goals will be considered non-responsive and will not be evaluated.

4. ELIGIBLE SUBRECIPIENTS

ELIGIBLE SUBRECIPIENTS FOR TRADITIONAL SECTION 5310 PROJECTS

Section 5310(b) provides that of the amounts apportioned to states and designated recipients, not less than 55 percent shall be available for traditional Section 5310 projects – those public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable or inappropriate. In order to meet the 55 percent requirement for traditional Section 5310 projects, FTA expects the state and designated recipient to apply for these funds on behalf of eligible subrecipients, which are limited to:

- a private non-profit organization; or
- a state or local governmental authority that:
 - (1) is approved by a state to coordinate services for seniors and individuals with disabilities; or
 - (2) certifies that there are no non-profit organizations readily available in the area to provide the service.

These provisions, found at 49 U.S.C. 5310(b)(1) and (b)(2), essentially maintain the status quo for traditional Section 5310 projects and the eligible subrecipients for traditional Section 5310 projects.

Governmental authorities eligible to apply for Section 5310 funds as “coordinators of services for seniors and individuals with disabilities” are those designated by the state to coordinate human service activities in a particular area. Examples of such eligible governmental authorities are a county agency on aging or a public transit provider which the State has

identified as the lead agency to coordinate transportation services funded by multiple Federal or State human service programs.

ELIGIBLE SUBRECIPIENTS FOR OTHER SECTION 5310 PROJECTS

Eligible subrecipients for other eligible Section 5310 activities include a state or local governmental authority, a private non-profit organization, or an operator of public transportation that receives a Section 5310 grant indirectly through a recipient.

5. ELIGIBLE ACTIVITIES

Section 5310 funds are available for capital and operating expenses to support the provision of transportation services to meet the specific needs of seniors and individuals with disabilities.

Section 5310(b) provides that of the amounts apportioned to states and designated recipients, not less than 55 percent shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Notably, this 55 percent is a floor, not a ceiling—recipients may use more than 55 percent of their apportionment for this type of project.

This means that at least 55 percent of any rural, small urbanized area, or large urbanized area's annual apportionment must be utilized for public transportation capital projects that are planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities. It is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project.

Eligible projects for the required 55 percent of capital projects include the capital cost of contracting for the provision of transit services for seniors and individuals with disabilities and other specialized shared-ride transportation services. The purchase of rolling stock for or the acquisition of ADA-complementary paratransit service are eligible capital expenses that may also qualify as public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate, provided the projects are carried out by eligible subrecipients (see section 4, above) and these projects are included in the area's coordinated plan.

In addition to the above required capital projects, up to 45 percent of an area's apportionment may be utilized for additional public transportation projects that:

- a. Exceed the ADA minimum requirements,
- b. Improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service, or
- c. Provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Such projects must be targeted toward meeting the transportation needs of seniors and individuals with disabilities, although they may be used by the general public. It is not sufficient that seniors and individuals with disabilities are included (or assumed to be included) among the people who will benefit from the project. FTA encourages projects that are open to the public as a means of avoiding unnecessary segregation of services.

Recipients must clearly identify the projects that are part of the required 55 percent capital projects as part of the grant activity line item narrative descriptions. Many projects may be eligible under both the required and optional criteria, but a discrete set of projects that meet the required criteria constituting at least 55 percent of the grant amount, exclusive of administrative expenses, must be identified. Alternatively, the grant application may assign less than the required 55 percent to such projects if other grants in the same fiscal year utilize more than the required 55 percent, so long as at least 55 percent of the total annual apportionment will be used for required projects.

ELIGIBLE CAPITAL EXPENSES THAT MEET THE 55 PERCENT REQUIREMENT

Funds for the Section 5310 program are available for capital expenses as defined in Section 5302(3) to support public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Examples of capital expenses that meet the 55 percent requirement, which must be carried out by an eligible recipient or subrecipient as described in section 4 of this chapter above, include, but are not limited to:

a. Rolling stock and related activities for Section 5310-funded vehicles

- (1) Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs;
- (2) Vehicle rehabilitation or overhaul;
- (3) Preventive maintenance;
- (4) Radios and communication equipment; and
- (5) Vehicle wheelchair lifts, ramps, and securement devices.

b. Passenger facilities related to Section 5310-funded vehicles

- (1) Purchase and installation of benches, shelters, and other passenger amenities.

c. Support facilities and equipment for Section 5310-funded vehicles

- (1) Extended warranties that do not exceed the industry standard;
- (2) Computer hardware and software;
- (3) Transit-related intelligent transportation systems (ITS);
- (4) Dispatch systems; and

(5) Fare collection systems.

- d. Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish criteria for determining cost effectiveness in accordance with FTA regulations, "Capital Leases," 49 CFR part 639 and OMB Circular A-94, which provides the necessary discount factors and formulas for applying the same;
- e. Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary paratransit services when provided by an eligible recipient or subrecipient as defined in section 4 of this chapter, above. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;
- f. Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinate usage of vehicles with other nonprofits, but not the operating costs of service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:
 - (1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
 - (2) Support for short-term management activities to plan and implement coordinated services;
 - (3) The support of state and local coordination policy bodies and councils;
 - (4) The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;
 - (5) The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;
 - (6) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and

- (7) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of geographic information systems (GIS) mapping, global positioning system technology, coordinated vehicle scheduling, dispatching and monitoring technologies, as well as technologies to track costs and billing in a coordinated system, and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense).
- g. Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA-complementary paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient/subrecipient as defined in section 4, above, and is included in the coordinated plan.

OTHER ELIGIBLE CAPITAL AND OPERATING EXPENSES.

- a. General. Up to 45 percent of a rural, small urbanized area, or large urbanized area's annual apportionment may be utilized for:
 - (1) Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
 - (2) Public transportation projects (capital and operating) that exceed the requirements of ADA;
 - (3) Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or
 - (4) Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

Since the 55 percent requirement is a floor, and not a ceiling, the activities listed in section 5, above, are eligible expenses for all funds available to a recipient under Section 5310. For example, mobility management and ITS projects may be eligible under both categories; the difference to note, in order for the project to qualify toward the 55 percent requirement, is that the project must meet the definition of a capital project, be specifically geared toward the target population, and carried out by an eligible subrecipient, which is limited for this category of projects. The list of eligible activities is intended to be illustrative, not exhaustive. FTA encourages recipients to develop innovative solutions to meet the needs of seniors and individuals with disabilities in their communities and discuss proposed projects with FTA regional staff to confirm eligibility.

- b. Public Transportation Projects that Exceed the Requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA.

(1) Enhancing paratransit beyond minimum requirements of the ADA. ADA-complementary paratransit services can be eligible under the Section 5310 program in several ways:

- (a) Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
 - (b) Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
 - (c) The incremental cost of providing same day service;
 - (d) The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
 - (e) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
 - (f) Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations, 49 CFR part 38 (i.e., larger than 30" x 48" and/or weighing more than 600 pounds), and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600-pound design load, and the acquisition of heavier duty vehicles for paratransit and/or demand-response service in order to accommodate lifts with a heavier design load; and
 - (g) Installation of additional securement locations in public buses beyond what is required by the ADA.
- (2) Feeder services. Accessible "feeder" service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.

c. Public Transportation Projects that Improve Accessibility. The following activities are examples of eligible projects that improve accessibility to the fixed-route system.

(1) Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Section 5310 funds are eligible to be used for accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail, and rapid rail. This may include:

- (a) Building an accessible path to a bus stop that is currently inaccessible, including curb cuts, sidewalks, accessible pedestrian signals, or other accessible features;
- (b) Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
- (c) Improving signage or way finding technology; or
- (d) Implementation of other technology improvements that enhance accessibility for people with disabilities including ITS.

(2) Travel training. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.

d. Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities with Transportation. The following activities are examples of projects that are eligible public transportation alternatives.

- (1) Purchasing vehicles to support accessible taxi, ride-sharing, and/or vanpooling programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to part 38 to remain in his/her personal mobility device inside the vehicle.
- (2) Supporting the administration and expenses related to voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (federal/local) match.
- (3) Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities

to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.

- e. Limits on operating assistance. Given the 55 percent requirement for traditional Section 5310 capital projects, a recipient may allocate up to 45 percent of its apportionment for operating assistance. However, this funding is limited to eligible projects as described in 49 U.S.C. 5310(b)(1)(B-D) and described in this section (b, c, and d), above. Operating assistance for required ADA complementary paratransit service is not an eligible expense.

6. ADMINISTRATION, PLANNING and TECHNICAL ASSISTANCE

The 5310 program for Enhanced Mobility of Seniors and Individuals with Disabilities regulations allow grantees to include up to 10% (ten percent) of the annual program allocation to fund program administration costs including administration, planning and technical assistance (AP&TA). Administration cost may be funded at 100% Federal share. Allowable administration costs may include, but are not limited to, general administrative and overhead costs, staff salaries, office supplies, and development of specifications for vehicles and equipment. Guidance on eligible costs may be found in the Office of Management and Budget (OMB) Circular A-87.

Applicants who request up to the 10% AP&TA option must include separate documentation for these costs in the application (as outlined). Applicants who request reimbursement of allocated overhead must provide details on the overhead program's approval by a cognizant federal agency.

The Project Evaluation Team (PET) will evaluate an applicant's request for administration, planning and technical assistance as part of the over-all application evaluation. AP&TA may be included in the recommended subrecipient's project budget, subject to the annual availability of these funds.

The designated recipient will conduct an application workshop. During each proposal period, staff will compile a list of written questions asked and answers provided, and posts the results on its web site for public review. Additionally, staff are available by phone and e-mail to answer questions raised during the application process or after projects are selected and grants are awarded. The schedule of key dates published during each proposal cycle will include a specific date by which all questions must be submitted.

7. LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

Federal funding for capital, planning and operating expenses that support the development and maintenance of transportation services for seniors and individuals with disabilities at no more than 80% of the net cost of capital and planning costs. The federal share of the eligible operating costs for the program may not exceed 50% of the net operating costs (net of program income such as fare revenue) of the activity.

All of the local share must be provided from sources other than Federal Department of Transportation (DOT) funds. Possible sources of eligible local matching funds include: other non-DOT federal funds, dedicated tax revenues, private donations, revenue from human service contracts, net income generated from advertising, and concessions. However, certain federal sources are allowed as local match (Workforce, etc.); these sources are more fully identified in the relevant FTA circular. Non-cash share such as donations, volunteered services, or in-kind contributions is eligible to be counted toward the local match as long as the value of each is documented and supported, represents a cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget. See 49 CFR Parts 18 and 19 for further information.

Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match. In case of either treatment, the cost of providing the contract services should be included in the total project cost.

Local share documentation is required as part of the grant application.

8. APPLICATION PROCESS

At the time a Call for Projects is issued, METRO will provide a grant application to any person or agency requesting the form. A copy of the application form is included herewith as Attachment 2. This application may be revised from time to time as the programs mature; revised, future versions of the application form will be made available to any person or agency requesting a copy. Additionally, the most recent version of the application form will be available in an electronic format on the METRO's Grant Programs website at <http://www.ridemetro.org/Opportunities/GrantPrograms.aspx>. If project sponsors are unable to access the Internet, they may request a paper copy of the application from METRO staff; staff from the agency will then mail a paper copy to the potential applicant. In addition to the most recent version of the grant application, the latest project selection schedule, estimated available funds and latest version of this *Program Management Plan* will be posted on the METRO website or forwarded to project sponsors, if requested.

During the application period, METRO will conduct a workshop and meet with applicants to explain program requirements, application process, and project selection process, as well as to provide an opportunity for project sponsors to ask questions about the application and the selection process. For those unable to attend the workshop, METRO staff will make themselves available to answer questions via email or telephone calls.

After applications have been received and the submission deadline passed, the Project Evaluation Team members will receive a copy of each application, the selection criteria, project evaluation form, and the most recent version of the *Program Management Plan*. The Project Evaluation Team (PET) will have a previously agreed upon amount of time to perform the technical evaluations, at the end of which they will meet to decide on final project scores. At this point, the draft list recommending projects to be funded will be submitted to METRO's Board of Directors for approval.

Approval Process

Members of the evaluation committee, which will be chaired by METRO, will include: two METRO representatives, two representatives from dedicated transit operators who have previously operated and reported service inside the Houston UZA in the last finalized NTD report, one representative from H-GAC and one representative from the non-profit community knowledgeable of transportation programs. The representative from H-GAC will facilitate proper coordination with the H-GAC planning process.

When the scoring process is complete, and based on the Project Evaluation Team's recommendations, the METRO Board of Directors will consider approval of projects for funding, execution of the appropriate agreements with agencies whose projects have been selected for funding, and authorize METRO staff to submit grant applications, conduct administrative grant actions as necessary, and execute the resulting grant contracts. The TPC action will include incorporation of the project(s) selected for 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funding into the current Transportation Improvement Program, Regional Transportation Plan, and Regional Coordination Plan.

Application Cycle

Pursuant to directions in the Section 5310 circular, METRO will periodically conduct a competitive selection process for projects apportioned to the Houston Urbanized Area (UZA). The competition will occur at least once a year.

A typical application cycle is shown on Attachment 3. However, all participants should recognize that these dates may change if the annual allocation determined by Congress is delayed beyond January of each year, or if other conditions require a revision to the schedule.

9. PROJECT SELECTION CRITERIA AND METHODOLOGY

Project Selection Criteria

A standard score sheet will be used in evaluating the proposals received and recommending selected projects for funding. The most recent version of the Project Evaluation Score Sheet is included as Attachment 4 hereto. This score sheet may be revised from time to time as the program selection process matures in the Houston region. Updated documents will be posted, when applicable, on the METRO website for applicant review during the related selection process.

Projects will be scored on the following criteria:

1. Project Description / Benefits	0-20 points
2. Project Goals / Objectives	0-20 points
3. Project Planning / Coordination /Implementation	0-30 points
4. Project Implementation/Readiness	0-10 points
5. Project Financial Status /Monitoring/Sustainability	0-20 points
Total Maximum	100 points

PET members will individually score and rank each proposal.

Private Sector Participation

The Houston region has established a cooperative process for receiving and selecting individual projects for funding. This process includes conducting an open “Call for Projects” in response to which any eligible agency may submit a proposal. Private or public operators of transportation may submit proposals. Additionally, private or public transportation providers may be selected through a competitive procurement process to provide services under another agency’s project.

10. PROGRAM ADMINISTRATION REQUIREMENTS

Subrecipients that are public providers of public transportation must follow the requirements of 49 CFR Part 18 for management of grant funds awarded. Private non-profit organizations must follow 49 CFR Part 19 for management of grant funds awarded.

Designated Recipient Grants Management

METRO is the designated recipient for 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program fund. As a large transit agency with many years’ experience in grants management, METRO has established guidelines that address project management (on-going monitoring of implementation and financial status), compliance with procurement regulations, and other federal regulations. For the selected projects, grants management staff may conduct on-site visits to observe the condition of physical assets, to confirm previously reported records of vehicle use and maintenance, and to verify accounting systems are sufficiently detailed to separate grant financial records from other agency financial records. As necessary, staff from METRO’s internal Audit Department may assist the grants management staff in these site visits.

Additionally, close attention will be given to the subrecipients’ regular quarterly reports to identify potential problem areas early so that corrective action plans may be established and implemented. At the conclusion of the project, METRO staff will obtain a list of fixed assets acquired with grant funds, and complete the FTA grant closeout process.

Reporting Requirements

Quarterly reports are due to METRO by the 10th day of the month following calendar quarters ending in December, March, June, and September.

Program Measures – The subrecipient is required to submit quarterly reports to METRO on both quantitative and qualitative information on each of the following indicators:

- **Gaps in Service Filled:** Provision of transportation options that would not otherwise be available for seniors and individuals with disabilities measures in numbers of seniors and individuals with disabilities afforded mobility they would not have without program support.
- **Ridership:** Number of rides (as measured by one-way trips) provided annually for seniors or individuals with disabilities on Section 5310 supported vehicles and services.
- **Physical Improvements:** Additions or changes to environmental infrastructure (e.g. transportation facilities, sidewalks, etc.), technology, or vehicles that impact availability of transportation services as a result of the 5310 project(s) implemented in the current reporting period.
- **Service Improvements:** Related to geographic coverage, service quality, and/or service times that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.

Milestone Progress Activity Reports – The subrecipient will notify METRO of revised project milestone completion dates as each revision is made. An explanation as to why the date changes are necessary will be included in the notification. Using the format provided with the Interagency Agreement (Attachment 5 herewith), the subrecipient will also submit the following data:

- confirmation of estimated completion dates for progress milestones, and reasons for revisions if the estimated completion dates have changed;
- activities completed for the quarter being reported;
- activities scheduled for the next quarter;
- contract modifications meeting the FTA reportable threshold of \$100,000 or greater amount exercised during the quarter; and
- all claims settled during the quarter accompanied by a brief description, estimated costs and the reasons for the claims.

Subrecipients who report no progress toward completing the grant-funded activities in a quarter will be cautioned to expedite progress / project implementation. A second consecutive

quarter of no activity (without sufficient justification) may subject the subrecipient to forfeiture of the grant funds that will be re-awarded to the next highest ranked, unfunded project for the application period, or to another project within the same grant that can use the funds.

Additionally, surplus funds resulting from projects that do not use the entire assigned grant budget will be reprogrammed by the Project Evaluation Team to qualified but unfunded or under-funded projects received during the Call for Projects.

Reimbursement Requests – The subrecipient must submit requests for reimbursement to METRO no more often than monthly. Such requests shall include sufficient documentation to support reimbursement of the expenditure, including copies of vendor invoices and checks / wire transfers from the subrecipient for payments of the invoices, employee time sheets, etc. METRO staff shall review the reimbursement request for compliance with the grant's scope, terms, and conditions. If questions arise regarding some portion of the reimbursement request, METRO staff will promptly contact the appropriate subrecipient project manager to resolve the question(s). Upon approval of the request for payment, METRO will submit a reimbursement request to FTA. Upon receipt of the reimbursement from FTA, METRO shall transfer the reimbursed funds to the subrecipient within three work days.

Financial Status Report - The subrecipient must submit to METRO a quarterly Financial Status Report (FSR) for each active grant using OMB Forms 269 and 425 (see Attachment 6). The FSR must include by project by activity (i.e., services, equipment purchase, labor/fringes, allocated overhead, etc.) the following information:

SF 425

- Cash on Hand Beginning of Period
- Cash Receipts
- Cash Disbursements
- Cash on Hand
- Total Federal Funds Authorized
- Federal Share of Expenditures
- Recipient Share of Expenditures
- Total Expenditures
- Federal Share of Unliquidated Obligations (aka Unpaid Contract Balances)
- Recipient Share of Unliquidated Obligations
- Total Unliquidated Obligations
- Total Federal Share
- Unobligated Balance of Federal Funds
- Total Recipient Share Required
- Remaining Recipient Share to be Provided
- Program Income on Hand at Beginning
- Total Federal Program Income Earned
- Program Income Expended ... Deduction Alternative
- Program Income Expended ... Addition Alternative
- Program Income Expended ... Allowable Operating / Capital Expense
- Unexpended Program Income

SF 269

- Cash on Hand at Beginning of Period
- Cash Receipts
- Cash Disbursements
- Net Outlays Previously Reported
- Total Outlays This Report
- Less: Program Income Credits
- Net Outlays This Report Period
- Net Outlays to Date
- Less Non-Federal Share of Outlays
- Total Federal Share of Outlays
- Total Unliquidated Obligations
- Less Non-Federal Share of Unliquidated Obligations
- Federal Share of Unliquidated Obligations
- Total Federal Share of Outlays and Unliquidated Obligations
- Total Cumulative Amount of Federal Funds Authorized
- Unobligated Balance of Federal Funds
- Indirect Cost Rate & Status (Fixed, Final, etc.)
- Period during Which Indirect Cost is Charged
- Base Amount of Project Management Expense
- Amount of Project Management Expense Charged
- Federal Share of Project Management Expense Charged

A subrecipient that wishes to revise an activity's budget should submit such revision request in writing to METRO with an explanation of the reason for the change and the amount of the change identified. If the budget revision request is reasonable, justified, and within the scope authorized without prior FTA approval, METRO will process the request. If the budget revision request is beyond the range authorized without prior FTA approval, METRO will coordinate the requested budget revision with FTA and advise the subrecipient upon FTA's approval of the budget revision.

11. NATIONAL TRANSIT DATABASE (NTD)

The designated recipient is responsible for ensuring NTD data collection and reporting for the Section 5310 program. (Note: The circular has not yet finalized the NTD reporting requirements. One proposed solution is that any Section 5310 recipient that already reports to NTD for Section 5307 or 5311 would meet the requirement. Section 5310 recipients would then only need to add NTD reports/data for any sub-recipients that are not already reporting to the NTD.)

Subrecipient NTD reporting requirements include the following information:

- Total annual revenue;
- Sources of revenue;
- Total annual operating costs;

- Total annual capital costs;
- Fleet size and type;
- Related facilities;
- Vehicle revenue miles; and
- Ridership.

12. FTA APPLICATION

As designated recipient for the Houston Urbanized Area 5310 Program, METRO will complete the FTA on-line application as a separate grant, not as part of other FTA grant applications submitted by METRO.

13. PROCUREMENT REQUIREMENTS

Subrecipients whose projects receive funding will be required to comply with all appropriate portions of the *48 CFR Federal Acquisition Regulations*. In order to ensure that proposed purchases of goods, services, material, or equipment comply with the applicable procurement regulations, subrecipients will be required to certify to their compliance with *48 CFR* to METRO as part of their execution of the Interlocal Agreement.

Houston METRO is responsible for ensuring that subrecipient compliance with procurement and contracting rules. Subrecipients are required to have written procurement procedure, to include specific required clauses in FTA- funded procurements, verify that contractors are not suspended or debarred, and that if applicable, Buy America provisions are followed.

METRO staff will verify that the subrecipient procurement procedures are in compliance with FTA Circular 4220.1F, Third Party Contracting Guidance. Additionally, METRO staff will review procurements and contracting to ensure policies and procedures were followed, contractors were not suspended or debarred, all required federal clauses were included in the procurement and contract, and that if applicable Buy America provisions were followed.

Suspension and Debarment

FTA grantees not only are required to certify that they are not excluded from federally assisted transactions, but also are required to ensure that none of the grantee's "principals": subrecipients, and third-party contractors and subcontractors are debarred, suspended, ineligible or voluntarily excluded from participation in federally assisted transactions. This requirement only applies to awards greater than \$25,000. To prevent fraud, waste, and abuse in state and federal transactions, persons or entities, which by defined events or behavior, potentially threaten the integrity of federally administered programs are excluded from participating in FTA- assisted programs.

Lobbying

Recipients of federal grants and contracts exceeding \$100,000 must certify compliance with P.L. 101-121, Section 319, Restrictions on Lobbying, before they can receive funds. In

addition, grantees are required to impose the lobbying restriction provisions on their contractors. This requirement applies to awards greater than \$100,000.

14. CIVIL RIGHTS

Title VI of the Civil Rights Act of 1964 states: “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The FTA’s Title VI Circular (4702.1B), established new requirements for recipients to document and monitor their FTA subrecipients’ compliance with Title VI.

METRO will require that all subrecipients annually sign the nondiscrimination assurance included in the FTA’s Notice of Certifications and Assurances. METRO will submit its assurance to the FTA and shall retain assurances from subrecipients.

As part of the Interagency Agreement(s) with METRO, subrecipients will certify compliance with the requirements of Title VI, Equal Employment Opportunity (EEO), and Disadvantaged Business Enterprise (DBE) laws and regulations. Six federal laws enacted between 1964 and 1991 comprise the federal Equal Employment Opportunity (EEO) program; these laws prohibit job discrimination based on race, color, religion, sex, national origin, age, disabilities and provide monetary damages in cases of intentional employment discrimination. The DOT’s Disadvantaged Business Enterprise (DBE) program, authorized by TEA-21 and continued in MAP-21, is intended to ensure nondiscrimination in the award and administration of DOT-assisted contracts. Should these program requirements be continued in FTA authorizing legislation subsequent to MAP-21, such requirements shall be automatically incorporated into the Interlocal Agreement(s) with the subrecipient(s).

Further information regarding compliance with these laws and regulations is provided as Attachment 7.

15. DISCRIMINATION

49 U.S.C. §5332 states that “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.”

METRO agrees to comply with, and assures the compliance of each third party contractor and each subrecipient with, all applicable civil rights statutes and implementing regulations, including, but not limited to, the following:

- Nondiscrimination on the Basis of Disability, including:
 1. Section 504 of the Rehabilitation Act of 1973 as amended.
 2. The Americans with Disabilities Act, as amended.
 3. U.S. Department of Transportation regulations implementing Section 504 and the ADA, including 49 C.F.R. parts 27, 37, and 38.

4. As a provider of demand responsive service, METRO will comply with 49 C.F.R. §37.7 to utilize accessible vehicles or to meet the applicable equivalent service standard.
 5. As a provider of fixed route service, METRO will comply with the requirement to generally utilize accessible vehicles, and to provide complementary paratransit service to fixed route service as defined in 49 C.F.R. 37.121.
 6. As a recipient of federal funds, METRO understands that the agency also has responsibilities under Titles I, II, III, IV and V of the ADA in the areas of employment, public services, public accommodations, telecommunications, and other provisions.
- Nondiscrimination – Title VI - METRO agrees to comply with, and to assure the compliance of each third party contractor and each subrecipient, with all the following requirements:
 1. Title VI of the Civil Rights Act of 1964 as amended, 42 U.S.C. §2000d et. seq.
 2. U.S. Department of Transportation regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act,” 49 C.F.R. part 21.
 3. FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.”
 4. U.S. Department of Transportation Policy Guidance Concerning Recipients; Responsibilities to Limited English Proficient (LEP) Persons (December 14, 2005).
 - Nondiscrimination – Equal Employment Opportunity
 1. Equal Employment Opportunity requirements as reflected in 42 U.S.C. §2000e, et. seq., and any implementing regulations that may be issued.
 - Nondiscrimination on the Basis of Sex – METRO agrees to comply with all applicable requirements of Title IX of the Education Amendments of 1972 as amended, 20 U.S.C. §1681, and implementing regulations
 - Nondiscrimination on the Basis of Age
 1. The Age Discrimination Act of 1975 as amended, 42 U.S.C. §6101 et seq., as amended.
 2. Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance (ADA implementing regulations).
 3. The Age Discrimination in Employment Act (ADEA) as amended, 20 U.S.C. §621 et. seq., and implementing regulations, 29 C.F.R part1625.

16. DRUG & ALCOHOL PREVENTION PROGRAM

In compliance with certain DOT regulations, METRO has a Zero Tolerance Policy for drug and alcohol use; subrecipients must also comply with the relevant DOT regulations. Attachment 8 provides information regarding METRO compliance with FTA's "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations."

17. DESIGNATED RECIPIENT COMPLIANCE

Subrecipients will be required to comply with all appropriate federal rules, regulations and circulars, including but not limited to the regulations listed above. METRO has policies and procedures in place and designated employees to confirm compliance with the rules and regulations that are part of FTA funding requirements, and will provide detailed answers to any question(s) submitted regarding compliance with FTA or DOT regulations.

18. SCHOOL BUS SERVICES

If applicable, Grant Programs will discuss the following restrictions with Section 5310 subrecipients., and their contractors, cannot engage in school bus operations (providing vehicles or facilities) exclusively for the transportation of students and school personnel in competition with private school bus operators. In no case can federally funded equipment or facilities be used to provide exclusive school bus service.

19. CHARTER SERVICES

If applicable, Grant Programs will discuss the following restrictions with Section 5310 subrecipients and their contractors, are prohibited from using federally-funded equipment or facilities to provide charter service, except on an incidental basis; and then, only when one or more of the seven exceptions set forth in the charter service regulation in 49 CFR Section 604.9 (b) apply. Other conditions include recovering the fully allocated cost of the service and putting the revenues earned back into your transportation Program.

20. OTHER PROVISIONS

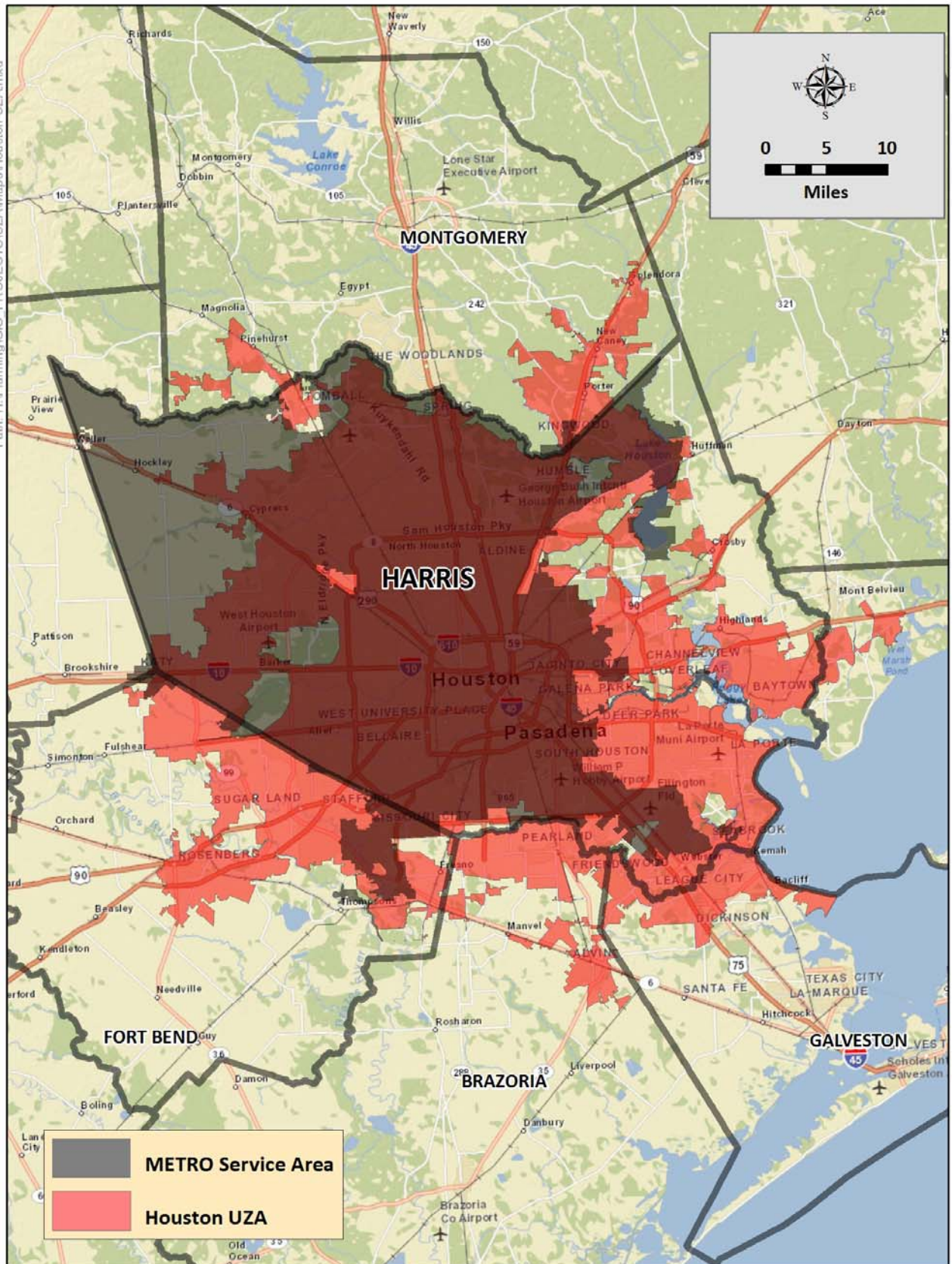
The Federal Transit Administration has issued guidance in a proposed circular 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program; that circular is available on its web site at <http://fta.dot.gov>. Chapter VIII of this circular summarizes applicable FTA and other federal requirements.

Each subrecipient of 5310 funds is expected to be in full compliance with these and all other applicable federal regulations.

Subrecipients of 5310 funding will be responsible for obtaining the appropriate environmental clearance from FTA for each project selected for funding if the project is not a categorical exclusion (CE).

Since FTA provides for grantee self-certification regarding compliance with routine federal requirements (Buy America provisions, lobby restrictions, Davis Bacon, prohibition of exclusive school service), as part of the Interlocal Agreement METRO will require subrecipients to assert their compliance with all appropriate federal regulations. METRO staff will verify compliance with these regulations through quarterly reviews and periodic on-site visits.

ATTACHMENT 1
HOUSTON URBANIZED AREA MAP



ATTACHMENT 2

**5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES
APPLICATION**

**SPRING 2014 REVIEW CYCLE APPLICATION
SECTION 5310 ENHANCED MOBILITY OF SENIORS & INDIVIDUALS
WITH DISABILITIES GRANT PROGRAM
FOR THE HOUSTON URBANIZED AREAS**

PROGRAM OVERVIEW

MAP-21 consolidates two former programs, the Elderly Individuals with Disabilities Program (formerly Section 5310) and the New Freedom Program (Section 5316), into the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program. For a project to be considered eligible for MAP-21 Section 5310 funding it must be included in the locally developed Regionally Coordinated Transportation Plan (RCTP). In 2006, the first regionally coordinated public transportation plan was developed which identified many barriers, constraints and opportunities to improve public transportation coordination in the region. An update to that 2006 transit coordination plan was recently approved by the Regional Transit Coordination Subcommittee (RTCS). The Updated Regionally Coordinated Transportation Plan (RCTP) is a comprehensive multi-agency plan to better coordinate the public transportation services in our region. The RCTP document, project video and power-point presentation are available for download from the program website www.ridethegulfcoast.com

Eligible applicants may include private, non-profit organizations, which are corporations or associations determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c); public bodies that certify to the governor that no non-profit corporations or associations are readily available in an area to provide the service; and public bodies approved by the state to coordinate services for seniors and persons with disabilities.

Eligible Activities - At least 55 percent of funds must be used for those public transportation capital projects that are planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.

In addition to the above required capital projects, no more than 45% of funds may be used for public transportation projects that exceed the requirements of the Americans with Disabilities (ADA), improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA complementary paratransit service or provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation. For a detailed list of eligible projects refer to FTA Circular 9070.1G.

Match Requirements For capital projects, the federal share of eligible costs may not exceed 80 percent of the net cost of the activity, leaving the local share at no less than 20 percent. For operating costs, the federal share may not exceed 50 percent.

Items classified as administrative activities are funded at 100%, requiring no local match. All of the local match must be provided from sources other than Federal DOT funds. Examples of sources of local match that may be used include the following:

- State or local appropriations
- Other non-DOT Federal funds
- Dedicated tax revenues

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- Private donations
- Revenue from human service contracts
- Net income generated from advertising and concessions

Prior to Contract Award applicant must submit Title VI and LEP Plans or FTA Concurrence letter.

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APPLICATION / AWARD SCHEDULE

May 1	Open Call for Projects starts - METRO post notice of Call for Projects on agency website. Advertisises with Legal Notices in Houston Chronicle (5/3 and 5/4)
May 5	METRO distribute Notices of Grant Availability to email distribution lists.
May 13	METRO conduct Pre-Application Workshop (2:30 – 4:30 PM at METRO 1900 Main St., 2 nd Floor)
May 20	Deadline for all written questions to be submitted (proposals@metro.com)
May 27	Deadline for all written responses to be published
June 2	METRO receives all applications NLT 4:00 PM CST by email submission (proposals@metro.com)
June 16	Project Evaluation Team finalizes project funding recommendations (9:30 AM METRO Finance Conference Room)
Jul. – Aug.	Project funding recommendations presented to METRO Board of Directors for approval. H-GAC Transportation Policy Council approves projects for inclusion in the regional Transportation Improvement Program, State Transportation Improvement Program, and Regional Coordination Plan
January 2015	2015 Review Cycle Begins.

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GRANT APPLICATION GUIDELINES

Instructions: Please click on each shaded area to enter your application information. As you type in each field, the field will expand. Enter information in the shaded fields only.

PART I- APPLICANT INFORMATION

a) Project Sponsor and Contact Information:

Legal Name:

Otherwise Known As:

Federal Identification Number, DUNS Number:

Primary Contact Person:

Title:

Department:

Organization:

Telephone Number:

Fax No.:

Email Address:

Secondary Contact Person (optional):

Title:

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Department:

Organization:

Telephone Number:

Fax No.:

Email Address:

Main Office

Address:

City/ State/ Zip

b) Agency Type

Please identify your agency as the following:

- ☐ State or local governmental entity/authority
- ☐ Operator of public transportation services (privately owned)
- ☐ Operator of public transportation services (publicly owned)
- ☐ Private, non-profit organization (Please attach appropriate documentation certifying non-profit status to this application.)

c) Agency Profile

Please provide key descriptive information about your agency:

Years in business	_____
Annual budget	_____
Number of employees	_____

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Years of transit experience

Fleet size

d) Grantee Status

Is your agency an existing Federal or State grantee?

☐ No

☐ Yes

If yes, please mark all that apply:

☐ Section 5307 (Federal Designated Recipient)

☐ Section 5307 (Federal Grantee)

☐ Section 5310 (State Grantee)

☐ Section 5311 (State Grantee)

☐ Other:

e) Contract Authority

List the name(s) and title(s) of persons authorized to enter into contracts and agreements with METRO.

Name:

Title:

Name:

Title:

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f) Project Partners

Organization #1:

Contact Name:

Address:

City/ State/ Zip

Phone Number:

Fax No.:

Email Address:

Organization #2:

Contact Name:

Address:

City/ State/ Zip

Phone Number:

Fax No.:

Email Address:

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PART II – PROJECT INFORMATION

a) Project Title/Name (Limit: 2 lines)

b) Brief Description (Limit: one-half Page)

c) Project Type

Please mark all that apply:

- ☐ Capital (including Mobility Management, Purchase of Service and Purchase of Vehicles)
- ☐ Operating
- ☐ Both

d) Matching Funds

Please indicate the source and the amount of local funds your agency has secured toward the local match requirement:

Source:
Amount: \$

Source:
Amount: \$

Source:
Amount: \$

e) Project Timeline

Start Date:
End Date:

f) Service Area

Congressional District(s) (by number):

Briefly describe the service area:

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City or Cities Served:

Geographic Area Served by the project (neighborhoods, census tracts, etc.):

g) Estimated number of individuals to be served by your project annually. (All projects)

Per FTA Circular, provide the percent of passengers in your geographic area served by your agency's transportation program.		Per FTA Circular, provide the percent of national origins in your geographic area served by your program.	
Number of seniors	%	American Indian & Alaska Native	%
Number of persons w/disabilities	%	Asian	%
Number of elderly w/disabilities	%	Caucasian	%
General Public Transportation	%	Black or African American	%
		Hispanic or Latino	%
Total must be 100	%	Native Hawaiian & Other	%
		All Other	%
		Total must be 100	%

Note: Census information may be obtained at <http://factfinder.census.gov/home/saff/main.html>

*Job access, non-senior, non-disabled

Describe and attach supporting documents for the above estimate of target market(s):

Describe and attach surveys, needs assessment(s), letters, etc. that document development of project need:

h) Proposed Service is:

- ☐ New
☐ Expansion
☐ Continuation

i) Service Characteristics for Operating Projects

Current One-way Trips Annually (existing projects)

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Projected One-way Trips Annually, proposed

j.) If your project includes purchase of vehicles, please provide your maintenance plan.

PART III – PROJECT BUDGET NOTES

Budget Worksheet

An Excel File template has been developed to use for the project budget. You should enter your project budget into that file, **save the file with your project name**, and submit it along with the completed application form.

Applicants should attach audited financial statements for the two (2) most recent fiscal years including the audit firm's certification and management letter with response (as applicable). *Please note that this is an application requirement.*

Letters of Commitment from Stakeholders

Please attach all letters of commitment for match and project support.

PART IV – CONSISTENCY WITH SELECTION CRITERIA

In addition to the project description required in the previous section, answers to the following questions will be used to evaluate proposals. All questions must be answered or noted as "Not Applicable." You may attach pages if necessary, not to exceed three (3) additional pages.

Section 1 – Project Benefits

1. In detail, describe how the proposed project is important to seniors and individuals with disabilities and describe how the project provides new services beyond those mandated by the American with Disabilities Act (ADA). Explain how your program will address the benefits outlined in the circular 9070.1G (refer to Section 3:14&15).
http://www.fta.dot.gov/legislation_law/12349_15555.html

Section 2 – Goals and Objectives

1. Is this project included in the 2011 Updated Coordination Plan?

☐ Yes

Page Number in Plan where project is listed:

Identify the project included in the Plan:

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If not, is the project eligible for inclusion in the Plan by meeting a need identified in the Plan?

☐ Yes

Page Number in Plan where need is identified:

2. Does the project support the goals of the Enhanced Mobility of Seniors and Individuals with Disabilities program?

☐ Yes

Explain how this project meets the program goals:

Section 3 – Project Plan/Coordination Plan

1. Describe how the project is being coordinated with public and/or private transportation and/or social service agencies.
2. Describe how the specific coordination activities improve efficiency and effectiveness?
3. Describe how the project will conduct outreach to the target population(s). Include information on how populations with Limited English Proficiency will be apprised of the project and whether marketing materials will be available in other languages.

Section 4 – Project Implementation Plan/Project Readiness

1. Document your prior grant experience including Federal Transit Authority (FTA).
2. Include your project implementation plan.
3. Demonstrate your ability to meet the project schedule.

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Section 5 – Project Financial Status /Monitoring /Sustainability

1. Indicate whether the project has a full funding plan, if not, describe any potential long-term efforts or funding sources that could sustain the project beyond the Section 5310 grant period.
2. Describe how you plan to monitor your project.
3. Describe how you will measure the success of the project. Include any performance measures for the project.
4. Include your financial report for the last two fiscal years.
5. Include your single audit if your organization receives \$500,000 in federal grant funds.

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APPLICATION AUTHORITY

(Please print and sign this page. Include a scanned copy of this signed page with your Application Package.)

By signing the application, I certify to the best of my knowledge that: 1) the information in this application is true and accurate and that this organization has the necessary fiscal, data collection, and managerial capability to implement and manage the projects associated with this application, and that I have authority to submit this Application Package; and 2) is prepared to abide by all applicable federal requirements specified in 49 U.S.C. Section 5310, FTA Circular C 9070.1G http://www.fta.dot.gov/legislation_law/12349_15555.html

Further, I understand that selection of this project for Enhanced Mobility of Seniors and Individuals with Disabilities grant funding will require compliance with all applicable federal laws and regulations and that an Interagency Agreement with the Metropolitan Transit Authority of Harris County (METRO) will be required.

For

Applicant:

Project Title:

Name and Title of Signatory:

Authorized Signature:

Date:

Please Note: Your application must be signed by someone authorized to sign contracts on behalf of your agency/organization, such as the Board Chair or Chief Executive Officer. Unsigned applications will not be accepted.

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ATTACHMENT 3
SAMPLE GRANT APPLICATION SCHEDULE

SAMPLE GRANT APPLICATION SCHEDULE

A typical application schedule is shown below. However, all participants should recognize that these dates may change if the annual allocation determined by Congress is delayed beyond January of each year or if other conditions require a revision to the schedule. All dates are approximate, and may be adjusted to reflect actual scheduled times for workshops, Board meetings, etc.

January 10	FTA publish annual allocation for 5310 program
January 16	Advertise / post notice of planned Call for Projects
January 17 – February 28	METRO distributes application packages
February 11	METRO conduct application workshop
February 16	Deadline for all written questions to be submitted
February 23	Deadline for all written responses to be published
February 28	METRO receives all applications
March 21	Project Evaluation Team finalizes project funding recommendations
April 21	METRO Board approves projects for funding, authorizes execution of interlocal agreements, submittal of grant application and execution of grant contracts
April 29	H-GAC Transportation Policy Council approves projects for inclusion in the regional Transportation Improvement Program, State Transportation Improvement Program, and Regional Coordination Plan

ATTACHMENT 4
PROJECT EVALUATION SCORESHEET

SPRING 2014 : EVALUATION SCORE SHEET

EVALUATOR:

PROPOSER:

PROJECT:

Minimum requirements for further evaluation (must answer yes to all to continue) Yes or No

Is the application signed by an authorized person?

Have all the questions been answered?

Does the application include all the required attachments as completed documents?

Milestone activity schedule

Financial reports for the last two fiscal years

Single Audits report (if applicable)

Documentation of local match

If application includes Purchase of Vehicles, was maintenance plan included?

Are the activities in the Houston urbanized geographic area?

Are the FTA requirements met?

Public transportation service beyond ADA requirement

Improve access to fixed-route service and decrease reliance on ADA

complementary paratransit service

Provide alternatives to public transportation service that assist seniors and individuals with disabilities.

4/9/2014

SPRING 2014 : EVALUATION SCORE SHEET

EVALUATOR: _____

PROPOSER:

PROJECT:

It is very important to keep notes for debriefing purposes. Make your comments specific and relevant to the category being evaluated.

	CATEGORY	MAX POINTS	POINTS	COMMENTS BY EVALUATOR
1	PROJECT DESCRIPTION / BENEFITS a) Is the project clearly defined and described? b) Does the proposal clearly define the project benefits? c) Does the project provide new or expanded services for a currently unserved / underserved area or population? d) Are the project elements eligible expenses in the identified Program?	20		
2	PROJECT GOALS / OBJECTIVES a) Is the project consistent with the goals & objectives identified in the 2011 Gulf Coast Regionally Coordinated Transportation Plan? b) Does the project address one or more of the needs identified in the Plan? c) Does the project support the Program goals as identified in the appropriate FTA circular?	20		

4/9/2014

SPRING 2014 : EVALUATION SCORE SHEET

EVALUATOR: _____

PROPOSER:

PROJECT:

	CATEGORY	MAX POINTS	POINTS	COMMENTS BY EVALUATOR
3	PROJECT PLANNING / COORDINATION a) Does the project meet current or future unmet needs that have been identified in the region? b) Does the project duplicate existing regional <i>transportation</i> services? c) Does the project demonstrate active coordination efforts to improve efficiency & effectiveness? d) Has the project been coordinated with regional public/private transportation and / or social service agencies?	30		
4	IMPLEMENTATION/PROJECT READINESS a) Does the applicant document prior grant experience including FTA grants? b) Does the project include an implementation plan? c) Are required personnel in place for project execution?	10		

4/9/2014

SPRING 2014 : EVALUATION SCORE SHEET

EVALUATOR: _____

PROPOSER:

PROJECT:

	CATEGORY	MAX POINTS	POINTS	COMMENTS BY EVALUATOR
5	PROJECT FINANCIAL STATUS / MONITORING / SUSTAINABILITY a) Does the proposer document the required local match? b) Does the proposer have a plan for continuation of the project after these grant funds are fully expended? If yes, is it reasonable to expect the project will continue? c) Does the plan submitted for evaluating the project's success contain definitive, measurable milestones? d) Does the applicant report sufficient financial capability and resources to implement and successfully manage the project?	20		
SCORE		100	0	

4/9/2014

SPRING 2014 : EVALUATION SCORE SHEET

EVALUATOR: _____

PROPOSER:

PROJECT:

Additional comments

--

Signature of Evaluator

Date

4/9/2014

ATTACHMENT 5
MILESTONE PROGRESS REPORT FORMAT

PROGRAM NAME
Quarterly Project Status Report

Reporting Agency: _____

Grant #: _____

Project Name: _____

Date Submitted: _____

Report for the **Quarterly** period:

Starting Date _____

Ending Date _____

Section I. Accomplishments. *Provide an update of revised estimated completion or actual completion dates for the milestones listed below.*

Milestone	Current Est. Completion	Revised Est. Completion	Actual Completion

Also provide a bulleted list of project accomplishments as well as a description of their importance to the project.

Section II: Problems/Solutions (NOTE: *Please attach any additional information that you feel should be a part of your report or that may be required to meet the deliverable requirements for tasks completed during this reporting period.*)

<p>Problem(s) Identified</p> <p><i>(Please report anticipated or unanticipated problem(s) encountered and its effect on the progress of the project)</i></p>	
<p>Proposed Solution(s)</p> <p><i>(Please report any possible solution(s) to the problem(s) that were considered/encountered)</i></p>	
<p>Action(s) Conducted and Results</p> <p><i>(Please describe the action(s) taken to resolve the problem(s) and its effect)</i></p>	

_____ Date: _____

*Authorized Project Representative's
Signature*

ATTACHMENT

Please address the areas listed below in review of all Milestones listed. Provide a response for each item.

1. **CONFIRM:** the date listed or if the current estimated date should be changed, provide the new date with an explanation for the change.
2. **PROGRESS:** Provide a description of work completed this quarter (January 2014-March 2014):
3. **PLANNED:** Provide a description of potential problems; claims received, change orders over \$100,000; or other critical information:

PLEASE INCLUDE DETAILS ON THE ACCOMPLISHMENTS DURING THE PREVIOUS QUARTER (JANUARY 2014-MARCH 2014) AS WELL AS THE UPCOMING QUARTER (APRIL 2014-JUNE 2014). ALSO PLEASE SPECIFY ANY CONTRACT CHANGES OVER \$100,000, AND ALL CLAIMS SETTLED DURING THE PERIOD ACCOMPANIED BY A BRIEF DESCRIPTION, ESTIMATED COSTS AND THE REASONS FOR THE CLAIMS.

Quantity

FTA Amount

Elig. Proj. Cost

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.						
	DETAILED DESCRIPTION					
2.						
	DETAILED DESCRIPTION:					
	PROGRESS:					

Quantity

FTA Amount

Elig. Proj. Cost

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.						
	DETAILED DESCRIPTION					
	PROGRESS					
2.						

ATTACHMENT 6
FINANCIAL STATUS REPORT

FINANCIAL STATUS REPORT (SHORT FORM)			
1. Federal Agency to which report is submitted: Federal Transit Admin.	2. Federal Grant #:	OMB Appvl. Nr.	Page 1 of 1
3. Recipient Organization Metropolitan Transit Authority of Harris County, Texas P. O. Box 61429 Houston, Texas 77208-1429			
4. Employer ID Nr. 1-74-1998278-4	5. Recipient Acct Nr. N/A	6. Final Report Yes: No:	7. Basis Accrual
8. Funding/Grant Period FROM:	TO:	9. Period Covered this Rpt. FROM: TO:	
10. Transactions	I Previously Reported	II This Period	III Cumulative
a. Cash on hand at beginning of period			
b. Cash receipts			
c. Cash disbursements			\$0
d. Cash on hand (A + B - C)			\$0
e. Total Federal Funds Authorized			\$0
f. Federal Share of Expenditures	\$0	\$0	\$0
g. Recipient Share of Expenditures	\$0	\$0	\$0
h. Total Expenditures (F + G)	\$0	\$0	\$0
i. Federal share of Unliq Obligations			\$0
j. Recipient Share of Unliq Obligns			\$0
k. Total Unliquidated Obligations			\$0
l. Total Federal Share (F + I)			\$0
m. Unoblig'd Balance Federal Funds (E - L)			\$0
n. Total recipient share required			
o. Remaining recipient share to be provided			\$0
p. Program income on hand at beginning			
q. Total federal program income earned			
r. Prog income expended...deduction alternative			
s. Prog income expended...addition alternative			
t. Prog inc expended...allowable op/cap exp			
u. Unexpended prog income (P + Q - R or S or T)			\$0
11. Indirect Rate	Base:		
Type of Rate: Final <input checked="" type="checkbox"/>	Amount charged:		
FROM: 10/01/10 TO: 12/31/10	Federal share:		
Rate: 98.88%			
12. Remarks			
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.			
Typed or printed name and title Edith L. Lowery Director, Grant Programs		Telephone 713-739-6925	
Signature of Authorized Certifying Official		Date Report Submitted	

FINANCIAL STATUS REPORT					
FINANCIAL STATUS REPORT		FEDERAL TRANSIT ADMINISTRATION			
METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY P.O. BOX 61429 HOUSTON, TEXAS 77208		1-74-1998278-4	N/A	FINAL REPORT:	BASIS: ACCRUAL AGENCY NAME:
		PROJECT/GRANT PERIOD		PERIOD COVERED BY THIS REPORT	
		FROM:	TO:	FROM:	TO:
PROGRAMS/FUNCTIONS/ACTIVITIES					
NET OUTLAYS PREVIOUSLY REPORTED					
TOTAL OUTLAYS THIS REPORT		0	0	0	0
LESS: PROGRAM INCOME CREDITS		0	0	0	0
NET OUTLAYS THIS REPORT PERIOD		0	0	0	0
NET OUTLAYS TO DATE					0
LESS NON-FEDERAL SHARE OF OUTLAYS		0	0	0	0
TOTAL FEDERAL SHARE OF OUTLAYS		0	0	0	0
TOTAL UNLIQUIDATED OBLIGATIONS					0
LESS: NON-FEDERAL SHARE OF UNLIQUIDATED OBLIGATIONS SHOWN ABOVE		0	0	0	0
FEDERAL SHARE OF UNLIQ OBLIGS		0	0	0	0
TOTAL FEDERAL SHARE OF OUTLAYS AND UNLIQUIDATED OBLIGATIONS		0	0	0	0
TOTAL CUMULATIVE AMOUNT OF FEDERAL FUNDS AUTHORIZED					0
UNOBLIGATED BALANCE OF FEDERAL FUNDS		0	0	0	0
Approved FTA Budget		0	0	0	0
Matching Share		0	0	0	0
TOTAL		0	0	0	0

I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.

Edith L. Lowery
Director/Grant Programs

Date
713-739-6925
Telephone

ATTACHMENT 7
CIVIL RIGHTS INFORMATION

Civil Rights Information for FTA State and Program Management Plans

TITLE VI – METRO’s Obligation as a Recipient:

To ensure that no one is subjected to discrimination based on race, color or national origin, excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance, the FTA issued the Title VI Circular 4792.1B, which established new responsibilities for recipients of funding from the U. S. Department of Transportation to comply with Title VI.

- Requirement to Provide Title VI Assurances
 1. In accordance with 49 C.F.R. §21.7(a), METRO, as a recipient of funding from the U.S. Department of Transportation, must submit to the FTA, on an annual basis, certifications and assurances that the agency will carry out the program in compliance with Title VI regulations.
- Requirements to Prepare and Submit a Title VI Program
 1. The FTA requires that METRO document compliance with Title VI regulations by submitting a Title VI Program to its FTA regional civil rights officer once every three years, or as otherwise directed by the FTA. Prior to such submission, METRO’s Title VI Program must be approved by its board of directors.
- Components of a Title VI Program
 1. Title VI notice to the public indicating that METRO complies with Title VI, and notifies the public of the protections against discrimination afforded to them by Title VI;
 2. A copy of METRO’s instructions notifying the public of how to file a Title VI complaint, along with a copy of the complaint form to be used;
 3. A list of public transportation–related Title VI investigations, complaints, or lawsuits filed with METRO since the submission of the previous Title VI report;
 4. A public participation plan that includes an outreach plan to engage minority and limited English proficient (LEP) populations, as well as a summary of outreach efforts made since previous submission of Title VI report
 5. A copy of METRO’s plan for providing language assistance to persons with limited English proficiency, based on the U.S. Department of Transportation LEP Guidance
 6. A table depicting the racial makeup of the membership of METRO’s transit-related, non-elected planning boards, advisory councils or committees, and a description of efforts made to encourage minority participation on such boards, committees or councils;
 7. As a recipient of federal financial assistance, METRO will include a narrative or description of efforts it uses to ensure that subrecipients are complying with Title VI;

8. As a recipient of federal financial assistance, METRO will submit a schedule of subrecipient Title VI program submissions;
 9. Where applicable, if METRO has constructed a facility, METRO shall include a copy of the Title VI equity analysis conducted during the planning stage regarding the location of the facility; and
 10. Based on its status as a fixed route transit provider, METRO will submit other information as required under the Circular.
- In accordance with 49 C.F.R. §21.9(b), METRO will monitor its subrecipients to ensure that they are complying with Title VI regulations. **If a subrecipient is not in compliance with Title VI requirements, then METRO is also not in compliance.** To ensure that subrecipients are in compliance, METRO will:
 1. Document the agency's process for ensuring that all subrecipients are complying with the general reporting requirements of FTA Circular 4702.1B;
 2. Collect Title VI Programs from subrecipients and review programs for compliance
 3. At the request of the FTA, in response to a complaint of discrimination, or as otherwise deemed necessary, METRO will request that subrecipients who provide transportation services verify that the level and quality of their service is provided on an equitable basis; and
 4. A schedule for submission of the Title VI program requirements by each subrecipient, to be determined

SUBRECIPIENT RESPONSIBILITIES

- Subrecipients may adopt the following elements of METRO's Title VI program:
 1. Notice to beneficiaries;
 2. Complaint procedures and complaint forms;
 3. Public participation plan; and
 4. Language assistance program
- Subrecipients' submissions to METRO must include:
 1. Listing of Title VI complaints, investigations and lawsuits
 2. For transit-related, non-elected planning boards, advisory councils or committees where the subrecipient selects the members:
 - The racial breakdown of the group's membership, and
 - A description of efforts to encourage minority participation on such boards, councils or committees
 3. A "Title VI Policy Statement."
 - As an alternative, a subrecipient may adopt METRO's "Title VI Policy Statement, which can be found at www.ridemetro.org/AboutUs/TitleVIComplaintProcess.aspx.

Civil Rights Information for FTA State and Program Management Plans

EEO/AAP Compliance:

As required by the FTA, UMTA Circular 4701.1 on Equal Employment Opportunity (EEO) Guidelines for Recipients, METRO submits an Affirmative Action/EEO Program (AAP) to the FTA every three years. The EEO Program meets the requirements of the FTA and Executive Order 11246, which requires that certain federal contractors have an Affirmative Action Program. METRO's current plan was approved in August 2012 for a three year period. The components of the AAP include:

- Analysis of current workforce
- Identification of deficiencies in utilization of minorities and females
- Written goals—including target date
- Timetables with specific dates by which to increase utilization
- Audit processes—detail progress toward organizational goals

Based on the U.S. Census data, utilization goals are established based on availability in the Harris County workforce.

In addition to Executive Order 11246, METRO, as a grant recipient, is required to comply with the EEO Program Guidelines of the FTA. These guidelines are written on the basis of the equal employment opportunity provisions of Section 19 of the Urban Mass Transit Act of 1964 and as stated in Title VII of the Civil Rights Act of 1964. The EEO Program includes the following:

- Statement of Policy
- Dissemination of EEO Policy and Programs
- Designation of Personnel Responsibility for Implementation
- Utilization Analysis (AAP)
- Goals and Timetables
- Assessment of Employment Practices to Identify Causes of Underutilization
- Monitoring and Reporting System

Title VI Compliance:

METRO submits Title VI information to the FTA as required by Title VI of the Civil Rights Act of 1964; subsequent implementing regulations; FTA Circular 4702.1A, "Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients." Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. Section 200d.

METRO's first Title VI Report was submitted and approved in 1979. METRO's current approved program was submitted in 2012; the 2012 submission was approved for a three year period. The sections of the report include the following:

- I. General Requirements
- II. Fixed Facility Impact Analysis
- III. Demographic and service Profile Maps, Overlays and Charts
- IV. Service Standards and Transit Service Indicators
- V. Changes in Service Features
- VI. Information Dissemination

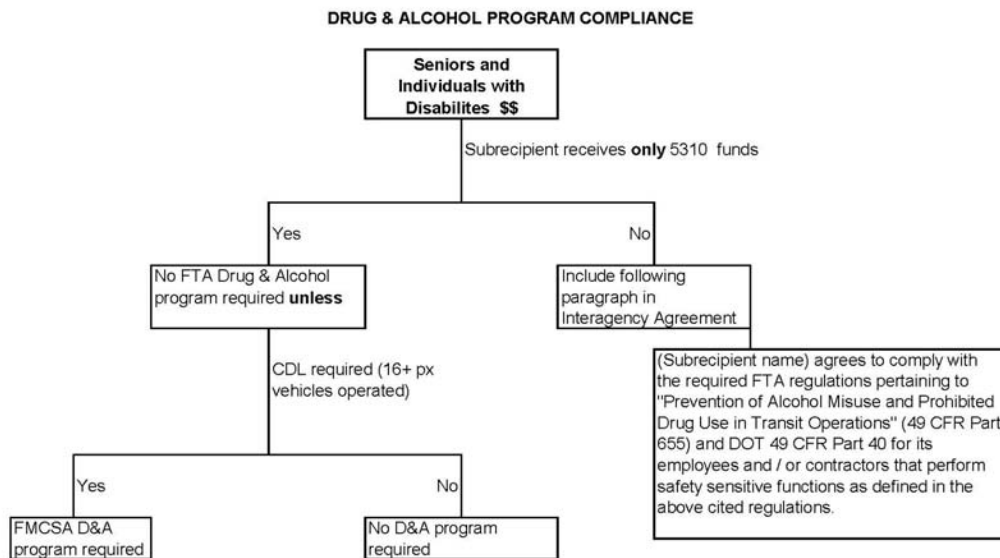
In addition, as part of the requirements to provide meaningful access to LEP Persons in Chapter IV of FTA Circular 4702.1A, METRO has also developed a Language Assistance Plan, which includes a three-year implementation plan to enhance services to the LEP population in our service area.

ATTACHMENT 8

DRUG & ALCOHOL PREVENTION PROGRAM INFORMATION

DRUG & ALCOHOL PROGRAM PREVENTION INFORMATION

In addition to including the relevant category(ies) on the signed annual Certifications & Assurances, subrecipients may be required to comply with regulations from FTA's "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations" (49 CFR Part 655) and DOT 49 CFR Part 40 for its employees and / or contractors that perform safety sensitive functions as defined in the above cited regulations. The attached diagram may be used to help determine a subrecipient's compliance requirements. Additionally, staff from METRO's Division of Wellness Programs are available to assist subrecipients in determining their compliance requirements with these regulations. METRO's Wellness Program staff may be reached at 713-739-3818 or Kimberely.Wells@ridemetro.org.



ATTACHMENT 9
SUBRECIPIENT INTERAGENCY AGREEMENT

**INTERAGENCY AGREEMENT
FOR
ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES
("5310 PROGRAM")
BETWEEN
THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS
AND
[SUBRECIPIENT]**

THE STATE OF TEXAS
COUNTY OF HARRIS

This Agreement ("Agreement") is made and entered into by and between Metropolitan Transit Authority of Harris County, Texas ("METRO"), a body corporate and politic authorized and existing pursuant to Chapter 451, Texas Transportation Code, and [SUBRECIPIENT] whose unique entity identifier is _____ (DUNS), herein after called "[SUBRECIPIENT]

".

WITNESSETH

WHEREAS, on _____, 20xx, FTA awarded METRO \$ _____, Federal Award Identification Number _____, Catalog of Federal Domestic Assistance Number 20.513 – Enhanced Mobility of Seniors and Individuals with Disabilities; and

WHEREAS, METRO has been named by language of the Moving Ahead for Progress in the 21st Century Act (MAP-21) as the designated recipient for Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program; and

WHEREAS, METRO, has, through a competitive process, selected [SUBRECIPIENT] for 5310 Seniors and Individuals with Disabilities funding; and

WHEREAS, METRO and [SUBRECIPIENT] have agreed to terms and conditions specified in this interagency agreement;

WHEREAS, The award under this Agreement [is/is not] for research and development.

WHEREAS, The award under this Agreement [does/does not] include indirect costs.

NOW, THEREFORE, in consideration of the premises and the mutual covenants specified herein, the parties hereby agree as follows:

ARTICLE 1: INDEPENDENT ENTITY

The execution of this Agreement and the distribution of funds from this program do not change the independent status of METRO or [SUBRECIPIENT]. No provision of this Agreement or act of METRO in performance of the Agreement shall be construed as making [SUBRECIPIENT] the agent, servant or employee of METRO, the State of Texas or the United States Government.

[SUBRECIPIENT] shall notify METRO of the threat of lawsuit or of any actual suit filed against [SUBRECIPIENT] pertaining to this Agreement or which would adversely affect [SUBRECIPIENT] responsibilities under this Agreement.

ARTICLE 2: SCOPE OF AGREEMENT

This Agreement specifies the terms and conditions under which [SUBRECIPIENT] will provide and METRO will pay, for project implementation as described in Exhibit 1. The parties agree that each will cooperate and coordinate with the other in all activities covered by this Agreement and any supplemental agreements hereto.

ARTICLE 3: TERM

The disbursement of the funds shall begin on [BEGIN DATE] and end on [END DATE], unless the period of performance is extended or terminated by either party in accordance with the other terms of this Agreement.

ARTICLE 4: METRO'S OBLIGATIONS

4.1 METRO agrees to comply with all applicable local, state and federal laws and regulations in performance of this Agreement.

4.2 METRO shall provide day-to-day grants management as necessary to provide guidance for implementation of [SUBRECIPIENT] project as described in Exhibit 1.

4.3 METRO agrees to notify [SUBRECIPIENT] of the outcome of its review of third party contracts submitted in accordance with Article 5.7 below within fifteen (15) business days of receipt of the proposed contracts.

ARTICLE 5: [SUBRECIPIENT] OBLIGATIONS

5.1 [SUBRECIPIENT] agrees to comply with all applicable local, state and federal laws and regulations in performance of this Agreement.

5.2 [SUBRECIPIENT] commits to implementing the selected project as described in Exhibit 1.

5.3 [SUBRECIPIENT] certifies its compliance with the FTA's standard Certifications and Assurances as outlined in Exhibit 2 with respect to the implementation of the project described in Exhibit 1. Furthermore, this certification shall remain in full force and effect for all subsequent years of the project implantation, including any future FTA revisions of said Certifications and Assurances. [SUBRECIPIENT] also certifies its compliance with the FTA's annual Master Agreement, including any future FTA revisions of said Master Agreement, and hereby incorporated as Exhibit 3.

5.4 This agreement between [SUBRECIPIENT] and METRO provides for the insertion of language concerning FTA regulatory requirements and requires that any provider of services comply with those requirements.

During the performance of this Agreement, [SUBRECIPIENT] agrees to abide by the following:

(a) **Compliance with Regulations.** [SUBRECIPIENT] shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this Contract.

(b) **Nondiscrimination.** [SUBRECIPIENT], with regard to the work performed by it during the specified period of performance, shall not discriminate on the grounds of race, color, religion, sex, age, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. [SUBRECIPIENT] shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulation including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(c) **Solicitation for Subcontracts, including Procurement of Materials and Equipment.** In all solicitations either by competitive bidding or negotiation made by [SUBRECIPIENT] for work to be performed under the subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by [SUBRECIPIENT] of its obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color, religion, age, sex, or national origin.

(d) **Information and Reports.** [SUBRECIPIENT] shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by METRO or the Department of Transportation (DOT) to be pertinent to ascertain compliance with such regulations, orders, and instructions. Where any information is required of [SUBRECIPIENT]

and is in the exclusive possession of another who fails or refuses to furnish this information, [SUBRECIPIENT] shall so certify to METRO or the Department of Transportation, as appropriate and shall set forth what efforts it has made to obtain the information.

(e) **Sanctions for Noncompliance.** In the event of [SUBRECIPIENT] noncompliance with the nondiscrimination and / or procurement provisions of this Agreement, METRO shall impose such contract sanctions as it or the Department of Transportation may determine to be appropriate, including, but not limited to:

(1) Withholding of payments to [SUBRECIPIENT] under the Agreement until [SUBRECIPIENT] complies, and / or

(2) Cancellation, termination, or suspension of the Agreement, in whole or in part.

(f) **Incorporation of Provisions.** [SUBRECIPIENT] shall include the provisions of paragraphs (a) through (f) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant hereto. [SUBRECIPIENT] shall take such action with respect to any subcontract or procurement as METRO may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event [SUBRECIPIENT] becomes involved in or is threatened with litigation by a contractor, subcontractor, or supplier as a result of such direction, [SUBRECIPIENT] may request METRO to enter into such litigation to protect the interests of METRO and, in addition, [SUBRECIPIENT] may request the United States Department of Transportation to enter into such litigation to protect the interests of the United States.

5.5 [SUBRECIPIENT] agrees to abide by the appropriate Federal Acquisition Regulations, including but not limited to specifications regarding Buy America terms, for the acquisition of all goods, services, materials, or equipment required in the performance of this project.

5.6 [SUBRECIPIENT] agrees to provide quarterly Milestone Progress and Financial Status reports as described in Exhibit 4 within 15 business days after the close of each calendar quarter (March, June, September, December). Each Milestone Progress report shall contain an update of the major activity milestones (as established during the initial grant application), a summary of the major activities completed during the previous quarter, a summary of activities scheduled for the following quarter, and identification of problems and / or issues that may affect the project's completion on its specified schedule. Further, [SUBRECIPIENT] agrees to include details regarding any contract amendment(s) or change order(s) equal to or greater than \$100,000 if executed during the report period.

Each Financial Status report shall be completed in accordance with the FTA's Financial Status Report form, including a reconciliation by activity line item code of the previous quarter's expenditures; the current quarter's expenditures; the total life-to-date expenditures; the FTA and local share of life-to-date expenditures; the current unliquidated obligations (unpaid contract balances); the FTA and local share of unliquidated obligations; and the total authorized FTA budget.

Expenditures shall be supported by the appropriate level of financial documentation, including time sheets for direct labor and invoices for third party expenses.

5.7 [SUBRECIPIENT] agrees to submit third party contracts necessary for the project's implementation to METRO for review prior to the execution of such contracts. Additionally,

[SUBRECIPIENT] agrees to submit any proposed third party contract amendment(s) or change order(s) for METRO review prior to the execution of such contract amendment(s) or change order(s).

ARTICLE 6: LIMITATION OF LIABILITY

6.1 METRO is a governmental entity under the Texas Tort Claims Act.

6.2 [SUBRECIPIENT] acknowledges that it is not an agent, servant, nor employee of METRO.

6.3 METRO acknowledges that it is not an agent, servant, nor employee of [SUBRECIPIENT].

6.4 The parties expressly agree that the disbursement of funds under this initiative is not a joint venture or enterprise. It is not the intent of the parties that a joint enterprise relationship is being entered into and the parties specifically disclaim such relationship. This Agreement does not constitute a joint enterprise.

ARTICLE 7: TERMINATION

7.1 Termination for Convenience. Notwithstanding any other provision of this Agreement, either party may, in its sole discretion, terminate this Agreement, if it determines that it is in its best interest to do so, providing, however, that the party seeking to terminate the provision of services under this Agreement gives written notice to the other party at least sixty (60) calendar days prior to the expected date of the termination of services.

ARTICLE 8: DEFAULT AND REMEDIES

8.1 Default. The failure by either party to fully and timely comply with its respective obligations, and the failure to cure such noncompliance within ten (10) days after written notice from the other party, shall constitute a default ("Default"). In the event of a Default, the non-defaulting party may notify the defaulting party of its intent to terminate this Agreement as of a date specified in such notice. If such default is not cured by such termination date, this Agreement shall be deemed automatically terminated as of the date so specified in the notice without further act of either party. This Agreement shall not be considered as specifying the exclusive remedy for any Defaults; and all remedies existing at large or in equity may be availed of by either party and shall be cumulative.

ARTICLE 9: FORCE MAJEURE

Neither party shall be held liable for any loss or damage due to delay in performance of any part of this Agreement from any cause beyond its control and without its fault or negligence, which causes may include acts of God, acts of civil or military authority, government regulations, embargoes, epidemics, war, terrorist acts, riots, insurrections, fires, explosions, earthquakes, nuclear accidents, floods, strikes, power blackouts, other major environmental disturbances or unusually severe weather conditions.

ARTICLE 10: AUDIT AND INSPECTION OF RECORDS

[SUBRECIPIENT] shall permit the authorized representatives of METRO and the federal government to inspect and audit all data and records of [SUBRECIPIENT] relating to its performances under this Agreement. METRO representatives may perform, or have performed, an audit of [SUBRECIPIENT] books and records. [SUBRECIPIENT] shall keep its books and records available for this purpose for at least three (3) years after this Agreement terminates.

ARTICLE 11: NOTICES

Any notices required or permitted to be given under the terms of this Agreement shall be in writing and shall be deemed to be given as of the time of hand delivery to the addresses set forth below, or three (3) days after deposit in the United States mail, postage prepaid, by registered or certified mail, return receipt requested, addressed as follows:

To METRO: Albert Lyne, Director of Grant Programs
Metropolitan Transit Authority of Harris County
P.O. Box 61429
Houston, Texas 77208-1429

To [SUBRECIPIENT]:
[SUBRECIPIENT POINT OF CONTACT]
[SUBRECIPIENT]

[ADDRESS]
[ADDRESS]

FTA:

ARTICLE 12: WAIVER

The failure of any party at any time to require performance of any provision hereof shall in no manner affect the right at a later time to enforce the same. No waiver of any party of any condition, or of any breach of any term, covenant, representation or warranty contained herein, in any one or more instances, shall be deemed to be construed as a further or continuing waiver of any such condition or breach or waiver of any other condition.

ARTICLE 13: ENTIRE AGREEMENT

This Agreement contains the entire agreement of the parties with regard to the matters addressed herein. This Agreement may not be amended, modified, superseded or canceled, nor may any of the terms, covenants, representations, warranties or conditions be waived except by written instrument executed by both parties.

ARTICLE 14: GOVERNING LAW

This Agreement is subject to all applicable laws, regulations, codes, ordinances, rules and rulings of the Federal Government, the State of Texas, City of Houston, and any other governmental entity that has jurisdiction over the parties or activities set out herein. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement. Any action brought to enforce or interpret this Agreement shall be brought in a court of appropriate jurisdiction in Harris County, Texas.

ARTICLE 15: CLOSEOUT

METRO will close-out the Federal award when it determines that all applicable administrative actions and all required work of the Federal award have been completed by [SUBRECIPIENT]. This section specifies the actions [SUBRECIPIENT] and METRO must take to complete this process at the end of the period of performance.

- (a) [SUBRECIPIENT] must submit, no later than 90 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by or the terms and conditions of the Federal award. METRO may approve extensions when requested by [SUBRECIPIENT].
- (b) Unless METRO authorizes an extension, [SUBRECIPIENT] must liquidate all obligations incurred under the Federal award not later than 90 calendar days after the end date of the period of performance as specified in the terms and conditions of the Federal award.
- (c) METRO must make prompt payments to [SUBRECIPIENT] for allowable reimbursable costs under the Federal award being closed out.
- (d) [SUBRECIPIENT] must promptly refund any balances of unobligated cash that METRO paid in advance or paid and that is not authorized to be retained by [SUBRECIPIENT] for use in other projects. See OMB Circular A-129 and see § 200.345 Collection of amounts due for requirements regarding unreturned amounts that become delinquent debts.
- (e) Consistent with the terms and conditions of the Federal award, METRO must make a settlement for any upward or downward adjustments to the Federal share of costs after closeout reports are received.

(f) **[SUBRECIPIENT]** must account for any real and personal property acquired with Federal funds or received from the Federal government in accordance with §§ 200.310 Insurance coverage through 200.316 Property trust relationship and 200.329 Reporting on real property.

(g) METRO should complete all closeout actions for Federal awards no later than one year after receipt and acceptance of all required final reports.

IN WITNESS WHEREOF, the parties have caused the Agreement to be executed as of the date first written above:

IN TESTIMONY OF WHICH, this Agreement, in duplicate originals, each having equal force, has been executed on behalf of the parties hereto as follows:

a. It has on the ____ day of ____, 2016, been executed on behalf of **[SUBRECIPIENT]** by

_____.

b. It has on the ____ day of ____, 2016, been executed on behalf of METRO by

_____, and attested by its Assistant Secretary, pursuant to Resolution 2016-xx of its Board of Directors authorizing such execution.

<p>[SUBRECIPIENT]</p> <p>By: _____</p> <p>[NAME]</p> <p>[TITLE]</p> <p>Approved as to form:</p> <p>By: _____</p>	<p>Metropolitan Transit Authority of Harris County, Texas</p> <p>By: _____</p> <p>Thomas C. Lambert President & Chief Executive Officer</p> <p>Attest as to form:</p> <p>_____</p> <p>Assistant Secretary</p> <p>Approved as to form:</p> <p>_____</p> <p>Cydonii Fairfax General Counsel</p> <p>_____</p> <p>Arthur C. Smiley III Chief Financial Officer</p>
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EXHIBIT 1
PROJECT DESCRIPTION
AND BUDGET
5310 ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES

Project Description: [DESCRIPTION]

Project Budget:

[BUDGET ITEM]	\$0
Total	\$0
FTA	\$0
Local	\$0

EXHIBIT 2

FTA CERTIFICATIONS & ASSURANCES

The Federal Transit Administration (FTA) requires grant recipients and subgrantees to file annual Certifications and Assurances (C&A) of compliance with key federal regulations. The document is published annually in the *Federal Register* and made available on the FTA web site. Subgrantees are required to complete, sign, and return the attached FY2016 C&A; future annual certifications will be required for the duration of this interagency agreement.

EXHIBIT 3

FTA ANNUAL MASTER AGREEMENT

The United States Department of Transportation Federal Transit Administration (FTA) Master Agreement is authorized by 49 U.S.C. Chapter 53, Title 23, United States Code (Highways); the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; the Transportation Equity Act for the 21st Century, as amended; the National Capital Transportation Act of 1969, as amended; and / or other Federal laws that FTA administers. The Master Agreement is published annually on the FTA web site at www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/fta-master-agreement-fta-ma18. Subgrantees who receive Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds are required to comply with all terms and conditions outlined in the FY2008 Master Agreement and subsequent annual revisions thereto, and commit to so doing with the execution of this Interagency Agreement.

EXHIBIT 4 - A
PROJECT MILESTONES

The estimated milestone schedule is shown below. This schedule may be updated as grant award and project implementation occurs.

Activity	Date
Begin	
Complete	

Grantees are required to file quarterly reports. For each quarterly report for each program, [SUBRECIPIENT] should report the following status for each activity listed above:

- Completion date
- Revised estimated completion date if activity is not completed during the quarter
- Significant accomplishments during the quarter
- Accomplishments planned for the following quarter
- Potential problems identified during the quarter and corrective action plan
- Modifications in excess of \$100,000 issued to third party contracts related to this contract
- Identification of receipt of any program-related claims

HOUSTON METRO
5310 Enhanced Mobility for Seniors and Individuals with Disabilities
Quarterly Project Status Report

Reporting Agency: [SUBRECIPIENT]
Project Name:

Grant #:

Date Submitted: _____

Report for the **Quarterly** period: _____

Starting Date _____ Ending Date _____

Section I. Accomplishments. *Provide an update of revised estimated completion or actual completion dates for the milestones listed below.*

Milestone	Current Est. Completion	Revised Est. Completion	Actual Completion

Also provide a bulleted list of project accomplishments as well as a description of their importance to the project.

Section II: Problems/Solutions (NOTE: Please attach any additional information that you feel should be a part of your report or that may be required to meet the deliverable requirements for tasks completed during this reporting period.)

<p>Problem(s) Identified</p> <p><i>(Please report anticipated or unanticipated problem(s) encountered and its effect on the progress of the project)</i></p>	
<p>Proposed Solution(s)</p> <p><i>(Please report any possible solution(s) to the problem(s) that were considered/encountered)</i></p>	
<p>Action(s) Conducted and Results</p> <p><i>(Please describe the action(s) taken to resolve the problem(s) and its effect)</i></p>	

_____ Date: _____
 Authorized Project Representative's Signature

EXHIBIT 4 – B

FINANCIAL STATUS REPORT

FINANCIAL STATUS REPORT (SHORT FORM)			
1. Federal Agency to which report is submitted: Federal Transit Admin.	2. Federal Grant #:	OMB Appvl. Nr.	Page 1 of 1
3. Recipient Organization Metropolitan Transit Authority of Harris County, Texas P. O. Box 61429 Houston, Texas 77208-1429			
4. Employer ID Nr. 1-74-1998278-4	5. Recipient Acct Nr. N/A	6. Final Report Yes: No: XX	7. Basis Accrual
8. Funding/Grant Period FROM:	TO: 03/31/2012	9. Period Covered this Rpt. FROM: 01/01/2012 TO: 03/31/2012	
10. Transactions	I Previously Reported	II This Period	III Cumulative
a. Cash on hand at beginning of period			
b. Cash receipts (from TEAM at qtr end)			
c. Cash disbursements (= to TEAM disbmt at qtr end)			\$0
d. Cash on hand (A + B - C) (sh / be zero)			\$0
e. Total Federal Funds Authorized			\$0
f. Federal Share of Expenditures	\$0	\$0	\$0
g. Recipient Share of Expenditures	\$0	\$0	\$0
h. Total Expenditures (F + G)	\$0	\$0	\$0
i. Federal share of Unliq Obligations			\$0
j. Recipient Share of Unliq Obligns			\$0
k. Total Unliquidated Obligations			\$0
l. Total Federal Share (F + I)			\$0
m. Unoblig'd Balance Federal Funds (E - L)			\$0
n. Total recipient share required			
o. Remaining recipient share to be provided			\$0
p. Program income on hand at beginning			
q. Total federal program income earned			
r. Prog income expended...deduction alternative			
s. Prog income expended...addition alternative			
t. Prog inc expended...allowable op/cap exp			
u. Unexpended prog income (P + Q - R or S or T)			\$0
11. Indirect Rate	Base:		
Type of Rate: Final XX	Amount charged:		
FROM: 10/01/2009 TO: 09/30/2010	Federal share:		
Rate: 81.30%			
12. Remarks			
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.			
Typed or printed name and title Mary B. Fay Director, Grant Programs		Telephone 713-739-3715	
Signature of Authorized Certifying Official		Date Report Submitted 04/30/12	

FINANCIAL STATUS REPORT					
FINANCIAL STATUS REPORT METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY P.O. BOX 61429 HOUSTON, TEXAS 77208		FEDERAL TRANSIT ADMINISTRATION 1-74-1998278-4 N/A FINAL REPORT: NO		BASIS: ACCRUAL	
PROGRAMS/FUNCTIONS/ACTIVITIES		PROJECT/GRANT PERIOD		PERIOD COVERED BY THIS REPORT	
FROM:		TO: 03/31/12		FROM: 01/01/12 TO: 03/31/12	
NET OUTLAYS PREVIOUSLY REPORTED					0
TOTAL OUTLAYS THIS REPORT	0	0	0	0	0
LESS: PROGRAM INCOME CREDITS	0	0	0	0	0
NET OUTLAYS THIS REPORT PERIOD	0	0	0	0	0
NET OUTLAYS TO DATE					0
LESS NON-FEDERAL SHARE OF OUTLAYS	0	0	0	0	0
TOTAL FEDERAL SHARE OF OUTLAYS	0	0	0	0	0
TOTAL UNLIQUIDATED OBLIGATIONS					0
LESS: NON-FEDERAL SHARE OF UNLIQUIDATED OBLIGATIONS SHOWN ABOVE	0	0	0	0	0
FEDERAL SHARE OF UNLIQ OBLIGS	0	0	0	0	0
TOTAL FEDERAL SHARE OF OUTLAYS					0
AND UNLIQUIDATED OBLIGATIONS	0	0	0	0	0
TOTAL CUMULATIVE AMOUNT OF FEDERAL FUNDS AUTHORIZED					0
UNOBLIGATED BALANCE OF FEDERAL FUNDS	0	0	0	0	0
Approved FTA Budget	0	0	0	0	0
Matching Share	0	0	0	0	0
TOTAL	0	0	0	0	0

I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the proposes set forth in the award documents.

Mary B. Fay
 Director/Grant Programs
 04/30/12
 Date
 713-739-3715
 Telephone