

**STATE OF NEVADA**

**STATE MANAGEMENT PLAN**

**FEDERAL TRANSIT ADMINISTRATION  
PROGRAM FOR**

**RURAL AND SMALL URBAN AREAS OF NEVADA**



**(February 2015)**

**NEVADA DEPARTMENT OF TRANSPORTATION  
(NDOT)**

## TABLE OF CONTENTS

	<b>PAGE</b>
<b><u>CHAPTER I</u></b>	
<b><u>INTRODUCTION</u></b>	
TRANSPORTATION PLANNING AGENCIES	I – 1
<b><u>CHAPTER II</u></b>	
<b><u>PROGRAM SPECIFIC INFORMATION</u></b>	
FEDERAL FORMULA PROGRAMS	II – 1
5303 METROPOLITAN PLANNING	II – 2
5304 STATEWIDE PLANNING	II – 4
5310 ENHANCED MOBILITY OF SENIORS AND PERSONS WITH DISABILITIES	II – 6
5311 RURAL PUBLIC TRANSPORTATION	II – 12
5339 BUS AND BUS FACILITIES	II – 21
GRANT APPLICATION PROCESS (All FTA Programs)	II – 23
<b><u>CHAPTER III</u></b>	
<b><u>CAPITAL AND EQUIPMENT MANAGEMENT</u></b> (All FTA Programs)	
ROLLING STOCK	III – 1
VEHICLE REHABILITATION	III – 1
RADIOS AND COMMUNICATION EQUIPMENT	III – 1
COMPUTER HARDWARE/SOFTWARE	III – 2
PASSENGER SHELTERS	III – 2
EQUIPMENT	III – 2
REPORTING COLLISIONS/ACCIDENTS	III – 2
EQUIPMENT REHABILITATION	III – 3
PROPERTY USE MAINTENANCE/INSPECTION	III – 3
VEHICLE DISPOSITION-USEFUL LIFE	III – 5
VEHICLE DISPOSITION-COLLISION/ACCIDENT	III – 5
DISPOSITION OF CAPITAL ITEMS	III – 6

**CHAPTER IV DRIVER/VEHICLE GUIDANCE** (All FTA Programs)

MAINTENANCE	IV – 1
REPORTING REQUIREMENTS	IV – 2
DRUG AND ALCOHOL TESTING	IV – 2
DRUG FREE WORK PLACE	IV – 2
COMMERCIAL DRIVERS LICENSE	IV – 2
TRAINING	IV – 2
ALTERNATE FUELS	IV – 3
RISK MANAGEMENT	IV – 3
SAFETY JURISDICTION	IV – 3
SAFETY AND SECURITY	IV – 3

**CHAPTER V PROGRAM MONITORING** (All FTA Programs)

STATEWIDE MONITORING PROGRAM	V – 1
MONITORING OF SUBRECIPIENTS	V – 1
GENERAL COMPLIANCE MONITORING	V – 2
SPECIAL MONITORING	V – 3
SERVICE MONITORING	V – 3
PERFORMANCE MONITORING	V – 3

**CHAPTER VI FUNDING AND FINANCIAL MANAGEMENT** (All FTA Programs)

FUNDING	VI – 1
PRE AGREEMENT VERIFICATION	VI – 1
REIMBURSEMENT TO SUBRECIPIENTS	VI – 1
GRANT MANAGEMENT	VI – 2
INITIATE DRAWDOWN	VI – 3
FINANCIAL STATUS REPORT	VI – 3

	<b>PAGE</b>
<b><u>CHAPTER VI cont.</u></b>	
AUDITS	VI – 3
CLOSEOUTS OF GRANTS	VI – 4
RECORD RETENTION	VI – 4
<b><u>CHAPTER VII    PROCUREMENT</u></b> (All FTA Programs)	
COMPETITION	VII – 2
BUY AMERICA	VII – 2
PRE / POST DELIVERY REVIEW	VII – 3
NEW MODEL BUS TESTING	VII – 4
VEHICLE AND EQUIPMENT PROCUREMENT	VII – 5
<b><u>CHAPTER VIII    OTHER PROVISIONS</u></b> (NDOT and All FTA Programs)	
CIVIL RIGHTS COMPLIANCE	VIII – 1
NONDISCRIMINATION	VIII – 1
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964	VIII – 1
EQUAL EMPLOYMENT OPPORTUNITY	VIII – 2
DISADVANTAGED BUSINESS ENTERPRISES	VIII – 3
SECTION 504 OF THE REHAB ACT OF 1973	VIII – 4
AMERICANS WITH DISABILITIES ACT OF 1990	VIII – 5
CHARTER OPERATION	VIII – 6
SCHOOL TRANSPORTATION	VIII – 8
DEBARMENT AND SUSPENSION	VIII – 8
RESTRICTIONS ON LOBBYING	VIII – 8
CLEAN AIR ACT	VIII – 9
PROTECTION OF THE ENVIRONMENT	VIII – 9
EMERGENCY MANAGEMENT	VIII – 9
LABOR PROTECTION (5310)	VIII – 10
LABOR PROTECTION (5311)	VIII – 10

	<b>PAGE</b>
<b>CHAPTER IX      <u>PLANNING, COORDINATION AND THE PUBLIC</u></b> (All FTA Programs)	
STATEWIDE TRANSPORTATION PLAN	IX – 1
STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)	IX – 1
COORDINATED HUMAN SERVICES TRANSPORTATION PLAN (5310 Program)	IX – 3
PUBLIC INVOLVEMENT	IX – 3
PUBLIC PARTICIPATION PROCESS	IX – 4

## **APPENDICES**

### **APPENDIX A**

DEFINITIONS & ACRONYMS

### **APPENDIX B**

APPLICATION CRITERIA & PROGRAM DEFINITIONS

### **APPENDIX C**

REFERENCES

### **APPENDIX D**

CALENDAR OF EVENTS

### **APPENDIX E**

REPORT OF TRAFFIC ACCIDENT FORMS

### **APPENDIX F**

CARSON AREA METROPOLITAN PLANNING ORGANIZATIONS (CAMPO)  
PROJECT PRIORITIZATION AND SELECTION PROCESS (5310 & 5339  
PROGRAMS)

## **CHAPTER I**

### **INTRODUCTION**

The State Management Plan documents the procedures of the State of Nevada in managing and utilizing federal funds to assist public, Tribal, private for-profit and private non-profit passenger transportation systems in Nevada. The Nevada Department of Transportation (NDOT) Multimodal Planning Division manages the programs described in this document.

This document includes the State's objectives, policies, procedures and administrative requirements, in a form that is readily accessible to NDOT staff, the Federal Transit Administration (FTA), potential subrecipients, and the public.

The State Management Plan is reviewed on an annual basis to ensure that any new federal regulations are reflected in the Plan. It is more thoroughly revised approximately every six years, or upon re-authorization of the federal transportation funding bill.

### **TRANSPORTATION PLANNING AGENCIES**

Nevada is divided into three types of areas: rural, small urban (population 50,000 to 199,999) and large urban (population over 200,000). Dispersed populations and vast distances between communities characterize rural areas in Nevada. The quality of available and affordable transportation directly impacts the quality of life for these residents. Transit systems serving these areas are generally "on demand response"/deviated fixed-route that provide services to the elderly, persons with disabilities and the general public.

The 2010 Census determined that Nevada has one (1) urban area with a population of 50,000 to 99,000 (Carson City), one (1) urban area designated by Congress with a population of less than 50,000 (Lake Tahoe), although this designation does not apply to Federal Transit Administration (FTA) funding programs and (2) two urban areas over 200,000 (Las Vegas and Reno). The large urban/metropolitan and the small urban areas are able to support both a public fixed-route system and an "on demand response" system for persons with disabilities. The rural areas of Nevada have limited services and most cannot support both a fixed-route and demand response system.

## **CHAPTER II**

### **PROGRAM SPECIFIC INFORMATION**

#### **FEDERAL FORMULA PROGRAMS**

FTA requires a State Management Plan for the Section 5311 Rural Public Transportation Program and Section 5310 for Elderly Individuals and Individuals with Disabilities. NDOT has chosen to document information related to the management of other federal transportation grant funds that the Transit Program oversees in this State Management Plan.

NDOT administers the following federal formula programs:

- Section 5303, Metropolitan Transportation Planning Program
- Section 5304, Statewide Transportation Planning Program
- Section 5310, Elderly Individuals and Individuals with Disabilities Program
- Section 5311, Rural Public Transportation Program (including the Rural Technical Assistance Program (RTAP) and the Intercity Bus Program
- Section 5339, Bus and Bus Facilities Program

These programs are described in detail on the following pages.



## **49 USC 5303 MPO PLANNING**

Section 5303 Metropolitan Planning Program (MPP) funds are used to assist urbanized areas (UZAs) plan for the development, improvement and effective management of their multimodal transportation systems. The State is the designated recipient of these funds and by law these funds must be distributed to the Metropolitan Planning Organizations. Funds in Nevada are distributed using a formula that sets aside a specific amount for each MPO that is based on their population and road miles.

The MPO must use its MPP assistance to support work elements and activities resulting in a balanced and comprehensive intermodal transportation planning for the movement of people and goods in the metropolitan area. Comprehensive transportation planning is not limited to transit planning or surface transportation planning, but also encompasses the relationships among land use and all transportation modes, without regard to the programmatic source of Federal assistance.

### **GOALS**

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

### **ROLES AND RESPONSIBILITIES**

The Governor of Nevada, in accordance with 49 USC 5303, has designated NDOT as the agency to receive and administer federal funds under this program for Metropolitan Planning Organizations (MPO). NDOT is the designated recipient of the 5303 planning monies for all in Nevada, however, NDOT and the MPO's have entered into a Memorandum of Understanding and these funds are transferred to the Federal Highway Administration and administered by the MPO's through their Unified Planning Work Program (UPWP).

## **ELIGIBLE SUBRECIPIENTS**

MPOs in urbanized areas are the eligible subrecipients for Section 5303 FTA funds.

## **ELIGIBLE SERVICE AREAS**

Eligible service areas are MPO's in urbanized areas (200,000 and over in population) and small urbanized areas (50,000 and over in population).

## **ELIGIBLE PROJECT CATEGORIES**

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

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

## **LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS**

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

## **49 USC 5304 STATEWIDE PLANNING**

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

### **GOALS**

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

### **ROLES AND RESPONSIBILITIES**

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

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

### **ELIGIBLE SUBRECIPIENTS**

NDOT is the designated recipient for all of the Section 5304 FTA funds. Eligible subrecipients are State, MPO's, local government authorities and operators of public transportation systems.

### **ELIGIBLE SERVICE AREAS**

Statewide.

## **ELIGIBLE PROJECT CATEGORIES**

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

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

## **LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS**

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

## **49 USC 5310 ENHANCED MOBILITY FOR SENIORS AND DISABLED**

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

### **GOALS AND OBJECTIVES**

The department's goal in administering the 5310 program is to promote the availability of cost effective, efficient, and coordinated passenger transportation services that meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate or unavailable. Projects selected for these funds were derived from a locally developed, coordinated human services transportation plan as described in Chapter IX of this document. NDOT's plan identified the transportation needs of persons with disabilities, elderly persons and people with low incomes and provides strategies for meeting those needs. In addition, NDOT's long-range plan, Statewide Transportation Plan – Moving Nevada through 2028, includes a transit component that describes these goals and objectives. These documents were developed from stakeholder participation, which included local elected officials, who met numerous times during the planning process. Transit issues discussed were the need for capital investment and continued operating support for the transit system.

With the implementation of Map-21, the 5310 funding that NDOT receives annually was reduced significantly. The MPO's within the urbanized areas are now the designated direct recipient for the majority of the 5310 funds in Nevada. As a result, NDOT has chosen to use the 5310 funds primarily for the purchase of paratransit vehicles.

## **ROLES AND RESPONSIBILITIES**

The Governor of Nevada, in accordance with 49 USC 5310, has designated NDOT as the agency to receive and administer federal funds under this program in the rural areas of the state. NDOT is also the designated recipient for 5310 funds in the small urbanized areas with population between 50,000 and 199,000 thousand. In Nevada there is only one small urbanized area and that is the Carson Area Metropolitan Planning Organization (CAMPO). NDOT allows CAMPO to conduct a project application, selection process for their 5310 funds as described in Appendix F for NDOT approval. In the urbanized areas of Washoe and Clark Counties the Governor has designated the MPOs the recipient of the 5310 funds. Those two agencies utilize their own project selection and prioritization process.

The role of NDOT is to:

- document the State's procedures for utilizing the 5310 funds in the State Management Plan (SMP);
- notice to the public regarding program availability and solicitation of applications;
- develop the Transit element of the State Transportation Improvement Program (STIP);
- develop project selection and application review processes;
- ensure compliance with Federal and State requirements by all subrecipients;
- monitor project activities, project audits and closeouts;
- plan for future transportation needs and coordination throughout the State; and
- certify that all projects are derived from a locally developed, coordinated public transit-human transportation plan.

## **COORDINATION**

All projects funded from 5310 must be identified from a locally developed, coordinated public human-services transportation plan. It is NDOT's policy to update the coordinated plan every five years. NDOT includes the CAMPO small urbanized area boundaries when the statewide Coordinated Human-Services Transportation Plan for the 5310 funds is updated for the rural areas of Nevada. Washoe and Clark Counties are responsible for developing and updating

the Coordinated Human-Services Transportation Plan for the 5310 funds that they have been designated to receive within their MPO planning boundaries.

NDOT also expects public transit system applicants to participate in the local planning process for coordination efforts throughout the State as much as possible. One criteria used in ranking grant applications for these funds is documentation describing their coordination efforts, their public outreach and letters of support. Grant applicants are also asked to provide documentation of their public outreach and consultation with local elected officials and or governing boards. Details of the coordinated human services plan can be found in chapter IX.

### **ELIGIBLE SUBRECIPIENTS**

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

### **ELIGIBLE SERVICE AREAS**

The 5310 funds are eligible statewide. However, for the 5310 funds where NDOT is the designated recipient, the eligible services areas are the small urbanized area of Carson City and the rural areas of the state, including Indian Reservations. Eligible service areas for the 5310 funds that where the RTC of Southern Nevada and the Washoe County RTC are the designated recipient are the urbanized areas of Clark and Washoe Counties.

### **ELIGIBLE PROJECT CATEGORIES**

Some of the eligible project categories include but are not limited to:

- Vehicles;
- Vehicle rehabilitation;

- Preventive Maintenance;
- Radios and Communication Equipment;
- Wheelchair Lifts, Ramps and Securement Devices;
- Benches, Shelters, and Other Passenger Amenities;
- Support Facilities and Equipment for 5310-Funded Vehicles;
- Lease of Equipment;
- Support of Mobility Management and Coordination Programs.
- Acquisition of Transportation Services Under a Contract;
- Public Transportation Projects That Exceed the Requirements of ADA;
- Public Transportation Projects That Improve Accessibility;
- Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities.

## **LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS**

The federal share for eligible capital and contracted services is eighty percent (80%). The remaining twenty percent (20%) must be provided locally or through in-kind contributions. The federal share for eligible operating costs is fifty percent (50%) of the net operating costs. The remaining fifty percent (50%) must be provided locally or through in-kind contributions.

## **PROJECT SELECTION CRITERIA AND METHODS OF DISTRIBUTING FUNDS**

All agencies interested in applying for FTA funding throughout the year are encouraged to review our grant application and instructions available on our website and by mail if requested. Every effort is made to ensure that all eligible organizations are notified. Eligibility is based only on federal guidelines for program compliance (seniors and individuals with disabilities), without regard to race, color, or national origin.

Eligible applications for FTA defined “traditional projects” are reviewed and prioritized first in order to comply with Section 5310 program’s 55% funding floor. The projects are prioritized based on:

- Replacement of accessible vehicles that have reached their useful life,
- Accessible vehicles to be used in eligible expanded mobility services,



- All other “traditional” Section 5310 eligible projects.

In selecting “traditional projects” for 5310 funding, consideration is given to geographic distribution to deter from concentrations of projects in the state. To ensure that low-income and minorities are not excluded from accessing the benefits of these funds, prioritization is also based on applicant’s responses to the Title VI Civil Rights questions about clients served, as well as governing board racial composition. More details about NDOT’s annual grant application process and selection criteria for all programs is explained at the end of this chapter.

### **ANNUAL PROGRAM OF PROJECTS DEVELOPMENT AND APPROVAL PROCESS**

Annually, in February, NDOT solicits new FTA grant applications that are due on April 15. It takes NDOT approximately 6 months to review and have the independent committee score all of the grant applications. Applications from rural and small urbanized areas of the state that are being recommended for funding under Section 5310 will be incorporated into a Program of Projects and a Project Budget that is submitted to the FTA regional office for approval. Once approved by the FTA, applicants are notified in writing of their award. After the award notification it can take approximately another 6 months before the subrecipient receives their vehicle. More details about the grant application process and the Program of Projects is explained at the end of this chapter.

### **STATE ADMINISTRATION, PLANNING, AND TECHNICAL ASSISTANCE**

NDOT may use ten percent (10%) of its apportionment of FTA Section 5310 funds to support program administrative costs including administration, planning, and technical assistance, which may be funded at one hundred percent (100%) federal. However, the dollar amount of the 5310 funds that NDOT administers was significantly reduced with the implementation of Map-21. As a result, NDOT has decided that these funds will only be used to pay for employee’s time when they are overseeing the 5310 program activities, such as purchasing vehicles and updating the coordinated plan. Should funding permit, these funds will be used for consultant services to assist with vehicle bid specifications. Otherwise, other work done by NDOT for the 5310 program, such as auditing, vehicle inspections and deliveries, is charged to the state. No funding is available for additional resources to go to local areas and

subrecipients for such activities as planning, technical, and management assistance.

### **FUNDS TRANSFER**

Due to the reduced funding amounts, it is NDOT's policy not to transfer 5310 funds to other NDOT administered FTA programs.

### **PROGRAM MEASURES**

Annually, 5310 subrecipients report to NDOT and describe their progress relative to the stated objectives in their grant application. The program measures for the 5310 program for the "traditional" projects have been established by the FTA, and will be evaluated on two pieces of criteria:

- Gaps in service that are filled by utilizing 5310 services
- The number of one-way trips provided on an annual basis by 5310 providers.

## **49 USC 5311 FORMULA GRANTS FOR RURAL AREAS**

The Section 5311 program provides formula funding for the purpose of supporting public transportation in areas of less than 50,000 in population including Indian Reservations. Funding may be used for capital, operating, state administration, and project administration expenses.

### **GOALS AND OBJECTIVES**

Program goals are: “to enhance the access of the people in non-urbanized areas to health care, shopping, education, employment, public services and recreation; to assist in the maintenance, development, improvement and the use of public transportation systems in the rural and small urban areas; to encourage and facilitate the most efficient use of all federal funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services; to assist the development and support of the intercity bus transportation; encourage mobility management, employment-related transportation alternatives, and to provide for the participation of private transportation providers in non-urbanized transportation to the maximum extent feasible.”

Annually, NDOT evaluates grant applications to ensure they meet our goals. In addition, NDOT’s long-range plan, Statewide Transportation Plan – Moving Nevada through 2028, includes a transit component that describes these goals and objectives. These documents were developed from stakeholder participation, which included local elected officials, who met numerous times during the planning process. Transit issues discussed were the need for capital investment and continued operating support for the transit system.

### **ROLES AND RESPONSIBILITIES**

The principal responsibility and authority for administering the Section 5311 Program is with the state agency designated by the Governor. The agency designated in the State of Nevada is NDOT. The role of NDOT is to:

- document the State’s procedures in the State Management Plan (SMP);
- notify eligible local entities of the availability of the program;
- solicit applications;

- develop the Transit element of the State Transportation Improvement Program (STIP)
- develop project selection criteria;
- review and select projects for approval;
- forward an annual program of projects and grant application to FTA;
- certify eligibility of applicants and project activities;
- ensure compliance with Federal and State requirements by all subrecipients;
- monitor local project activities;
- oversee project audit and closeout;
- plan for future transportation needs and ensure integration and coordination among diverse transportation modes and providers; and
- file a National Transit Database (NTD) report each year for each sub recipient.

The transit section within NDOT sits on many corridor and long-range planning studies to ensure that the needs for rural transit providers are being represented and projects are being developed where needed. In addition, the NDOT transit staff works with current subrecipients to ensure that their planning and long-range needs are being met. Development of these plans is done with formal participation from other State agencies, regional and local governments, local transportation entities and the general public.

## **COORDINATION**

NDOT expects public transit system applicants to participate in the local planning process for coordination efforts throughout the State as much as possible. One criteria used in ranking grant applications for these funds is documentation describing their coordination efforts, their public outreach and letters of support. Grant applicants are also asked to provide documentation of their public outreach and consultation with local elected officials and or governing boards. More information on coordination can be found in Chapter IX.

## **ELIGIBLE SUBRECIPIENTS**

- State or local governmental authorities
- Non-profit organizations

- Indian tribes
- Private, for-profit operators of transit service may participate in the program provided there are no

NDOT may further limit sub recipient eligibility requirements in order to comply with State laws or to further program goals.

### **ELIGIBLE SERVICE AREAS**

Eligible service areas are any areas defined as rural or small urban areas under 50,000 in population. Projects may include transportation to and from an urbanized area, but cannot provide transportation for urban residents to points within the urban boundary. Projects may extend across county or state lines.

### **ELIGIBLE SERVICE CATEGORIES**

#### **Capital**

Capital projects are funded with ninety-five percent (95%) federal FTA funds due to sliding scale in Nevada. Eligible capital projects may include, but are not limited to the following:

- Wheelchair lifts and restraints
- Vehicle rehabilitation, remanufacture, or overhaul
- Preventive maintenance, defined as all maintenance costs
- Operational support such as computer hardware or software
- Installation costs, vehicle procurement, testing, inspection and acceptance costs
- Communications equipment (mobile radios, base stations, etc.)
- Replacement/spare vehicle components for program vehicles that demonstrate a good maintenance record and have one or more years of useful life

### **Operating Assistance**

For 5311 subrecipients, operating assistance is funded at sixty percent (60%) federal FTA funds due to the sliding scale in Nevada. This is paid for the net expenses associated with the provision of transportation services to the general public residing in rural and small urban areas. Eligible expenses may include, but are not limited to:

- Driver, dispatcher, administrative and maintenance personnel wages and benefits
- Fuel, oil and other vehicle maintenance supplies
- Vehicle insurance
- Drug/alcohol testing (collection/lab tests)
- Licenses

### **Project Administration**

For subrecipients, NDOT treats project administration costs as a separate cost category funded up to eighty percent (80%) with FTA funds due to the sliding scale in Nevada. Eligible project administration expenses may include, but are not limited to the following:

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

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

### **Mobility Management**

Mobility Management is an eligible project under all three Coordinated Mobility Programs and can consist of short-range planning and management activities and projects (including personnel and technology activities) for improving coordination among public transportation and other service providers.

Mobility Management techniques should enhance transportation access for populations beyond those served by any one agency or organization. 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.

## **LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS**

### **Capital Assistance**

The local share for capital assistance is five percent (5%) of the net expense. The local share must be derived from sources other than federal funds except where specific language of another federal program permits its funds to be used to match other federal funds.

### **Operating Assistance**

The local share of operating assistance is no less than forty percent (40%) of which twenty five percent (25%) must be derived from sources other than federal funds or revenues of the system. Local match must be derived from sources other than federal funds except where specific language of a federal program permits. Local match may come from:

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

### **Administrative Assistance**

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

NDOT may use no more than ten percent (10%) of its apportioned FTA Section 5311 funds to administer the program and to provide technical assistance to subrecipients. Some of the eligible costs include salaries, supplies and office equipment used to administer the program. Allowable technical assistance costs may include project planning, program development, development of vehicle and equipment specifications, coordination of public transportation programs and such research as NDOT may deem appropriate to promote effective means of

delivering public transportation service in nonurbanized areas of the state. No local share is required for State administration.

Capital assistance directly related to a transportation program can be requested through a Capital Assistance Reimbursement Request. These requests are reviewed on a case-by-case basis and reimbursed at eighty percent (80%) of the total net expense. Subrecipients are required to use a competitive method of obtaining repair work or purchasing equipment. Subrecipients must follow the guidelines for all purchases as stated in the FTA's "Best Practices Manual". Exceptions to this process may be authorized by NDOT.

## **PROJECT SELECTION CRITERIA AND METHOD OF DISTRIBUTING FUNDS**

All agencies interested in applying for FTA funding throughout the year are encouraged to review our grant application and instructions available on our website and by mail if requested. Every effort is made to ensure that all eligible organizations are notified. Eligibility is based only on federal guidelines for program compliance, without regard to race, color, or national origin. More detailed information on our project selection process is found at the end of this chapter.

## **SECTION 5311(f) RURAL INTERCITY BUS PROGRAM**

NDOT is required by FTA to spend fifteen percent (15%) of the total Section 5311 apportionment "to carry out a program for the development and support of intercity bus transportation." The purpose of the Intercity Bus Program is to establish, preserve and enhance rural and small urban intercity transportation.

The program goals are to support connectivity between rural and urbanized areas, operating services to meet the intercity travel needs of residents in small urban and rural areas, the establishment, enhancement, and preservation of essential intercity bus services on deficient corridors, and to establish a network of intercity bus services and connectivity within a national system.



Eligible activities include, but are not limited to planning and marketing for intercity bus transportation, capital for intercity bus shelters, joint-use stops and depots, operating through purchase-of-service contracts, and feeder bus services with connectivity to intercity providers.

Projects may include transportation to and from an urbanized area, but cannot provide transportation for urban residents to points within the urban boundary. Projects may extend across county or state lines.

The FTA states “the coordination of rural connections between small transit operations and intercity bus carriers” may include providing a service that acts as a feeder to intercity bus service. The feeder service is not required to be a fixed route, but can be a deviated fixed route or demand response service.

## **ANNUAL PROGRAM OF PROJECTS DEVELOPMENT AND APPROVAL PROCESS**

Annually, in February, NDOT solicits new FTA grant applications that are due on April 15. It takes NDOT approximately 6 months to review and have the independent committee score all of the grant applications. Applications from rural and small urbanized areas of the state that are being recommended for funding under Section 5311 will be incorporated into a Program of Projects and a Project Budget that is submitted to the FTA regional office for approval. Once approved by the FTA, applicants are notified in writing of their award. After the award notification it can take approximately another 6 months before the subrecipient receives their vehicle. More details about the grant application process and the Program of Projects is explained at the end of this chapter.

## **FUNDS TRANSFERS**

NDOT may transfer Section 5307 funds, Section 5310 funds, or flexible funds to Section 5311 to supplement funds that FTA apportioned to the state as specified in FTA guidance. To date no transfers such as these described have not been requested. NDOT must notify the FTA regional administrator of its intent to have funds transferred in order for FTA to initiate the transfer.

## **STATE ADMINISTRATION, PLANNING, AND TECHNICAL ASSISTANCE**

NDOT may use up to ten percent (10%) of its apportionment of FTA Section 5311 funds to support program administrative costs including administration, planning, and technical assistance, which may be funded at one hundred percent (100%) federal. The NDOT Transit staff provides a wide scope of technical and management assistance to Section 5311 subrecipients. This may include development of statewide plans and studies, issuance of statewide policies and procedures, development and maintenance of our transit databases, monitoring subrecipients for compliance and carrying out the annual grant application and contracting process. If these duties cannot be accomplished within the 10% limitation, then state funds are used to fulfill these functions.

## **5311 RURAL TRANSIT ASSISTANCE PROGRAM (RTAP)**

RTAP is intended to be a broad and flexible program of training, technical assistance, research and other support services for non-urbanized transit operators. It provides a source of federal funding to assist in the design and implementation of training and technical assistance programs tailored to meet the specific needs of the rural operators.

NDOT administers the RTAP funding directly, using three primary categories of assistance: training, technical assistance and related support services. NDOT does not impose a local match for these funds but do require subrecipients to get preapproval prior to charging and activity to these funds.

Specialized transportation providers and public transit providers in non-urbanized areas are allowed to participate in RTAP sponsored activities, as long as the activities are primarily designed to benefit non-urbanized transit operations.

RTAP funds can be used to promote the safe and effective delivery of transportation through the Statewide Rural Transit Training Program that includes Defensive Driving, First Aid/CPR, Passenger Assistance Training, Customer Service and Substance Abuse Program Management, it is used to reimburse public, rural and specialized transportation providers for travel and per-diem costs, for them to attend program compliance related training workshops,

conferences, meetings, or for peer-to-peer technical assistance, to support State Transit events and or conferences designed to promote networking and coordination among the rural transit providers and to support the cost of production and publication of any newsletters that distribute information relevant to rural transportation agencies

### **PRIVATE SECTOR PARTICIPATION**

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

### **NATIONAL TRANSIT DATABASE (NTD) REPORTING**

NDOT is required by 49 U.S.C. 5335(a) and (b) to submit annually to the NTD as a condition of award of Section 5311 FTA funds. The NTD is FTA's primary national database for statistics on the transit industry. The annual report contains information on capital investment, operations, and services provided under Section 5311. Some of the items to be reported include total annual revenue, sources of revenue, total annual operating costs, total annual capital costs, fleet size and type, and related facilities, revenue vehicle miles and ridership. NDOT is responsible for the collection and compilation from each Section 5311 sub recipient and transportation provider in the State that benefits from the grant.

## **49 USC 5339 BUS AND BUS FACILITIES**

The FTA Section 5339 federal funds (C 9300.1A) provide for capital transit program assistance and projects.

### **GOALS**

The goal of the FTA 5339 program as defined by FTA is to provide funding to replace, rehabilitate, and purchase buses and related equipment as well as construct bus-related facilities.

### **ROLES AND RESPONSIBILITIES**

The Governor of Nevada, in accordance with 49 USC 5339, has designated NDOT as the agency to receive and administer the rural statewide federal funds under this program for capital assistance. Under MAP-21, NDOT is also the designated recipient of the 5339 funds for the small urbanized areas with population between 50,000 and 199,000. In Nevada there is only one small urbanized area and that is the Carson Area Metropolitan Planning Organization (CAMPO). NDOT allows CAMPO to conduct a project application, selection process for their 5339 funds as described in Appendix F for NDOT approval.).

Some of the responsibilities of being the designated recipient include:

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

### **ELIGIBLE SUBRECIPIENTS**

- State or local governmental authorities
- Non-profit organizations
- Indian tribes
- Private, for-profit operators of transit service may participate in the program as third-

party contractors with the State or other eligible subrecipients

### **ELIGIBLE SERVICE AREAS**

All non-urbanized areas of the State are eligible service areas for FTA 5339 capital assistance funds.

### **ELIGIBLE PROJECT CATEGORIES**

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

### **LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS**

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

## **GRANT APPLICATION PROCESS**

**(All FTA Programs)**

### **PROJECT SELECTION CRITERIA AND METHOD OF DISTRIBUTING FUNDS**

NDOT uses the following project selection process for all grants (5303, 5304, 5310, 5311 and 5339).

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

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

Projects are scored based on:

- **Service**
  - Need for service
  - ADA Compliant
  - Service Area
  - Vision/Mission
  - Access Type
  - Existing Inventory
- **Financial**
  - Match Source
  - Other Revenues
  - Budget

- **Coordination**
  - Resources
  - Programs
  - Willingness
- **Maintenance and Safety**
  - Maintenance plan
  - Oversight
  - Training program
- **Community Support & Customer Satisfaction**
  - Letters of Support
  - Community Support
  - Surveys
  - Public Involvement
- **Unmet Needs**
  - Current and Future
  - Economic Impact

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

#### **STATEWIDE TRANSIT PROGRAM DISPUTE RESOLUTION/APPEAL PROCESS**

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

Nevada Department of Transportation  
 Assistant Director of Planning  
 Attn: Transit Manager, Multimodal Planning Division  
 1263 S. Stewart St.  
 Carson City, NV 89712

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

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

### **TRANSIT AWARD MANAGEMENT SYSTEM**

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

### **PROGRAM OF PROJECTS**

The Program of Projects (POP) is a list of projects to be funded in a grant application submitted to FTA by a state or designated recipient. The POP lists the subrecipients and indicates whether they are private nonprofit agencies or local governmental authorities, designates the areas served (including rural areas), and identifies any tribal entities. In addition, the POP includes a brief description of the projects, total project cost, and federal share for each project, and the amount of funds used for program administration from the ten percent (10%) allowed. Each project is also included in the Statewide Transportation Improvement Program (STIP).



**CHAPTER III**  
**CAPITAL AND EQUIPMENT MANAGEMENT**  
**(All FTA Programs)**

Capital expenses include the acquisition, construction and improvement of public transit equipment and purchase-service-contracts as well as certain other expenses classified as capital in 49 U.S.C. (United States Code), Section 5302(a)(1). Eligible capital expenditures include but are not limited to:

Rolling Stock

- 1) Vehicle Rehabilitation/Capital Maintenance
- 2) Radios and communications equipment
- 3) Operational support such as computer hardware or software
- 4) Leases
- 5) Other Capital related to transportation services listed in FTA Circular 9040.1E, Nonurbanized Area Formula Program Guidance, Chapter 3

**ROLLING STOCK**

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

**VEHICLE REHABILITATION**

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

**RADIOS AND COMMUNICATION EQUIPMENT**

Mobile radios and base stations or cellular phones can be purchased with FTA funding.

## **COMPUTER HARDWARE/SOFTWARE**

Computer hardware and software expenses may be available for FTA funds if they relate directly to the transportation service.

## **PASSENGER SHELTERS**

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

## **EQUIPMENT**

The FTA allows states to use, manage, dispose and transfer equipment acquired under Section 5311, 5310 and 5339 in accordance with State laws and 49 Code of Federal Regulations (CFR) Part 19. A physical inventory of equipment and vehicles and their condition must be maintained by the sub recipient.

## **REPORTING MOTOR VEHICLE COLLISIONS**

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

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

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

### **Nevada Department of Motor Vehicles**

Central Services Division-Financial Responsibility Section

555 Wright Way

Carson City, Nevada 89711-0400

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

## **EQUIPMENT REHABILITATION**

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

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

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

NDOT or a designee of NDOT may provide subrecipients with vehicle rehabilitation assistance in the following:

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

## **PROPERTY USE, MAINTENANCE AND INSPECTION**

Subrecipients of FTA federal funds through NDOT are required to comply with this State Management Plan (SMP) that addresses property use, maintenance and inspection requirements. Any property purchased under the project shall be used for the provision of transportation

services, within the sub recipient's service area or such other area described in the grant application and within the Agreement.

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

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

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

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

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

## **VEHICLE DISPOSITION / USEFUL LIFE**

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

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

## **VEHICLE DISPOSITION FROM COLLISION OR DAMAGE**

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

## **DISPOSITION OF FEDERALLY FUNDED CAPITAL ITEMS**

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

**CHAPTER IV**  
**DRIVER/VEHICLE GUIDANCE**  
**(All FTA programs)**

**MAINTENANCE**

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

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

**REPORTING REQUIREMENTS**

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

**DRUG AND ALCOHOL TESTING**

NDOT has developed a Drug and Alcohol Testing Program as prescribed by the FTA for safety-sensitive employees (drivers, dispatchers and maintenance mechanics) for each FTA program. A “Zero Tolerance” policy for drug and alcohol violations has been established by NDOT. All contractors/consultants will be monitored by the NDOT to ensure compliance with

this policy and for the annual certification to the FTA.

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

### **DRUG FREE WORK PLACE**

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

### **COMMERCIAL DRIVER'S LICENSE**

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

### **TRAINING**

Rural Transit Assistance Program (RTAP) funding for training to nonurbanized area transit providers is available through NDOT. In addition, NDOT may offer training sessions throughout the state such as:

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

### **ALTERNATIVE FUELS**

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



## **RISK MANAGEMENT**

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

## **SAFETY JURISDICTION**

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

## **SAFETY AND SECURITY**

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

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

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

The Department of Homeland Security (DHS) issued Homeland Security Presidential

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

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

As stated in Chapter IV of this plan, NDOT expects all subrecipients to operate FTA grant funded vehicles in a manner that is consistent with any Transportation Services Authority (TSA) requirements. TSA advises transit providers to follow industry guidelines prohibiting items such as firearms, ammunition, flammable materials, mace, knives, and explosives. They also produce a “Guide to Motorcoach Security” which provides general guidelines and tips. The TSA recommends that passengers consult with the transportation provider or operator for a prohibited items list, as it will vary by provider.

The transit staff are also contact members on NDOT’s Emergency Operations Plan and participate in mock emergencies. They are responsible for rounding up available vehicles to help dispatch to locations where they may be needed.

Additionally, many busses in rural areas of Nevada have installed security cameras and NDOT has been requesting cameras for new buses being ordered. Some busses in Nevada have also installed lights on top of their vehicles that alert police if they are in distress. Within the

urban areas of the state, the MPO's are responsible for developing their own regional transit security strategies.

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

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

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

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

**CHAPTER V**  
**PROGRAM MONITORING**  
**(All FTA Programs)**

**STATEWIDE MONITORING PROGRAM**

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

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

**MONITORING OF SUBRECIPIENTS**

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

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

Federal requirements for Certifications and Assurances are provided to subrecipients through the application process. The signed application, with all attachments included, becomes part of the Agreement. Applications without the proper assurances are rejected. Compliance with Certifications and Assurances may be reviewed during on-site monitoring. Subrecipients that are found to be out of compliance with any provision will be subject to corrective action, specific sanctions or termination. The Certifications and Assurance must be attached to each application every year. All subrecipients will be monitored for general Agreement compliance at a minimum of every two years. Subrecipients with major management and oversight responsibilities, may be subject to an administrative/management review and a general compliance on-site review more frequently.

All recipients subject to FTA Drug and Alcohol testing programs under 49 CFR Part 40 and 49 CFR Part 655 will be monitored on-site every year. NDOT will also provide Management Information System (MIS) reporting oversight as required by the FTA Drug and Alcohol reporting process.

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

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

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

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

## **GENERAL COMPLIANCE MONITORING**

The monitoring of all subrecipients is conducted by NDOT or its designees. The monitoring program utilizes worksheets that verify information about the sub recipient, such as contact name, address, Agreement number and location of the site. This identifies use and condition of vehicles being used in the program, and inquires about the sub recipient's compliance with federal and state regulations and procedures.

Areas covered by the monitoring program may include Administration and Management, Reporting Procedures, Facilities and Property Management, Personnel and Training, Operations and Service Provision, Fleet Characteristics, Maintenance, Safety, Budget, Cash Disbursement, Service Planning and Marketing, and Public Involvement.

### **SPECIAL MONITORING**

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

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

### **SERVICE MONITORING**

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

### **PERFORMANCE MONITORING**

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

**CHAPTER VI**  
**FUNDING AND FINANCIAL MANAGEMENT**  
**(All FTA Programs)**

**FUNDING**

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

Legislative Authority allows NDOT to incur the costs. Without this authority NDOT cannot incur the costs until they have been approved by the Legislature.

NDOT applies to the FTA annually for funding based upon the allocation of federal funds. FTA 5310 are available for application in a grant for three years, the year of the allocation and an additional two years.

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

**PRE AGREEMENT VERIFICATION**

Subrecipients apply to NDOT for FTA 5304, 5310, 5311, and 5339 program funds. The sub recipient's application documents the source of local match funds, yearly budgets, signed Certifications and Assurances and other pertinent information for federal compliance. NDOT may conduct an on-site visit to ensure the sub recipient's ability to manage the program successfully. Prior to the offer of an Agreement with the sub recipient, financial systems may be reviewed for compliance with the NDOT and federal requirements. When all assurances are met, the NDOT proceeds with the agreement process with the sub recipient.

**REIMBURSEMENT TO SUBRECIPIENTS**

All costs must be in accordance with applicable OMB Circulars, CFR Title II, Subtitle A, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Subrecipients must submit their requests for reimbursements with clear,

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

NDOT may on a case-by-case basis pay a sub recipient for monthly recurring work performed in advance of services. Eligibility for this type of payment will be at NDOT's discretion and based on subrecipients ability to sustain their services and the benefits of the services being performed to the community and the State of Nevada.

## **GRANT MANAGEMENT**

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

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

- (a) In conformance with the project description and budget as well as other provisions of the sub recipient Agreement
- (b) Necessary to accomplish the project
- (c) A reasonable amount for the goods or services expended
- (d) The actual net cost
- (e) Incurred and performed within the Agreement timelines
- (f) Supported with invoices and proper documentation.



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

### **INITIATE DRAWDOWN**

NDOT seeks reimbursement monthly, from the ECHO FTA System, for funds reimbursed to the subrecipients. Grant balances are verified utilizing the Transit Section Grant Reconciliation Sheets prior to drawdown.

### **FINANCIAL STATUS REPORT**

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

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

### **AUDITS**

Any sub recipient approved to receive FTA funds through NDOT is subject to a pre-audit of their financial systems. This is done by the Internal Audit Division within NDOT. The pre-audit may include a review of the Internal Controls, Accounting System and the Payroll System. The Internal Audit Division of NDOT will conduct audits on sub recipient agreements upon completion of the agreement. In addition, if the sub recipient receives more than \$750,000 in federal funds annually, a single audit or program specific audit by an outside auditor is required

under Circular A-133.

### **CLOSEOUT OF GRANTS**

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

### **RECORD RETENTION**

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

**CHAPTER VII**  
**PROCUREMENT**  
**(All FTA Programs)**

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

- (1) Use a written procurement procedure that reflects applicable state and local laws and regulations, and conforms to applicable Federal law.
- (2) Maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- (3) Assure to the FTA/NDOT that ethical conduct is maintained by adhering to the following requirements:
  - (a) Maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts.
  - (b) The officers, employees, or agents will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub agreements.
  - (c) A written policy exists that includes procedures for identifying and preventing real and apparent organizational conflicts of interests.
- (4) Provide for a review of proposed procurement to avoid purchase of unnecessary or duplicate equipment.
- (5) Make awards only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Considerations should be: contractor integrity, compliance with public policy, past performance, and financial and technical resources.
- (6) Maintain records sufficient to detail the completed procurement including the method of procurement, contract type, contractor selection or rejection, and the basis for the contract price.
- (7) Conduct procurement in a manner that prohibits the use of statutorily or administratively imposed in-state or local geographical preferences in the

evaluation of bids or proposals. (The use of federal funds in procurements does not allow for in-state preferences.)

- (8) NDOT maintains written procedures to handle and resolve protests relating to their procurement and shall, in all instances upon FTA request, disclose information regarding a protest to FTA. The sub recipient is also required to maintain written procedures for handling and resolving protests relating to procurement, and to notify NDOT of any such protests.
- (9) NDOT inserts value-engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.

## **COMPETITION**

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

- place unreasonable requirements on firms in order for them to qualify to do business;
- require unnecessary experience and excessive bonding;
- use noncompetitive pricing practices between firms or between affiliated companies;
- give noncompetitive awards to professionals and other consultants that are on retainer contracts;
- specify "brand name" products instead of allowing "an equal" product to be offered.

## **BUY AMERICA**

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

NDOT and the State Department of Administration, State Purchasing Division work together to ensure that all new vehicles purchased comply with 49 U.S.C. 323(j), FTA regulations "Buy America Requirements", 49 C.F.R. Part 661, and any implementing guideline FTA may issue. Applicants for FTA funds must certify to NDOT that they will abide by all

applicable procurement requirements imposed by Federal law, executive order, or regulations including the Buy America requirements when purchasing equipment.

### **PRE-AWARD AND POST-DELIVERY REVIEW**

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

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

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

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

## **NEW MODEL BUS TESTING**

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

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

## **VEHICLE AND EQUIPMENT PROCUREMENT**

### **Vehicle**

The purchase of FTA funded vehicles starts with the selected sub recipient's application that states the size and type of vehicle needed and the conditions under which the vehicle will be driven. NDOT reviews the vehicle request from the sub recipient to confirm the size and type of vehicle needed. A letter describing the vehicle to be ordered and an approximate delivery is sent to each sub recipient for signature agreeing to the vehicle with selected options. NDOT develops the specifications for the requested vehicles and meets with the State Purchasing Division to order the vehicles.

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

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

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

### **Equipment**

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

## **CHAPTER VIII OTHER PROVISIONS**

The following FTA provisions are required of NDOT and all subrecipients.

### **CIVIL RIGHTS COMPLIANCE**

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

### **NONDISCRIMINATION - 49 USC 5332**

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

### **TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

No person in the United States shall, on the grounds 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 Civil Rights Restoration Act of 1987 further expanded Title VI to include all programs and activities of Federal Aid recipients, subrecipients, and contractors whether those program and activities are Federally funded or not.

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

- (1) A concise description of any lawsuits/complaints alleging discrimination in



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

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

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

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

### **EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

NDOT must assure to the FTA that all subrecipients are in compliance with FTA's Equal Employment Opportunity (EEO) objectives. No person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance under the Federal transit laws. Subrecipients that receive capital or operating assistance in excess of \$1 million or planning assistance in excess of \$250,000 and employ 50 or more transit-related employees must submit to the State an EEO plan. Program updates are due every three years. NDOT will have someone from the Civil Rights Office with expertise review and approve EEO plans if subrecipients meet

this threshold. This is done during the grant application process before the subrecipient is approved to receive their requested FTA funds. In addition, all subrecipient EEO plans are reviewed to ensure that they meet FTA requirements during on-site monitoring.

### **DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAMS**

A sub recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The sub recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts.

A Disadvantaged Business Enterprise (DBE) is a small business concern which is at least 51 percent owned by one or more socially and economically-disadvantaged individuals, or in the case of any publicly-owned business, at least 51 percent of the stock is owned by one or more socially and economically-disadvantaged individuals, and whose management and daily business operations are controlled by one or more of the socially and economically-disadvantaged individuals who own it. Socially and economically-disadvantaged means any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is any individual who a recipient finds to be socially and economically disadvantaged individual on a case-by-case basis and any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged: African Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian Americans, Women and other individuals found to be socially and economically-disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act.

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

Each contract a sub recipient signs with a contractor must include the following assurance: The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirement of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

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

#### **SECTION 504 OF THE REHABILITATION ACT OF 1973**

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

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

- (1) Each sub recipient's service area must have at least one accessible vehicle that can accommodate persons with disabilities;
- (2) All accessible vehicles and their equipment must be maintained in proper operating condition;
- (3) A back-up accessible vehicle must be available that can accommodate persons with disabilities when an accessible vehicle is out of service;
- (4) If no back-up accessible vehicle is available, other arrangements have been made

- to ensure accessible service continues;
- (5) When a sub recipient replaces an accessible vehicle, that another accessible vehicle is available in the service area until delivery of the new accessible vehicle;
  - (6) Personnel are trained and supervised so that they operate accessible vehicles and equipment safely and properly;
  - (7) Adequate assistance and information concerning accessible transportation services are available to all persons with disabilities; and
  - (8) Service is provided in a timely manner, and that no person with a disability is denied access to mass transportation for the general public if the person with a disability is capable of using that system, even if the sub recipient also provides special service to persons with disabilities.

### **AMERICANS WITH DISABILITIES ACT OF 1990**

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

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

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

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

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

The ADA requires of transportation providers a number of specific service provisions to be in place and operational. During its site review of program recipients NDOT staff will interview all recipients that have received FTA funded vehicles about the status of the following ADA transportation service provisions:

1. Maintenance of accessible features
2. Procedures to ensure lift vehicle availability
3. Lift and securement use
4. Announcement on vehicles (where applicable)
5. Vehicle identification mechanisms in accordance with ADA
6. Service animals (Policies and procedures in accordance with ADA)
7. Public information / communications
8. Lift deployment at any designated stop
9. Service to persons using respirators or portable oxygen

## **CHARTER OPERATION**

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

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

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

- (1) There are no willing and able private operators;
- (2) The sub recipient is providing the FTA funded vehicles or service to private operators to satisfy a capacity need or a need for accessible equipment (contract with private operator);
- (3) In a non-urbanized area, the service offered by willing and able operators creates a hardship due to minimum duration requirements or distances between charter origin and operator location (by petition to the FTA and notification);
- (4) The sub recipient wishes to use the vehicles in a special event (by petition to the FTA Administrator);
- (5) The sub recipient contracts with private, non-profit organizations or governmental entities that certify the following: the trip serves a majority of persons with disabilities, they are qualified social service agencies receiving funds [primarily Health and Human Services (HHS)] as noted in 49 CFR Part 605, Appendix A; or the trip serves persons receiving public welfare assistance funds (contract and certification);
- (6) In a non-urbanized area, contracts with a government entity or private, non-profit organization that certify the following: more than 50 percent of passengers will be

elderly (contract and certification) or they are qualified social service agencies receiving funds (primarily HHS) as noted in 49 CFR Part 605, Appendix A; and The sub recipient has formal agreements with all private charter operators (contract and notification).

## **SCHOOL TRANSPORTATION**

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

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

## **DEBARMENT AND SUSPENSION**

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

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

## **RESTRICTIONS ON LOBBYING**

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

Section 1352). General advocacy for transit and providing information to Legislators about the services a sub recipient provides in the community are not prohibited, nor is using non-federal funds for lobbying, so long as the required disclosures are made.

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

### **CLEAN AIR ACT**

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

### **PROTECTION OF THE ENVIRONMENT**

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

### **EMERGENCY MANAGEMENT**

FTA subrecipients are required by NDOT to cooperate and coordinate with Emergency Management Agencies in their area during disasters. As specified in the NDOT agreement, vehicles may be used to transport people and/or equipment in emergencies.



## **LABOR PROTECTION 5310 PROGRAM**

Title 49 U.S.C. 5333(b) requires that, as a condition of FTA financial assistance, fair and equitable arrangements must be made to protect the interests of employees affected by such assistance. The Department of Labor (DOL) is responsible under federal law for the administration of Section 5333(b).

Section 5310 gives the Secretary of Transportation the discretion to determine the terms and conditions “necessary and appropriate” for grants under this section. In 1974 the Secretary determined that it was not “necessary or appropriate” to apply the conditions of Section 5333(b) to subrecipients participating in the Section 5310 program. Nevertheless, case-by-case determinations of the applicability of 49 U.S.C. 5333(b) will be made for all transfers of “flex funds” for Section 5310 purposes. Section 5310 grants are not submitted to the Department of Labor (DOL) for certification.

## **LABOR PROTECTION 5311 PROGRAMS**

FTA 49 USC 5333(b) requires that fair and equitable arrangements be made to protect the interests of employees affected by such assistance. The Department of Labor (DOL) is responsible under federal law for the administration of Section 5333(b).

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

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

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

**CHAPTER IX**  
**PLANNING, COORDINATION AND THE PUBLIC**  
**(All FTA Programs)**

**STATEWIDE TRANSPORTATION PLAN**

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

Copies of NDOT's Statewide Transportation Plan are available on our website, [www.nevadadot.com](http://www.nevadadot.com) or from the Multimodal Planning Division of NDOT.

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)**

NDOT administers and implements programs for the planning, development, construction, and operation of the state's transportation systems. NDOT's mission is to: Provide a better transportation system for Nevada through our unified and dedicated efforts.

Annually, NDOT develops a Statewide Transportation Improvement Program (STIP). The STIP includes a five year list of federally funded and regionally significant non-federally funded transportation projects and programs consistent with the goals and strategies of the Statewide Transportation Plan.

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

Each MPO is required to develop a Regional Transportation Improvement Program (RTIP) that is consistent with their Regional Transportation Plan (RTP), a 20-year plan. The RTIP must be updated at least every 4 years and the contained plans/programs must be multi-modal and fiscally constrained. In addition, the MPOs are required to develop plans and programs for adoption, develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State Laws. The NDOT, the RTC of Southern Nevada, the RTC of Washoe County, the Tahoe MPO, the Carson Area MPO, and regional and local governments follow their locally adopted public participation processes in the development of their RTIPS.

MPOs, in cooperation with the State and public transit operators, develop transportation plans and programs for the urbanized areas of Nevada. These plans provide for the development, integration, management and operation of transportation systems and facilities (including pedestrian walkways and bicycle transportation facilities) that function as intermodal transportation for the metropolitan areas, and as an integral part of a statewide intermodal transportation system.

Upon approval by the Governor of the State of Nevada or his designee (the Director of the NDOT), the MPOs RTIP is incorporated without change into the STIP. The STIP is reviewed by the Federal Highway Administration (FHWA) and the FTA for consistency with federal regulations, and if acceptable, jointly approved.

### **COORDINATED HUMAN SERVICES TRANSPORTATION PLAN (5310 Program)**

The Nevada Coordinated Human Services Transportation Plan focuses on the transportation needs of individuals with disabilities, older adults, and people with limited

incomes throughout rural Nevada. Complimentary plans are prepared by the Metropolitan Planning Organizations for Clark County and Washoe County.

In 2013, President Obama signed into law the Moving Ahead for Progress in the 21<sup>st</sup> Century Act, commonly referred to as MAP-21. MAP-21 legislation requires that three programs; the Elderly Individuals and Individuals with Disabilities (Section 5310), be derived from a locally developed, coordinated public transit-human services transportation plan. This funding program focuses on the needs of transportation disadvantaged persons, or those with special transportation needs that cannot be met through the traditional means (access to a private automobile or public transportation). The coordinated transportation plan focuses on the transportation needs of individuals with disabilities, older adults, and people with limited incomes.

NDOT does expect public transit systems to participate in the local planning process for coordination efforts throughout the State. Part of our application ranking process for these FTA funds is based on documentation describing their coordination efforts.

An important goal for this plan is to provide an opportunity for a diverse range of stakeholders with a common interest in human services transportation to collaborate on how best to provide transportation services for these targeted populations. Specifically, the stakeholders are called to identify service needs, gaps, barriers, and to identify potential solutions for meeting transportation needs. Stakeholder outreach and participation was a key element to the development of this plan. Input was solicited from all of our current transit providers. This document was advertised in 22 rural Nevada newspapers and the NDOT website to solicit input. In addition, public meetings were held across the state. Post cards were mailed to solicit input from targeted populations of seniors, low income and the general public.

## **PUBLIC INVOLVEMENT**

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

of support from local governmental agencies, transportation recipients and social service agencies are also requested to be included in the application.

## **STATEWIDE TRANSPORTATION PLANNING PUBLIC PARTICIPATION PROCESS**

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

- Establishes early and continuous public involvement opportunities that provide timely information about transportation issues and decision-making processes to citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other interested parties;
- Provides reasonable public access to technical and policy information;
- Provides adequate public notice of public involvement activities and time for public review and comment at key decision points;
- To the maximum extent practicable, ensures that public meetings are held at convenient and accessible locations and times;
- To the maximum extent practicable, uses visualization techniques to describe plans and studies;
- To the maximum extent practicable, makes public information available in electronically accessible format and means, such as the World Wide Web;
- Demonstrates explicit consideration and response to public input;
- Includes a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services; and
- Provides for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties.
- The Statewide Transportation Planning Public Participation Process is available from the NDOT Multimodal Planning Division is available at:

[http://www.nevadadot.com/pub\\_involvement/Participation\\_Process/pdfs/public\\_participation\\_plan.pdf](http://www.nevadadot.com/pub_involvement/Participation_Process/pdfs/public_participation_plan.pdf).

## **APPENDIX A**

### **DEFINITIONS and ACRONYMS**

#### **ALTERNATIVE FUELS:**

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

#### **BUS SHELTER:**

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

#### **CHARTER SERVICE:**

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

#### **DEMAND RESPONSE SYSTEM:**

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

#### **DISADVANTAGED BUSINESS ENTERPRISE (DBE):**

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



DISCRIMINATION:

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

ENVIRONMENTAL IMPACT STATEMENT (EIS):

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

FEDERAL FISCAL YEAR:

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

FEDERAL TRANSIT ADMINISTRATION (FTA):

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

FIXED ROUTE:

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

INTERCITY SERVICE:

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

INTERMODAL:

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

LOCAL PUBLIC BODIES:

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

MASS TRANSPORTATION:

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

METROPOLITAN PLANNING ORGANIZATION (MPO):

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

MOVING AHEAD FOR PROGRESS in the 21<sup>st</sup> CENTURY ACT (MAP-21)

Congress establishes the legal authority to commence and continue FTA programs through authorizing legislation covering several years. On July 6, 2012, President Obama signed Moving Ahead for Progress in the 21st Century (MAP-21), reauthorizing surface transportation programs through fiscal year 2014. Each reauthorization amends the Federal Transit Laws codified in 49 USC Chapter 53.

NON-PROFIT ORGANIZATION:

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

PARATRANSIT:

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

PERSON WITH A DISABILITY (FTA's Definition):

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

PERSON WITH A DISABILITY (Nevada's Definition):

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

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

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

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

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

PUBLIC TRANSPORTATION:

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

### RIDERSHIP:

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

### ROLLING STOCK:

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

### SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS:

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

### STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP):

This NDOT planning document, updated annually, covers all areas of the state. The STIP is the instrument used to implement the plans resulting from the statewide transportation planning process NDOT administers, and implements programs for the planning, development, construction and operation of the state's transportation systems. The STIP includes a three-year list of priority transportation programs and projects derived from and consistent with, the Statewide Intermodal/Multimodal Transportation Plan. Development of the STIP is completed in cooperation with the State's Metropolitan Planning Organization's (Clark and Washoe County RTCs, CAMPO and the Tahoe MPO) and local governmental agencies. The MPOs in

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

TRANSPORTATION IMPROVEMENT PROGRAM (TIP):

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

URBAN MASS TRANSPORTATION ADMINISTRATION (UMTA):

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

URBANIZED AREA (UZA):

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

VANPOOL:

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

**ACRONYMS**

ADA	- Americans with Disabilities Act
AMS	- American Management System
CDL	- Commercial Driver's License
CFR	- Code of Federal Regulations

CNG	- Compressed Natural Gas
DBE	- Disadvantaged Business Enterprise
DFWA	- Drug Free Workplace Act
DHHS	- U. S. Department of Health and Human Services
DOL	- Department of Labor
DOT	- Department of Transportation
EEO	- Equal Employment Opportunity
EIS	- Environmental Impact Statement
FHWA	- Federal Highway Administration
FTA	- Federal Transit Administration
FY	- Fiscal Year
GVW	- Gross Vehicle Weight
HHS	- Health and Human Services
MIS	- Management Information System
MPO	- Metropolitan Planning Organization
NDOT	- Nevada Department of Transportation
NEPA	- Nevada Environmental Policy Act
NRS	- Nevada Revised Statute
OMB	- Office of Management and Budget
RTAP	- Rural Transit Assistance Program
RTC	- Regional Transportation Commission
SMP	- State Management Plan
STTAC	- State Transportation Technical Advisory Committee
STIP	- State Transportation Improvement Program
TEAM	- Transportation Electronic Award Management
TIP	- Transportation Improvement Program
TRPA	- Tahoe Regional Planning Agency
TSA	- Transportation Services Authority
UMTA	- Urban Mass Transportation Administration
USC	- United States Code
USDOT	- United States Department of Transportation
USEPA	- United States Environmental Protection Agency

UZA

- Urbanized Area

## **APPENDIX B**

### **Application Criteria and Program Definitions**

#### **SERVICE**

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

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

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

**APPLICANTS VISION/MISSION STATEMENT** - Include the organizations mission statement that clearly involves the use of this proposed vehicle. It needs to be clear how this vehicle enhances the organizations mission.

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

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

#### **FINANCIAL**

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



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

ACCOUNTING CAPABILITY - NDOT will review the accounting capability of an applicant prior to entering into an agreement under this program. Applicants should provide a concise description of their accounting capability as part of the application. For the 5311 program, the revenue sources need to be identified, fares, and other revenues like advertising or carrying small packages. The program only defrays some of the deficit defined as expenses minus revenues; therefore the project sponsor/applicant must have other funding available. Accounting needs to separate for project administrative, capital, and operating monies if those categories are being requested.

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

### **COORDINATION**

RESOURCES - Coordination willingness/intent is a priority. Describe coordination activities in the service area with other providers, community groups, etc. What are resources available for coordination in the service area? Are there working agreements between/among the providers (if applicable) in the service area, and if not, why not? Will this vehicle be part of the coordinated plan or working agreement in the service area? If the applicant has Coordination Plan or set of policies/objective please attach with the application. If there is not a plan or set of policies/objectives document willingness to coordinate and anticipated strategies for coordination that will involve this vehicle. For 5310 applicants, does this project come from the coordinated plan.

### **MAINTENANCE AND SAFETY**

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

PAST PERFORMANCE - Not applicable for new applicants. For applicants that are operating vehicles regardless whether provided under the 5310 or 5311 programs document past maintenance practices, inspection/monitoring findings, etc.

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

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

TRAINING FREQUENCY - Who will be trained in safety, drivers training, substance abuse awareness, passenger sensitivity, and customer service? How often will training occur, how will new recruits be trained, and who will perform CDL (if required) training? Section 5311 recipients are required to comply with regulations issued by the Federal Transit Administration on drug and alcohol testing, 49 C.F.R. Parts 655. Among other requirements, these regulations require that all safety sensitive employees be tested for drug and alcohol use pre-employment (drug only), randomly, and post accident, that certifications be made, and that reports be submitted. There are limited exceptions to the testing requirements for contract maintenance workers under Section 5311 and for volunteers. The rule requires annual reporting of the results of testing on Management Information System (MIS) forms. Subrecipients submit the MIS forms to the state, which transmits them to FTA.

Direct grantees must comply with the Drug Free Workplace Act of 1988 (41 U.S.C. § 702), as implemented by 49 C.F.R. §§ 29.600 *et. seq.* The requirements, including a drug-free workplace certification, apply only to the states as FTA's direct grantees, not to subrecipients. How will alcohol/drug testing occur?

Describe the system in place for refresher training notifications with training agency. How will training refresher notifications occur and how often?

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

## **CUSTOMER SATISFACTION AND COMMUNITY SUPPORT**

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

SURVEY REPORTS - Include summary of informal survey results (not applicable if a new program) and on board rider satisfaction.

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

## **UNMET NEEDS/BARRIERS**

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

**FUTURE** - Generally describe how flexible the system will be using the vehicle to respond to future unforeseen transportation challenges that could include major bus carriers dropping routes in your service areas, etc. This section needs to be very general.

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

## **APPENDIX C**

### **REFERENCES**

#### **FEDERAL TRANSIT LAWS - UNITED STATES CODE CHAPTER 53**

49USC5303, 5304, 5311, 5310, 5339

#### **FEDERAL TRANSIT ADMINISTRATION (FTA) PROGRAM GUIDANCE CIRCULAR**

C1150.1A - FTA Programs and Organization

C4220.1B - Third Party Contracting Guidelines

C4702.1 - FTA Guidelines for Title IV Information Specific to FTA Programs

C4704.1 - Equal Employment Opportunity Program Guidelines for FTA Recipients

C4716.1A - FTA Disadvantaged Business Enterprise Requirements for Recipients and  
Transit Vehicle Manufacturers

C5010.1B - Grant Management Guidelines

C9030.1B - Urbanized Area Formula Program

C9040.1E - Nonurbanized Area Formula Program Guidance and Grant Application  
Instructions

C9070.1E - The Elderly and Persons with Disabilities Program Guidance and Application  
Instructions

#### **ACTS**

Americans with Disabilities Act of 1990

Clean Air Act Amendments of 1990

Moving Ahead for the 21<sup>st</sup> Century Act – MAP-21

#### **OTHER**

FTA's Best Practices Procurement Manual, 4<sup>th</sup> Printing

- a. Federal Transit Laws, Title 49, United States Code, Chapter 53.
- b. Federal-aid highway and surface transportation laws, Title 23, United States Code.
- c. Federal Public Transportation Act of 1978 (Pub L. 95–599, Nov. 6, 1978).
- d. Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 et seq.
- e. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794.

- f. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d.
- g. Clean Air Act, as amended, 42 U.S.C. 7401 et seq.
- h. Section 404 of the Clean Water Act, as amended, 33 U.S.C. 1344.
- i. Policy on Lands, Wildlife, and Waterfowl Refuges, and Historic Sites, 49 U.S.C. 303.
- j. National Historic Preservation Act, 16 U.S.C. 470f.
- k. Lobbying Restrictions, 31 U.S.C. 1352.
- l. State Infrastructure Provisions of National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note.
- m. Congressional Declaration of Policy Respecting Insular Areas, 48 U.S.C. § 1469a.
- n. Program Fraud Civil Remedies Act, 31 U.S.C. 3801 et seq.
- o. Sections 210 and 305 of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, 42 U.S.C. 4601, et seq.
- p. Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 et seq.
- q. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq.
- r. National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 et seq.
- s. Federal Funding Accountability and Transparency Act of 2006 (Pub. L 109-282, 120 Stat 1186, Sept. 26, 2006).
- t. Davis-Bacon Act, as amended, 40 U.S.C. 3141 et seq.
- u. Drug-Free Workplace Act of 1988, as amended, 41 U.S.C. 701 et seq.
- v. Alaska Native Claims Settlement Act, as amended, 43 U.S.C. 1601 et seq.
- w. Joint Federal Highway Administration/FTA regulations, "Planning Assistance and Standards," 23 CFR part 450 and 49 CFR part 613.
- x. Federal Highway Administration regulations, "Classes of Actions," 23 CFR part 771.115.
- y. Federal Highway Administration regulations, "Categorical Exclusions," 23 CFR part 771.117.
- z. Judicial Administration regulations, "Nondiscrimination; Equal Employment Opportunity; Policies and Procedures," 28 CFR part 42.
- aa. U.S. Department of Treasury regulations, "Rules and Procedures for Efficient Federal-State Funds Transfers," 31 CFR part 205.

- bb. U.S. Environmental Protection Agency regulations, “Determining Conformity of Federal Actions to State or Federal Implementation Plans,” 40 CFR part 93.
- cc. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR part 18.
- dd. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” 49 CFR part 19.
- ee. U.S. DOT regulations, “New Restrictions on Lobbying,” 49 CFR part 20.
- ff. U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964,” 49 CFR part 21.
- gg. U.S. DOT regulations, “Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs,” 49 CFR part 24.
- hh. U.S. DOT regulations “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25.
- ii. U.S. DOT regulations, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 CFR part 26.
- jj. U.S. DOT regulations, “Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 27.
- kk. U.S. DOT regulations, “Governmentwide Debarment and Suspension (Nonprocurement),” 49 CFR part 29, as amended by 71 FR 62396, Oct. 25 2006.
- ll. U.S. DOT regulations, “Governmentwide Requirements for Drug-Free Workplace (Financial Assistance),” 49 CFR part 32.
- mm. U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 CFR part 37.
- nn. U.S. DOT regulations, “Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles,” 49 CFR part 38.
- oo. U.S. DOT regulations, “Procedures for Transportation Workplace Drug and Alcohol Testing Programs,” 49 CFR part 40.
- pp. FTA regulations, 49 CFR Chapter VI.
- qq. Executive Order 12898, “Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations.” (February 11, 1994).
- rr. Executive Order 13330, “Human Service Transportation Coordination.” (February 24, 2004).

- ss. Office of Management and Budget Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments," dated 5-17-95.
- tt. Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," dated 06-27-2003.
- uu. U.S. Department of Transportation (DOT) Order To Address Environmental Justice in Minority Populations and Low-Income Populations, 62 FR 18377 (April 15, 1997).
- vv. U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, 70 FR 74087 (December 14, 2005).
- ww. FTA Circular 4220.1D, "Third Party Contracting Requirements," dated 06-19-03.
- xx. FTA Circular 5010.1C, "Grant Management Guidelines," dated 10-1-98.
- yy. FTA Circular 9030.1C, "Urbanized Formula Program Guidance and Application Instructions," dated 10-1-98.
- zz. FTA Circular 4702.1, Title VI Program Guidelines for FTA Recipients," dated 10-1-98.
- aaa. Notice of Final Agency Guidance on the Eligibility of Joint Development Improvements Under Federal Transit Law, 72 FR 5788 (February 7, 2007).
- bbb. Federal Highway Administration Notice N 4540.12, Attachment 1 (March 17, 1992).
- ccc. U.S. General Services Administration, "Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs."
- ddd. FTA Master Agreement FTA MA(13), dated October 1, 2006. "Guidelines for Disbursements," FTA ECHO-Web System Operations Manual.

## APPENDIX D

### Calendar of Events

October	Process new federal fiscal year grants with FTA  Complete the annual FTA Certifications and Assurances  Receive final billings and reporting requirements/vehicle inventory reports from prior fourth federal fiscal year quarter.  Progress reports from Grantees  Attend SPR meeting with FHWA regarding the transit program  NDOT reporting to FTA, closeout documentation prior year, drawdown
November	Update fleet information (transfer titles if applicable to grantee)  Reassign vehicles between grantees as appropriate
December	Finalize the application execution with NDOT/FTA (if not completed prior)
January	Review and finalize vehicle procurement order with Equipment Division  NDOT quarterly report to FTA, drawdown
February	Equipment Division meets with State Purchasing for capital bus items  Update application packet to reflect new guidelines or requirements  Solicit applications via newspaper and/or letters  Review monitoring program
March	Distribute application packet on request to grantees or potential new grantees requesting a vehicle  NDOT quarterly report to FTA, drawdown  Annual Management Information System due to FTA (applicable only to 5311)
April	Annual FTA/NDOT visit to discuss program, respond to SMP review and related issues  Begin application review



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

## APPENDIX E

### REPORT OF TRAFFIC ACCIDENT

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



---

### REPORT OF TRAFFIC ACCIDENT

**This form needs to be completed** (NRS 484.229):

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

#### Instructions:

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

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

LOCATION WHERE THE ACCIDENT OCCURRED:

Highway No. or Street Name

City

County

**DRIVER AND VEHICLE INFORMATION:**

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

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

**OWNER INFORMATION:**

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

Owner's Name (Last, First, Middle)

Owner's Name (Last, First, Middle)

Owner's Address

Street

City

State

Zip

Owner's Address

Street

City

State

Zip

Owner's Driver License No. and State

Owner's Soc. Sec. No.

Owner's Driver License No. and State

Owner's Soc. Sec. No.

ACCIDENT INFORMATION:

Date and time of accident:

---

Date

Day of Week

Time

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

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

Property Owner's Name:

Property Owner's Address:

Please write a brief description of the accident:

---

---

---

---

---

INSURANCE INFORMATION:    **ATTACH A COPY OF YOUR INSURANCE CARD**

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

Policy No:

Policy effective from:

to:

**ESTIMATE OF REPAIRS:**

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

**PERSONAL INJURY:**

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

Driver

Passenger

_____		_____	_____
Name		Age	Sex
_____		_____	_____
Street Address	City	State	Zip
			Relationship to Driver of Your Vehicle**
			* Husband, wife, son, daughter, etc.
_____			
Nature and Extent of Injuries			

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

**SIGNATURE:**

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

Signature:

Date:

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

SR-1  
5/2004

## APPENDIX F

### CARSON AREA METROPOLITAN PLANNING ORGANIZATION

### COMPETITIVE TRANSPORTATION SELECTION PROCESS FOR FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 GRANT FUNDS

#### PROGRAM INFORMATION

Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21), effective October 1, 2012, authorizes surface transportation programs of the Department of Transportation for Federal fiscal years (FY) 2013-2014. MAP-21 authorized new Federal Transit Administration (FTA) Programs and made changes to existing FTA Programs, including New Freedom programs, which were authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Under MAP-21, the former SAFETEA-LU New Freedom project activities are now eligible under the Section 5310 Formula Grants for the Enhanced Mobility for Seniors and Individuals with Disabilities program. Pursuant to the FTA Notice of Program Changes, Authorized Funding Levels and Implementation of the MAP-21 (Federal Register/Vol 77, No. 200, dated October 16, 2012), “this program provides funds to (1) Serve the special needs of transit-dependent populations beyond traditional public transportation service, where public transportation is insufficient, inappropriate, or unavailable; (2) projects that exceed the requirements of the Americans with Disabilities Act (ADA); (3) projects that improve access to fixed route service and decrease reliance on complementary paratransit; and (4) projects that are alternatives to public transportation. The State of Nevada (Nevada Governor’s Office) has designated the Nevada Department of Transportation (NDOT) as the designated recipient for 5310 grant funds apportioned to small urban and rural areas. The Carson Area Metropolitan Planning Organization (CAMPO) will conduct a competitive selection process and submit successful applications to NDOT. The award of grant funds will be made to eligible applicants for permitted projects and services under this program as a Subrecipient to NDOT.

#### FUNDING

General – As determined by the transportation bill in effect, currently MAP-21, annual apportionments for the various formula grants are released sometime after the start of the Federal Fiscal Year, which begins on October 1<sup>st</sup>. The Federal Fiscal Year funding amount that is available for Section 5310 projects in the CAMPO area will be published in the solicitation for projects. This amount is formula based and is a not to exceed amount that will be made available for distribution under the competitive selection process outlined below.

Match Requirement – There is no cap on the amount of federal funding for which Applicants may apply, as long as it is within the available amount of funds and the local match can be provided. The required local match is 50% for operating projects and 20%

for capital projects. Operating costs associated with contracted service is an eligible capital expense. The required local match must be provided by Subrecipients, and may not come from federal sources, with few exceptions. Potential sources for local match include foundation grants, donations, and State and local funds. Fare revenue or user fees generated by the project may not be used as local matching funds. Subrecipients must be able to fund project costs, including both the federal and local matching shares, prior to seeking reimbursement and payment of federal grant funds from NDOT for eligible project costs.

## **APPLICATION**

Eligible Applicants – In order to be eligible for Section 5310 funding, an Applicant must be either: (1) a State or local governmental entity; (2) an operator of public transportation services, including private operators of public transportation services; or (3) a private non-profit organization. Applicants must be able to meet all applicable federal requirements.

Application Process – Each year a competitive grant process will be administered and application materials for solicitation of projects made available, with notification of the open solicitation period. A public announcement will, at a minimum, be posted in the Nevada Appeal indicating the date of the CAMPO meeting that applications will be reviewed and considered. The application process will be open for a minimum of 30 days following the announcement of availability of funds. Grant applications submitted to CAMPO for review must meet the federal requirement of project involvement in a locally developed, coordinated public transit-human services transportation plan, as developed by the State of Nevada and available through NDOT. The complete application package can be found as “Attachment A” to this policy.

## **SELECTION OF PROJECTS**

Applications submitted to CAMPO will be forwarded to the CAMPO Board for consideration at an open CAMPO meeting. Applicants will have the opportunity to present their applications to the CAMPO Board. The Board will review and consider all applications, regardless of whether a presentation was made, and make a decision on which project(s) to submit for funding. Following action by CAMPO to select the successful Applicant(s), CAMPO will issue a Notice of Selection to that Applicant or Applicants and submit its selection to NDOT. CAMPO reserves the right to deny any or all projects.

# CARSON AREA METROPOLITAN PLANNING ORGANIZATION

## COMPETITIVE SELECTION PROCESS FOR FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5339 GRANT FUNDS

### PROGRAM INFORMATION

Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21), effective October 1, 2012, authorizes surface transportation programs of the Department of Transportation for Federal fiscal years (FY) 2014-2015. MAP-21 authorized new Federal Transit Administration (FTA) Programs and made changes to existing FTA Programs, which were authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Under MAP-21, some of the former SAFETEA-LU project activities are now eligible under the Section 5339 Formula Grants for the Bus and Bus Facilities program. Pursuant to the FTA Notice of Program Changes, Authorized Funding Levels and Implementation of the MAP-21 (Federal Register/Vol 77, No. 200, dated October 16, 2012), “the program provides funding to replace, rehabilitate, and purchase buses and related equipment as well as construct bus-related facilities.” The State of Nevada (Nevada Governor’s Office) has designated the Nevada Department of Transportation (NDOT) as the designated recipient for 5339 grant funds apportioned to small urban and rural areas. The Carson Area Metropolitan Planning Organization (CAMPO) will conduct a competitive selection process and submit successful applications to NDOT. The award of grant funds will be made to eligible applicants for permitted projects and services under this program as a Subrecipient to NDOT.

### FUNDING

General – As determined by the transportation bill in effect, currently MAP-21, annual apportionments for the various formula grants are released sometime after the start of the Federal Fiscal Year, which begins on October 1<sup>st</sup>. The Federal Fiscal Year funding amount that is available for Section 5339 projects in the CAMPO area will be published in the solicitation for projects. This amount is formula based and is a not to exceed amount that will be made available for distribution under the competitive selection process outlined below.

Match Requirement – There is no cap on the amount of federal funding for which Applicants may apply, as long as it is within the available amount of funds and the local match can be provided. The required local match is 20% of the net cost of capital projects. The required local match must be provided by Subrecipients, and may not come from federal sources, with few exceptions. Potential sources for local match include foundation grants, donations, and State and local funds. Fare revenue or user fees generated by the project may not be used as local matching funds. Subrecipients must be able to fund project costs, including both the federal and local matching shares, prior to seeking reimbursement and payment of federal grant funds from NDOT for eligible project costs.



## **APPLICATION**

Eligible Applicants – In order to be eligible for Section 5339 funding, an Applicant must be either a public agency or a private nonprofit organization engaged in public transportation, including those providing service open to a segment of the general public, as defined by age, disability, or low income. Applicants must be able to meet all applicable federal requirements.

Application Process – Each year a competitive grant process will be administered and application materials for solicitation of projects made available, with notification of the open solicitation period. A public announcement will, at a minimum, be posted in the Nevada Appeal indicating the date of the CAMPO meeting that applications will be reviewed and considered. The application process will be open for a minimum of 30 days following the announcement of availability of funds. The complete application package can be found as “Attachment A” to this policy.

## **SELECTION OF PROJECTS**

Applications submitted to CAMPO will be forwarded to the CAMPO Board for consideration at an open CAMPO meeting. Applicants will have the opportunity to present their applications to the CAMPO Board. The Board will review and consider all applications, regardless of whether a presentation was made, and make a decision on which project(s) to submit for funding. Following action by CAMPO to select the successful Applicant(s), CAMPO will issue a Notice of Selection to that Applicant or Applicants and submit its selection to NDOT. CAMPO reserves the right to deny any or all projects.