

Utah Department of Transportation



2023 – 2026

**State Management Plan & Policies  
for the  
UDOT Rural Public Transit Program**



**Americans with Disabilities Act (ADA) Information:** This material can be made available in an alternate format by emailing the Utah Department of Transportation (UDOT) Civil Rights Division at [civilrights@utah.gov](mailto:civilrights@utah.gov) or by calling (801) 965-4384. Persons who are deaf or hard of hearing may make a request by calling the Utah State Relay at 711.

**Title VI Notice to Public:** It is the UDOT policy to assure that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its programs and activities. Any person who believes their Title VI protection has been violated, may file a complaint with UDOT Office of Civil Rights. For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact UDOT's Title VI Specialist at [civilrights@utah.gov](mailto:civilrights@utah.gov) or by calling (801) 965-4000.

*Cover Page Photos Credits: UDOT RPT*

## Table of Contents

<b>Table of Contents .....</b>	<b>iii</b>
<b>List of Figures .....</b>	<b>vi</b>
<b>List of Tables .....</b>	<b>vi</b>
<b>Revision History .....</b>	<b>vii</b>
<b>Acronyms .....</b>	<b>viii</b>
<b>1. Introduction.....</b>	<b>1</b>
1.a. Overview .....	1
1.b. Definitions .....	3
1.c. Legal Authority .....	4
1.d. Federal Program Goals .....	5
1.e. State Policy Goals .....	7
1.f. Federal Funding .....	10
<b>2. Roles, Responsibilities &amp; Coordination.....</b>	<b>11</b>
2.a. Federal Transit Administration (FTA) .....	11
2.b. Utah Transportation Commission.....	12
2.c. Utah Department of Transportation (UDOT) .....	12
2.d. UDOT Planning & Investment .....	13
2.e. UDOT Rural Public Transit Team.....	13
2.f. Regional Planning Agencies .....	19
2.g. Public Transit Systems.....	23
2.h. Tribal Governments.....	23
2.i. Coordination.....	26
2.j. Private & Non-Profit Sector Participation .....	27
<b>3. Eligibility For Federal Funding Programs .....</b>	<b>28</b>
3.a. Section 5304 Metropolitan and Statewide Planning Program .....	28
3.b. Section 5310 Enhanced Mobility for Seniors & Individuals with Disabilities .....	29
3.c. Section 5311 Formula Grants for Rural Areas .....	30
3.d. Section 5311(b)(3) Rural Transit Assistance Program (RTAP) .....	32
3.e. Section 5311(f) Intercity Bus Program .....	32
3.f. Section 5339 Bus & Bus Facilities.....	33
<b>4. Applying for RPT Funding .....</b>	<b>34</b>

4.a.	Services & Service Areas.....	34
4.b.	Project Selection Process .....	34
<b>5.</b>	<b>Pre-Award Activities .....</b>	<b>41</b>
5.a.	Funding Award Process .....	41
5.b.	Distribution of Excess or Previous Year(s) Funding .....	41
5.c.	Program of Projects for FTA Grants .....	41
5.d.	Developing a Contract Agreement .....	42
5.e.	Contract Agreements .....	43
5.f.	RPT Online System Program Management .....	43
5.g.	Preparing for Procurement.....	44
<b>6.</b>	<b>Federal Requirements for Subrecipients Upon Receiving Funds .....</b>	<b>45</b>
6.a.	Civil Rights .....	45
6.b.	Title VI Program .....	45
6.c.	DBE Program .....	46
6.d.	Equal Employment Opportunity (EEO).....	47
6.e.	Section 504 & the Americans with Disabilities Act (ADA).....	48
6.f.	Charter & School Bus Service .....	52
6.g.	Build America, Buy America.....	52
6.h.	Pre-Award and Post-Delivery Audits .....	52
6.i.	Pre-Award Authority .....	53
6.j.	Other Provisions.....	53
<b>7.</b>	<b>Subrecipient Program Reporting and Compliance.....</b>	<b>56</b>
7.a.	Section 5304 Metropolitan and Statewide Planning Program .....	56
7.b.	Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities ..	56
7.c.	Section 5311 Formula Grants for Rural Areas .....	62
7.d.	Section 5311(b)(3) Rural Transit Assistance Program (RTAP) .....	67
7.e.	Section 5311(f) Intercity Bus Program .....	67
7.f.	Section 5339 Bus and Bus Facilities .....	67
7.g.	Program Complaint Procedures .....	68
<b>8.</b>	<b>State Program Oversight of Subrecipients .....</b>	<b>70</b>
8.a.	Financial Management.....	70
8.b.	Procurement Management.....	72

8.c.	Asset Management & Maintenance .....	73
8.d.	Federal Program Compliance Monitoring.....	79
8.e.	Technical Assistance & Training .....	83
8.f.	National Transit Database.....	84
<b>9.</b>	<b>State Program Management and Federal Compliance .....</b>	<b>86</b>
9.a.	Grant Administration .....	86
9.b.	RPT Internal Financial Management.....	90
<b>10.</b>	<b>FTA Transit Programs Managed by UDOT Traffic &amp; Safety.....</b>	<b>91</b>
10.a.	Section 5329 Safety & Security Oversight .....	91
<b>11.</b>	<b>Resources.....</b>	<b>92</b>
11.a.	Internal Guidance .....	92
11.b.	External Guidance.....	92
<b>12.</b>	<b>Appendix.....</b>	<b>94</b>
12.a.	Public Comment Period Feedback.....	94
12.b.	Definitions .....	95
12.c.	Table of UDOT FTA Subrecipients.....	100
12.d.	UDOT RPT Risk Assessment Form .....	102

## List of Figures

Figure 1: Map of Utah Public Transit Systems & Specialized Transit.....	9
Figure 2: FTA Region Regions.....	12
Figure 3: UDOT and RPT Organizational Structure .....	13
Figure 4: Utah AOG and MPO Planning Boundaries .....	22
Figure 5: Utah Tribal Lands.....	25
Figure 6: UDOT RPT 5310 Application Review Process.....	35
Figure 7: UDOT RPT 5311 and 5339 Application Review Process.....	36

## List of Tables

Table 1: Revision History .....	vii
Table 2: UDOT RPT SMP 2023-2026 Development and Approval Process .....	2
Table 3: Contract Agreement Topics.....	42
Table 4: Reporting Guidance .....	62
Table 5: Useful Life Benchmarks for Vehicles.....	78
Table 6: Reporting and Performance Measure Oversight .....	81
Table 7: Specialized Transit (5310) Subrecipients .....	100
Table 8: Rural Fixed-Route (5311) Subrecipients .....	101

## Revision History

As major revisions occur, the UDOT Rural Public Transit State Management Plan will be reproduced and distributed. The most recent SMP is posted on the Rural Public Transit (RPT) website. Changes to federal laws, regulations and funding may supersede content in this SMP. For minor revisions, only the affected pages will be issued. **Table 1** records the complete history of successive versions of this plan.

*Table 1: Revision History*

Version Number	Section/Pages Affected	Reason for Change	Date Issued
1.0	Full Document	Updated UDOT Rural Public Transit State Management Plan in response to the FTA FY 2021 State Management Review.	May XX, 2023

## Acronyms

ADA	Americans with Disabilities Act
AOG	Association of Governments
BIL	Bipartisan Infrastructure Law, <i>See IIJA</i>
BRAG	Bear River Association of Governments
BTA	Basin Transit Association
CAP	Cost Allocation Plan
CATS	Cedar Area Transportation System
CDL	Commercial Driver's License
CFR	Code of Federal Regulations
CVTD	Cache Valley Transit District
DBE	Disadvantaged Business Enterprise
EEO	Equal Employment Opportunity
FAST ACT	Fixing America's Surface Transportation Act
FCAOG	Five County Association of Governments
FFATA	Federal Funding Accountability and Transparency
FFY	Federal Fiscal Year
FHWA	Federal Highway Administration
FMCSA	Federal Motor Carrier Safety Administration
FMCSR	Federal Motor Carrier Safety Regulations
FMVSS	Federal Motor Vehicle Safety Standards
FTA	Federal Transit Administration
FY	Fiscal Year
GVWR	Gross Vehicle Weight Rating
HVT	High Valley Transit
IIJA	Infrastructure Investment and Jobs Act
ITS	Intelligent Transportation System
LOI	Letter of Intent
MAP-21	Moving Ahead for Progress in the 21st Century
MAG	Mountainland Association of Governments
MAT	Moab Area Transit
MPO	Metropolitan Planning Organization
NTD	National Transit Database
OMB	Office of Management and Budget
PCA	Personal Care Assistant
PCT	Park City Transit
POP	Program of Projects
RFP	Request for Proposals
RPO	Rural Planning Organization
RPT	Rural Public Transit team
RTAP	Rural Transit Assistance Program
SCAOG	Six County Association of Governments



SEUALG	Southeastern Utah Association of Local Governments
SMP	State Management Plan
SMR	State Management Review
STIP	Statewide Transportation Improvement Program
TIP	Transportation Improvement Program
TrAMS	Transit Award Management System
UBAOG	Uintah Basin Association of Governments
UDOT	Utah Department of Transportation
ULB	Useful Life Benchmark
URSTA	Utah Urban & Rural Specialized Transit Association
USC	United States Code
USDOT	U.S. Department of Transportation
UTA	Utah Transit Authority
WFRC	Wasatch Front Regional Council

## 1. Introduction

This State Management Plan (SMP) describes the Utah Department of Transportation's (UDOT) Rural Public Transit (RPT) team's policies and procedures for administering the state-managed portions of the following Federal Transit Administration's (FTA) programs of Title 49 USC:

- 5304 – Metropolitan and Statewide Planning.
- 5310 – Enhanced Mobility of Seniors and Persons with Disabilities.
- 5311 – Formula Grants for Rural Areas.
- 5339 – Bus and Bus Facilities.

As of January 1, 2023, the UDOT Traffic & Safety Division manages the FTA Section 5329 – State Safety Oversight program, described in [Chapter 10](#) of this plan.

UDOT is required to have an approved SMP on file with the FTA Region VIII office and to update it regularly to incorporate any changes in program management or new requirements in accordance with the governing directive [FTA Circular 9040.1G, Chapter VI, State Management Plans](#).

This SMP supersedes all previous versions of the SMP for UDOT and remains valid until FTA approves a subsequent SMP. The SMP is intended to facilitate UDOT and subrecipient management by documenting UDOT's policies and procedures for administering FTA's formula grant program.

Time will be made available for public comment during the revision process, however comments from subrecipients, transit providers, and the traveling public are encouraged at any time and can be made by contacting the RPT team by emailing [publictransit@utah.gov](mailto:publictransit@utah.gov).

### 1.a. Overview

UDOT's RPT team reviews the SMP during the first quarter of each calendar year. The SMP is updated to address findings of FTA State Management Reviews and to ensure it is current with federal regulations. When significant revisions to the SMP are proposed, UDOT provides an opportunity to receive comments from the public, subrecipients, potential service providers, other state agencies, representatives of other funding sources, and any relevant state associations and professional organizations.

A significant revision is a change in eligibility or grant award cycle. FTA must approve revisions to the SMP unless the revisions are minor changes and technical corrections, in which case the revisions are submitted to FTA, but approval is not required. Notifications of substantive revisions are distributed to ensure subrecipients are aware of changes, to obtain subrecipients' comments, and to address concerns subrecipients may have.

### 1.a.i. Plan Development & Approval

This SMP was developed in 2022 and 2023 by the UDOT RPT team. The RPT team developed the SMP through a process consisting of extensive UDOT internal reviews, including public and stakeholder engagement activities, as outlined in **Table 2**.

Table 2: UDOT RPT SMP 2023-2026 Development and Approval Process

Date	Approval Process Step
November 2, 2022	UDOT approves draft SMP document outline
December 9, 2022	First draft compiled by UDOT RPT SMP development team to be reviewed in its entirety
December 23, 2022	UDOT concludes internal review of first draft SMP document
January 10, 2023	Second draft SMP document available for review
January 24, 2023	UDOT concludes internal review of second draft SMP document
February 6, 2023	Third draft SMP document available for internal review
February 15, 2023	Draft shared with FTA for initial review
February 20 – March 22, 2023	30-day public comment period, document shared: <ul style="list-style-type: none"> <li>• Public engagement</li> <li>• Transit agencies/MPOs/AOGs/URSTA</li> <li>• Outreach to Title VI communities</li> </ul>
March 23 – April 28, 2023	UDOT to address comments on the draft SMP from FTA, the public, transit agencies, MPOs, AOGs, and other interested parties
May 1, 2023	Final SMP shared with FTA

Feedback received during the public comment period is shown in [Appendix A](#).

### 1.a.ii. State Management Plan Structure

This SMP includes the following chapters to articulate and define the federal and state roles, federal laws, UDOT policies and procedures, and the specific FTA programs that UDOT administers:

- **Chapter 1: Introduction** describes the purpose of the SMP, defines key terms, and explains the federal and state goals of transit policy.
- **Chapter 2: Roles, Responsibilities, & Coordination** describes the roles and responsibilities of all agencies and organizations involved in identifying, allocating, and funding FTA-funded projects.

- **Chapter 3: Eligibility for Federal Funding Programs** outlines the eligibility and laws that guide the distribution of federal funds for subrecipients of UDOT's FTA-apportioned funds.
- **Chapter 4: Applying for Federal Funding Programs** outlines the application process for current and potential subrecipients of UDOT's FTA-apportioned funds.
- **Chapter 5: Contracting and Pre-Award Activities** describes the allowed activities and steps for spending the federal funds upon notification of the transit grant award.
- **Chapter 6: Federal Requirements for Subrecipients Upon Receiving Funds** describes the state and federal compliance requirements subrecipients must follow once transit funds have been awarded. Among others, this includes Uniform Administrative requirements (2CFR200), civil rights, Buy America, Build America/Buy America (BABA), and safety provisions.
- **Chapter 7: Subrecipient Program Reporting and Compliance** describes program reporting requirements, performance measures, and compliance requirements.
- **Chapter 8: State Program Oversight of Subrecipients** describes the procedures used by the RPT team to monitor subrecipients for federal and state compliance.
- **Chapter 9: State Program Management and Federal Compliance** describes how the UDOT RPT team funds, manages, and maintains internal compliance of all FTA-funded projects administered through UDOT.
- **Chapter 10: FTA Transit Programs Managed by UDOT Traffic & Safety** describes UDOT management of the FTA 5329 Safety & Security Oversight Program, which is the responsibility of the UDOT Traffic and Safety Division.
- **Chapter 11: Resources** provides resources such as handouts for both internal guidance at UDOT, as well as external guidance for (potential) subrecipients, planning organizations, and the public with additional information on FTA programs and coordination.

---

*Chapters one (1) through seven (7) provide subrecipients guidance in pursuing and managing federal transit funding and compliance, while chapters eight (8) through ten (10) outline internal processes for UDOT to stay compliant with FTA regulations in its role as direct recipient.*

---

## **1.b. Definitions**

When used in this plan, the meaning of nonurbanized area, small urban area, and urban area are:

- **Nonurbanized area** – Any area outside of an urbanized area. This term includes rural areas and urban areas under 50,000 in population not included in an urbanized area. This plan commonly uses the term “rural” to refer to all areas other than urbanized areas.
- **Small urban area** – An urbanized area with a population of at least 50,000 but less than 200,000.
- **Urban area** – An area with a population greater than 200,000.

For a complete list of definitions used in this plan, see [Appendix B](#).

### ***1.b.i. Direct Recipient vs. Subrecipient***

UDOT is a primary direct recipient of FTA-appropriated funds. As the direct recipient, UDOT is responsible for daily grant administration and management, as well as ensuring that the use of funds complies with the federal grant agreement and applicable FTA circulars and regulations. The direct recipient is also responsible for funds that are "passed through" to a subrecipient. UDOT leadership assigns these responsibilities to the RPT team.

Subrecipient refers to the entity that receives federal assistance awarded by UDOT rather than by FTA directly. Although UDOT may delegate most project responsibilities to its subrecipients, UDOT agrees that it, rather than the subrecipient, is ultimately responsible for compliance with all applicable federal laws, regulations, and directives, except to the extent that FTA determines otherwise in writing. Failure of the subrecipient to comply with all state and federal requirements may result in the project being partially or wholly ineligible for the use of federal funds.

Figure 1 in the [State Policy Goals](#) subsection below shows Utah's Public Transit Systems along with 5310 Subrecipients. [Appendix C](#) also lists UDOT FTA Subrecipients.

### **1.c. Legal Authority**

Utah's Governor designated UDOT as the authorized agency for administering the federal FTA program sections 5304, 5310, 5311, 5329, and 5339. UDOT does not administer Section 5307 Urbanized Area funds as these funds are directly apportioned to transit agencies within urbanized areas.

FTA is responsible for national implementation of these grant programs and provides program guidance in circulars:

- [Circular 8100.1D](#) – Program Guidance for Metropolitan Planning and State Planning and Research Program Grants (5304).
- [Circular 9070.1G](#) – Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions (5310).
- [Circular 9040.1G](#) – Formula Grants for Rural Areas: Program Guidance and Application Instructions (5311).

- [Circular 5100.1](#) – Bus and Bus Facilities Program: Guidance and Application Instructions (5339).
- [Section 5329 Fact Sheet](#) – Public Transportation Safety and Oversight.

Circulars describe the intent of the grant programs and explain funding requirements. These requirements include program management and development of the SMP. This plan must comply with the circulars and with other state requirements that are not in conflict with the circulars.

The policies and procedures outlined in this SMP are designed to assist FTA in its reviews of FTA formula grant programs managed by UDOT, to guide UDOT's RPT team in the management of its portion of FTA formula grant programs, and to serve as a guide and reference for subrecipients and the public. Deviations from the policies and procedures contained in this SMP may be considered with permission from the RPT Program Manager. The RPT Program Manager will document why the deviation is or is not acceptable/permitted.

## **1.d. Federal Program Goals**

### ***1.d.i. Section 5304***

The Section 5304 Statewide Planning and Research program is part of UDOT's Consolidated Planning Grant (CPG). These funds provide public transportation planning activities statewide.

FTA defines the Section 5304 program goals in Circular 8100.1D:

*Statewide Planning: These funds support the statewide planning efforts concerning the integration of multimodal solutions into the transportation system. This funding supports multimodal transportation planning in metropolitan areas and states that is cooperative, continuous and comprehensive.*

Planning activities may also include the development of long-range plans and short-range programs that can be used to develop public transportation investment priorities. The purpose of the program is to:

- Facilitate and improve planning activities that support the economic vitality of the area.
- Increase transportation safety and security.
- Increase mobility.
- Enhance the connectivity of the transportation systems.
- Emphasize preservation of existing systems.

### ***1.d.ii. Section 5310***

The Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program provides formula funding to states for the purpose of assisting with transportation needs of seniors and individuals with disabilities when the transportation service provided is

unavailable, insufficient, or inappropriate. Funds are apportioned based on each state's share of population.

FTA defines the Section 5310 program goal in Circular 9070.1G:

- To enhance mobility for seniors and persons with disabilities.

Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of elderly individuals and individuals with disabilities in all areas (i.e., urbanized, small urban, rural). The RPT team is responsible for administering these funds in the small urban and rural areas throughout the state.

The Section 5310 program requires coordination of federally assisted programs and services to make the most efficient use of federal resources.

#### ***1.d.iii. Section 5311***

FTA defines the Section 5311 program goals in Circular 9040.1F:

*To support public transportation in rural areas with populations less than 50,000, where many residents often rely on public transit to reach their destinations.*

The goals of the rural formula program are to:

- Enhance the overall mobility of people living in rural areas; Section 5311 projects may include transportation to and from a rural area.
- Enhance the access of people in non-urbanized areas to healthcare, shopping, education, employment, public services, and recreation.
- Support the development and maintenance of job access and/or reverse commute projects designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment.
- Assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas.
- Coordinate programs and services to encourage and facilitate the most efficient use of federal funds allocated to provide passenger transportation in non-urbanized areas.
- Provide for the participation of private transportation providers in non-urbanized transportation to the maximum extent feasible.

#### ***1.d.iii.1 5311(b)(3) Rural Transit Assistance Program (RTAP)***

The goals of the [Section 5311\(b\)\(3\) RTAP](#) are to:

- Promote the safe and effective delivery of public transportation in non-urbanized areas and make more efficient use of public and private resources.



- Foster the development of state and local capacity for addressing the training and technical assistance needs of the rural transportation community.
- Improve the quality of information and technical assistance available through the development of training and technical assistance resource materials.
- Facilitate peer-to-peer self-help through the development of local networks of transit professionals.
- Support the coordination of public, private, specialized, and human service transportation services.

UDOT contracts with the Utah Urban & Rural Specialized Transit Association (URSTA) to achieve these goals.

#### **1.d.iii.2 Section 5311(f) Intercity Bus Program**

Title 49 USC [Section 5311\(f\), Intercity Bus Program](#) requires the state to spend not less than fifteen (15) percent of the annual Section 5311 program funding to develop and support intercity bus transportation, unless the Governor certifies to the U.S. Secretary of Transportation that the intercity bus service needs of the state are being met.

The goals of the program are to:

- Assist in the development and support of intercity bus transportation.
- Support the connection between non-urbanized areas and the larger regional or national system of intercity bus service.
- Support service to meet the intercity travel needs of residents in non-urbanized areas.
- Support the infrastructure of the intercity bus network through planning and marketing assistance and capital investment facilities.

#### **1.d.iv. Section 5339**

FTA defines the Section 5339 program goals in Circular 5100.1:

*To provide funding to replace, rehabilitate, and purchase buses and related equipment, as well as construct bus-related facilities.*

The UDOT RPT policy is to prioritize projects that replace existing vehicles or expand existing services, as well as projects that include bus-related facilities.

#### **1.e. State Policy Goals**

UDOT's RPT team promotes safe, sustainable, and barrier-free public transit throughout the rural parts of Utah. Aligning with UDOT's mission to enhance quality of life through transportation, the RPT team:

- Advocates for public transit by raising awareness, building partnerships, and improving customer service.



- Supports the implementation of new technologies and information to leverage the effectiveness of rural public transit resources.
- Leverages statewide transit resources by building relationships with stakeholder groups and by effectively sharing information.
- Increases responsiveness to changing public transit needs by emphasizing planning efforts and increasing awareness of trends impacting public transit.
- Implements policies and procedures that support the equitable distribution of transit funds throughout the state of Utah.

Figure 1 shows the current rural, small urban, and urban transit agencies throughout the state of Utah, as of January 2023. [Appendix C](#) lists the current UDOT FTA subrecipients.

UDOT works to fulfill the needs and policy goals identified in the Unified Transportation Plan and its Long-Range Rural Transportation Plan.






Utah's [Unified Transportation Plan](#) is a collaborative effort between transportation agencies across the state of Utah. Agencies work together to develop common goals, planning time horizons, performance measures, and financial assumptions that comprehensively address both rural and urban needs. These agencies include the [Utah Department of Transportation \(UDOT\)](#), [Wasatch Front Regional Council \(WFRC\)](#), the [Mountainland Association of Governments \(MAG\)](#), [Dixie Metropolitan Planning Organization](#), [Cache Metropolitan Planning Organization](#) and [Utah Transit Authority \(UTA\)](#). Each agency utilizes public and local government input and analysis to build their plans. For more information, see: <https://unifiedplan.org/>.

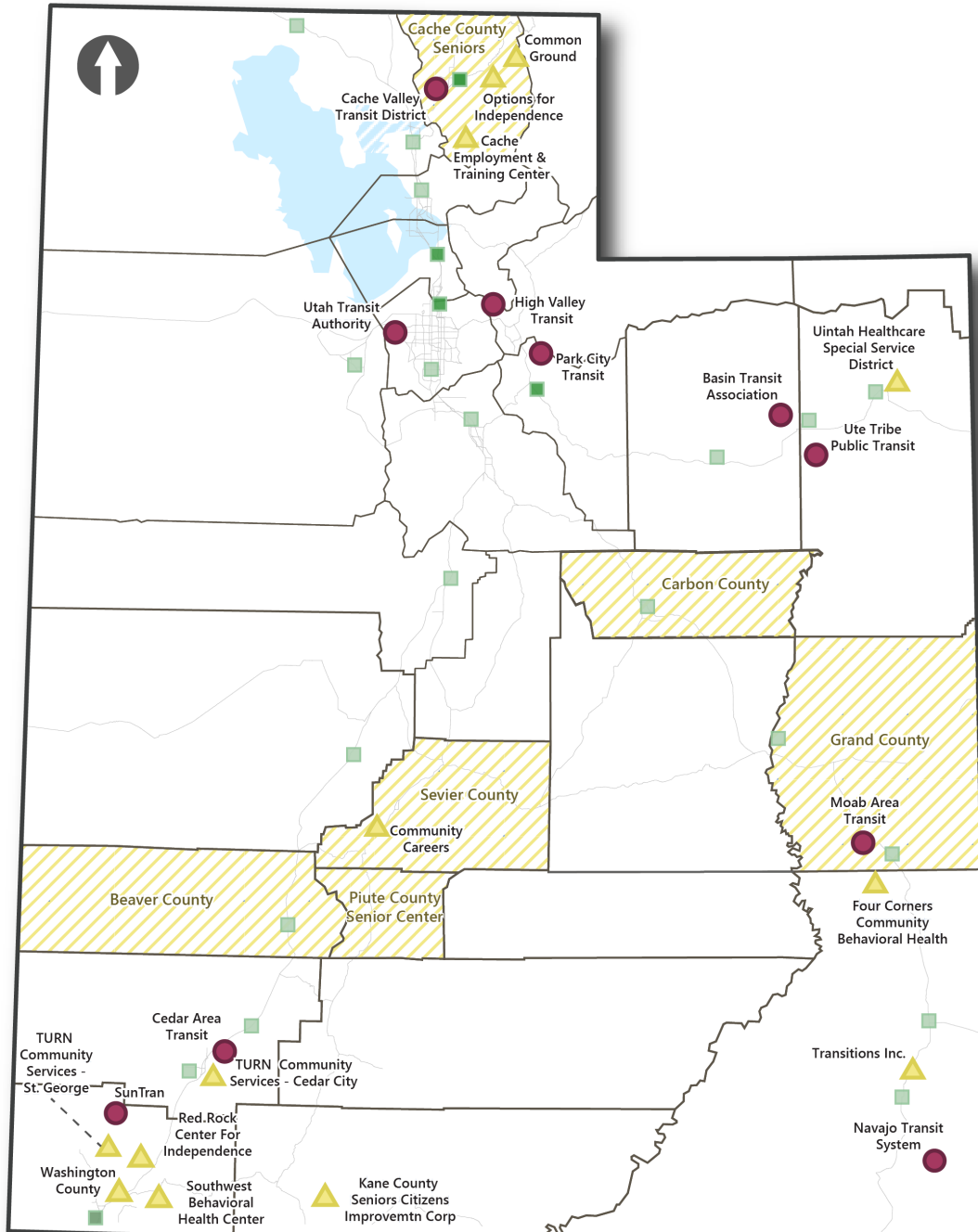
As of January 2023, the UDOT Planning Division is currently updating the State Long Range Rural Transportation Plan. The proposed plan will document the anticipated transportation needs and list the financially constrained projects to address the outlined needs for the period between 2023 to 2050. For more information, see <https://udotinput.utah.gov/udotplanning>.

The RPT team follows UDOT's Statewide Transportation Improvement Program (STIP) process and timeline to ensure FTA-funded projects are included in the list of projects in the STIP. For more information, see: <https://www.udot.utah.gov/connect/about-us/commission/stip/>.

Figure 1: Map of Utah Public Transit Systems & Specialized Transit

## Utah Public Transit and Specialized Transit

-  Public Transit System
-  Salt Lake Express Stops
-  County-wide Specialized Transit
-  Specialized Transit
-  Multiple Salt Lake Express Stops



### **1.f. Federal Funding**

The RPT team applies for FTA formula and discretionary funding via FTA's administered fund management system, currently TrAMS. UDOT coordinates the distribution of funds to projects in the rural and small urban areas statewide.

Each year the FTA announces the apportionments totals for each state. For planning purposes, the RPT team approximates this amount based on previous years' apportionments to streamline the application process. Among other criteria, the amounts apportioned to Utah are subject to the state of the national economy and the current federal funding bill.

## 2. Roles, Responsibilities & Coordination

This chapter describes the roles and responsibilities of all agencies and organizations involved in identifying, allocating, and funding FTA-funded projects.

### 2.a. Federal Transit Administration (FTA)

The federal government, through FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. FTA provides overall policy and guidance for funds, which it apportions annually to state and local transit providers, primarily through its ten regional offices.

Utah is one of six states overseen by the FTA Region VIII office. Region VIII also includes Colorado, Montana, North Dakota, South Dakota, and Wyoming (Figure 2).

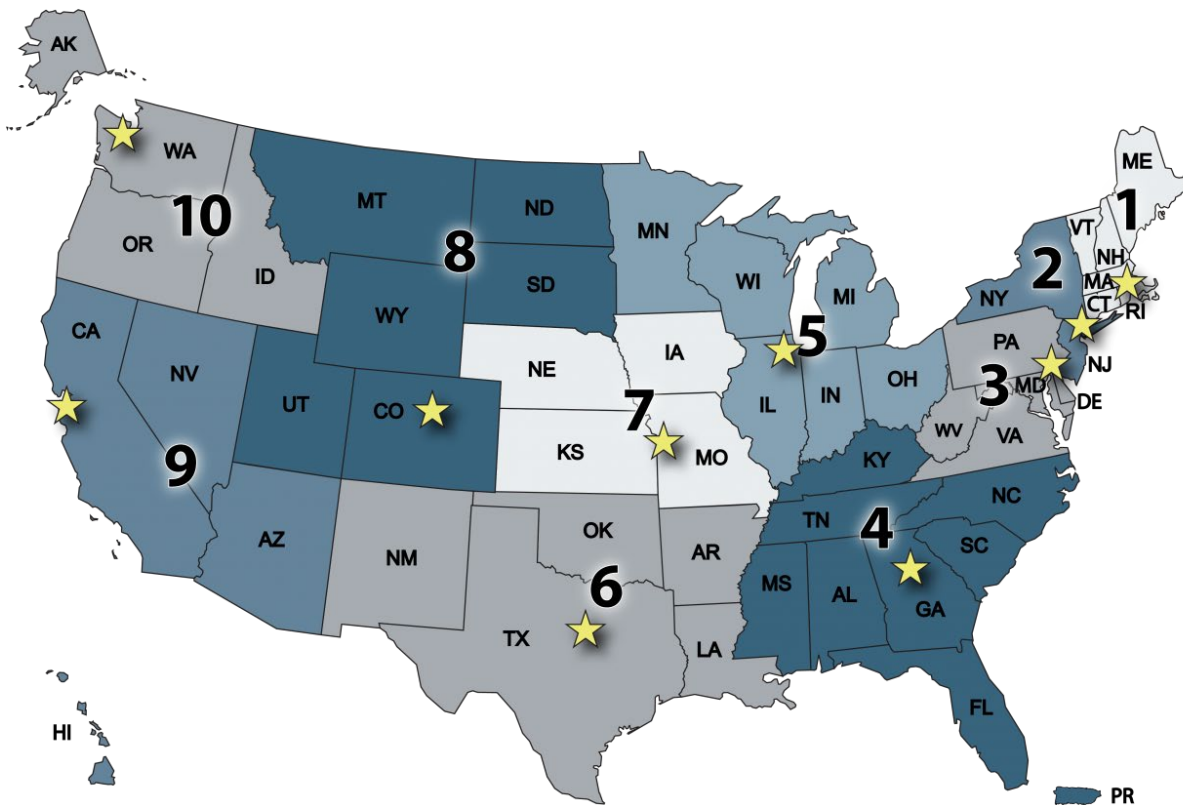
The regional office is based in Denver, Colorado, and is responsible for ensuring that direct recipients follow federal mandates along with statutory and administrative requirements. The responsibilities of the regional office include reviewing and approving state grant applications, obligating funds, managing grants, overseeing implementation of the annual Program of Projects (POP) for each state, receiving state certifications, reviewing SMPs, providing technical assistance and advice to the states as needed, and performing state management reviews.

---

*Subrecipients of UDOT's FTA-appropriated funds are encouraged to contact the RPT team with questions about federal funding, policies, and procedures prior to contacting the FTA.*

---

Figure 2: FTA Region Regions



## 2.b. Utah Transportation Commission

The Utah Transportation Commission consists of seven (7) transportation commissioners appointed by the governor to six (6) year terms. There are four (4) regionally appointed commissioners and three (3) at-large commissioners.

In general, the Utah Transportation Commission prioritizes projects, decides how transportation funding is allocated, and gives final approval of projects. Capital construction projects are presented to the commission for review and public comment prior to being added to the STIP.

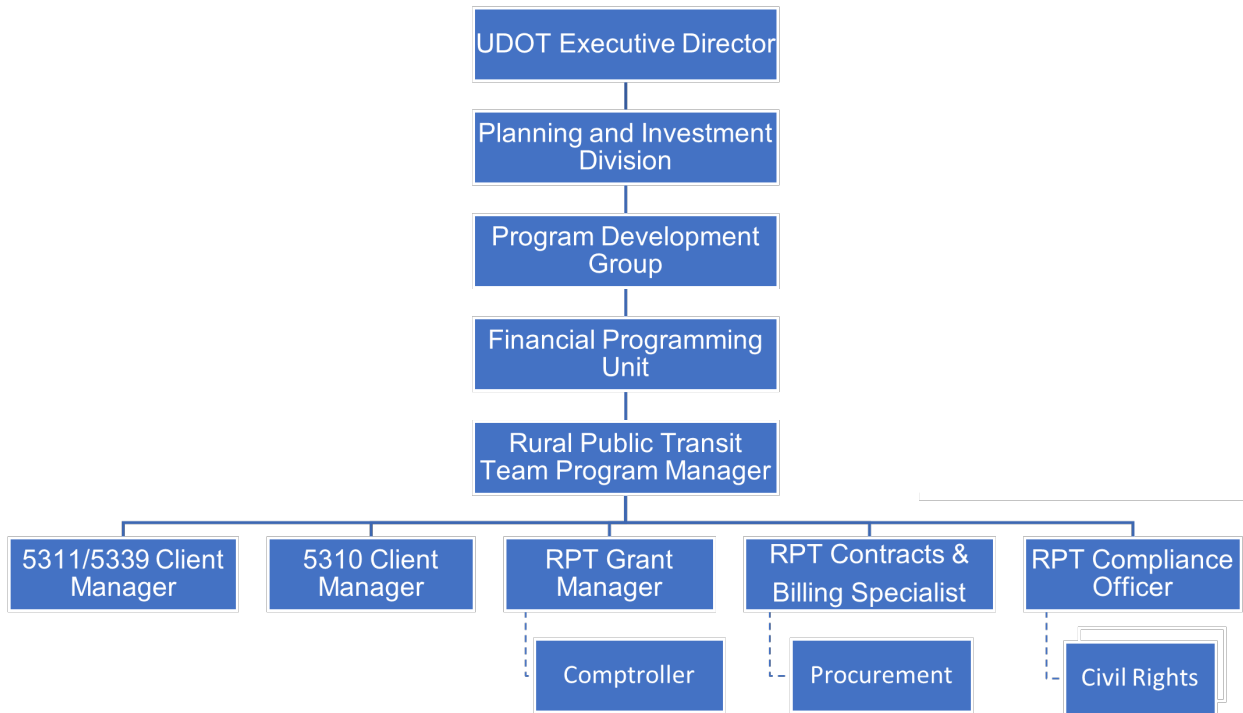
See the following website for project prioritization and for updates to the member district map: <https://www.udot.utah.gov/connect/about-us/commission/>.

## 2.c. Utah Department of Transportation (UDOT)

UDOT is a state agency that plans, develops, and maintains the statewide transportation network in Utah. Pursuant to 49 USC 5301 et seq., UDOT is the direct recipient and the agency responsible for administering the Section 5304, 5310, 5311, 5329, and 5339 formula grant programs.

The UDOT and RPT organizational structure is shown in Figure 3. The RPT team falls under the Financial Programming Unit of the Program Development Group in the Planning and Investment Division.

Figure 3: UDOT and RPT Organizational Structure



## 2.d. UDOT Planning & Investment

UDOT's Planning and Investment Division helps guide the department as it moves to address issues relating to Utah's growing population, advances in technology, and the evolution of the transportation industry. Through its Program Development group, UDOT identifies transportation needs through the long-range planning process and forms the basis for development of the long-range transportation plan.

The Financial Programming Unit explores and considers all modes of transportation with the goal of improved mobility, connected and healthy communities, and strong economies. This includes projects and programs that include various types of transit. The State Long Range Rural Transportation Plan includes transit and all other transportation modes and needs.

The statewide household travel survey also explores transit needs as identified in a large-scale statewide randomized survey. UDOT collaborates with transit agencies and metropolitan planning organizations statewide in support of the Utah Unified Plan which covers all rural and urban areas of the state.

## 2.e. UDOT Rural Public Transit Team

The Rural Public Transit team (RPT) is the group responsible for administering and managing the rural FTA programs. The team receives ongoing training through internal UDOT-provided courses and externally through sources such as the National Transit

Institute, Utah's Urban & Rural Specialized Transit Association (URSTA) and other paid training courses.

### ***2.e.i. RPT Responsibilities***

The RPT team is responsible for administrating and managing the FTA Sections 5304, 5310, 5311, and 5339 formula grant programs. The RPT team also administers the Section 5304 Statewide Planning Program that is part of the Consolidated Planning Grant transferred from FTA to the Federal Highway Administration (FHWA). The RPT team is responsible for developing and maintaining this SMP, providing opportunities for stakeholder input, and making the plan available to subrecipients, planning organizations, and the general public after FTA approval of each updated version. The RPT team collaborates and works with other UDOT divisions and units including, but not limited to, Planning, Civil Rights, Procurement, Consultant Services, Performance Management, Legal, and the Comptroller's Office.

RPT team activities include:

- Documenting RPT's procedures in a State Management Plan (this document)
- Notifying potential participants about the grant programs and soliciting applications.
- Providing management and technical assistance to applicants and subrecipients.
- Developing project evaluation and selection criteria. (UDOT has elected to use a competitive selection process for the FTA pass-through funds.)
- Reviewing, prioritizing, and selecting projects for approval.
- Ensuring the fair and equitable distribution of federal funds.
- Developing elements of the State Transportation Improvement Program (STIP) for each FTA section.
- Developing an annual program of projects and grant application to FTA.
- Certifying eligibility of applicants and project activities.
- Developing contract agreements with selected agencies.
- Monitoring local project activity and administering contracts.
- Ensuring subrecipient compliance with all federal requirements, including all certifications and assurances.
- Overseeing project audit and award closeout.
- Submitting reports as required by FTA, including [National Transit Database](#) reporting.
- Supporting the development of rural Coordinated Public Transit-Human Services Transportation plans (Coordinated Plan) by Associations of Governments (AOGs).

- Certifying that all projects funded through Section 5310 are from a locally developed Coordinated Plan.
- Sponsoring the grant competition and providing oversight and management of Section 5310 funding to non-transit organizations.
- Overseeing the subrecipient procurement process to ensure compliance.
- Ensuring that subrecipients operate and maintain equipment purchased with grant funds in a manner consistent with project objectives.
- Approving Transit Asset Management (TAM) Plans for vehicles, equipment, and facilities.
- Developing and implementing a program of training and technical assistance under Section 5311(b)(3), [the Rural Transit Assistance Program](#) (RTAP).
- Developing and implementing the [Intercity Bus Program](#) under Section 5311(f).
- Ensuring that subrecipients with projects funded through Section 5311 develop their projects in coordination with transportation projects assisted by other federal sources.
- Planning for future transportation needs and ensuring coordination among transportation modes and providers.

#### ***2.e.ii. RPT Organizational Structure***

The RPT team includes the staff positions described below and is shown in Figure 3. Contact information for RPT staff can be found on the RPT website: <https://udot.utah.gov/connect/business/public-entities/rural-public-transit-team/>.

#### ***2.e.iii. Rural Public Transit Program Manager***

Acting on behalf of UDOT's Executive Director, the RPT Program Manager oversees the day-to-day functions of the RPT team and is responsible for ensuring the RPT team has the capacity and resources to effectively administer the FTA grants for rural public transit.

#### ***2.e.iv. RPT Client Managers (5311/5339 & 5310)***

Two (2) RPT Client Managers are responsible for managing their respective formula grant program(s) and to assist public transportation agencies in applying for and using awarded funding. Both Client Managers assist the RPT Program Manager with tasks and are directly responsible for the following:

- Responding to subrecipients and applicants requiring FTA and RPT guidance.
- Coordinating subrecipient meetings related to the application process.
  - 5310 AOG Coordinated Plans applicant project eligibility.
  - 5311 & 5339 project application eligibility.
- Managing subrecipient applications and project requests.
- Reviewing subrecipients' submitted applications for eligibility.



- Completing subrecipient risk assessments.
- Negotiating and formulating contracts with subrecipients.
- Overseeing awarded projects related to schedule, performance, and funding.
- Providing contract-specific technical assistance to subrecipients.
- Receiving and reviewing performance measures and milestone reports.
- Reviewing subrecipient invoices.
- Assisting in procurement review for subrecipients who perform their own procurements.
- Providing guidance related to project environmental requirements.
- Coordinating with the RPT Compliance Officer to ensure report accuracy.
- Assisting with RTAP funding and coordination with URSTA.
- Facilitating research and other needed studies.
- Coordinating NTD/TAM reporting with Compliance Officer.

### ***2.e.v. RPT Grant Manager***

The RPT Federal Grant Manager reports to the RPT Program Manager. This position focuses on managing FTA grants, both formula and discretionary, for rural public transit subrecipients. The Grant Manager is responsible for grants forecasting, budgeting, development, evaluation, and compliance, including research, pre-award grant writing, coordination of grant applications, grant management, and adherence to grant guidelines. Major responsibilities include:

- Review procurement and provide assistance with grant applications.
- Assist providers with FTA and RPT guidance.
- Coordinate discretionary grant opportunities with eligible agencies and internal resources.
- Create and maintain Grant POP and POP status reports including Milestone Progress Reports (MPR).
- Coordinate grant finances with UDOT Comptroller (responsible for Fiscal Financial Reports (FFR), State Finance, and FTA Region).
- Monitor grant budgets and expenditures to ensure budget targets are met.
- Monitor monthly performance for each grant.
- Communicate relevant grant information to appropriate internal and external customers.
- Coordinate with STIP Coordinator on RPT projects.
- Collaborate on RPT web page and dashboard updates.
- Maintain RPT funding information for governor's approval in [grants.utah.gov](https://grants.utah.gov).

- Develop FTA formula grant applications within the TrAMS system.
- Collaborate with RPT team members on subrecipient grant award information and management.
- Prepare annual grant milestone reports.
- Coordinate grant amendments, budget revisions and closures with RPT team members and FTA Region VIII.
- Track FTA grant status, financial status, expenditure rates, and performance, and additional metrics as needed.
- Track and update current/upcoming awards and funding.
- Working with the others within the RPT team, prepare necessary reports, such as grant awards, expenditures, forecasts etc. for distribution to FTA, transit partners, internal leadership, and additional stakeholders as needed.

### ***2.e.vi. RPT Contracts & Billings Specialist***

The RPT Contracts and Billings Specialist reports to the RPT Program Manager. This position focuses on understanding the federal regulations related to rural public transit, UDOT's contracting and procurement requirements, invoicing and reimbursement process and procedures, and online systems. The RPT Contracts and Billings Specialist performs the following:

- Understanding the contracting process as it applies to the RPT team and UDOT.
- Developing and maintaining master agreement templates (in Google Drive and Adobe Sign) in collaboration with other RPT team members, UDOT's Civil Rights office, and the Attorney General's office.
- Becoming a subject matter expert in Department and State procurement processes.
- Processing new contracts using systems such as Adobe Sign.
- Amending contracts as necessary.
- Closing contracts.
- Understanding the invoice/payment process as it applies to the RPT team.
- Becoming the subject matter expert in the RPT's online system.
- Reviewing and processing newly submitted invoices from rural transit providers and consultants.
- Coordinating with team members on questions related to invoice submittals.
- Working with UDOT's Comptroller's office to ensure timely payment of approved invoices.
- Reviewing and filing paid invoices.
- Ensuring integrity of contract and invoice tracking spreadsheets.

- Monitoring expenditures.
- Notifying client managers when subrecipient contract funds are running low.
- Working with the Grant Manager within the RPT team to prepare necessary reports, such as funding forecast reports and current expenditures reports, for distribution to FTA, transit partners, internal leadership, and other stakeholders.

### ***2.e.vii. RPT Compliance Officer***

The RPT Compliance Officer is the federal compliance subject matter expert to ensure FTA requirements are consistently met by the RPT team and its subrecipients as well as consultants, contractors, and subcontractors involved in FTA-funded activities. The RPT Compliance Officer works with the RPT Program Manager to develop and implement compliance processes and procedures for monitoring and complying with federal regulations. The RPT Compliance Officer's responsibilities are to:

- Ensure UDOT and subrecipient compliance with applicable federal and/or state laws, regulations, and/or agency rules, standards and guidelines, and other relevant requirements (e.g., State Management Plan, FTA regulations, etc.).
- Develop and update compliance manuals and forms.
- Provide compliance-related technical assistance to subrecipients, consultants, contractors, and UDOT staff.
- Develop and perform outreach and education for program compliance.
- Perform biennial on-site compliance reviews of subrecipients.
- Conduct on-site FTA-funded vehicle surveillance and FTA-funded facility condition assessment.
- Perform post-delivery inspection and Buy America audit of new vehicles and prepare appropriate documentation.
- Monitor active vehicle status reports and vehicle surveillance reports in the RPT online system and assist subrecipients with lien releases and disposition of assets.
- Act as the RPT Title VI, ADA, and DBE Liaison.
- Serve as the Title VI Program Liaison for RPT, working with the UDOT Title VI Specialist in the UDOT Civil Rights Office, as described in the UDOT RPT Title VI Implementation Plan, Chapter 3.a. <https://drive.google.com/file/d/1Ya-9rdDQMTysAARbC7TI2a8RxAS5UOh6i/view>.
- Ensure UDOT's Rural Public Transit Title VI, ADA, and DBE documentation is up-to-date and in compliance with FTA standards.
- Work with subrecipients to update their Title VI plans.
- Complete documentation including:
  - Yearly calendar of due dates.
  - DBE Uniform Report & Shortfall Analysis.

- EEO.
- Gap Report.
- Complementary Paratransit Plan.
- COVID-19 Report.
- NTD reporting.
- TAM plan.
- Vehicle mileage and trips.
- Preventive maintenance.
- Accidents and incident reports (if necessary).
- Additional reports as needed.

## **2.f. Regional Planning Agencies**

Transportation planning is coordinated through Metropolitan Planning Organizations (MPOs) in urbanized areas, and Associations of Governments (AOGs) in rural areas, as described below. All MPOs and AOGs are shown in Figure 4.

### ***2.f.i. Metropolitan Planning Organizations (MPOs)***

MPOs are agencies responsible for transportation planning in urbanized areas with populations greater than 50,000 ([23 CFR 450](#)) . Rather than focusing on each county's individual transportation issues, MPOs focus on improving transportation for an entire region. By doing so, they create a more efficient and effective transportation network. Statewide and metropolitan planning rules require MPOs to produce long-range transportation plans that address all forms of travel including highways, transit, trucking, rail, bike, and pedestrian, as well as air quality, in the areas they serve.

Urban long-range transportation plans are executed through the development of a Transportation Improvement Program (TIP), which identifies upcoming transportation projects covering a period of at least four years. The TIP should include capital and non-capital surface transportation projects, bicycle and pedestrian facilities and other transportation enhancements, Federal Lands Highway projects, and safety projects included in the State's Strategic Highway Safety Plan. The TIP should include all regionally significant projects receiving FHWA or FTA-appropriated funds, or for which FHWA or FTA approval is required. Furthermore, the TIP must be fiscally constrained.

There are four (4) MPOs in Utah:

- Cache MPO.
- Mountainland Association of Governments (MAG).
- Wasatch Front Regional Council (WFRC).
- Dixie MPO.

These MPOs are regulated by the Federal Highway Act of 1962.

### ***2.f.ii. Associations of Governments (AOGs)***

AOGs combine two (2) or more counties to better coordinate each county's plans and programs. AOGs were established by the State of Utah and are regulated by the Utah Inter-Local Cooperation Act of 1965. AOGs serve as multi-purpose organizations that use their combined resources to provide a more effective means for planning and development of the physical, economic, and human resources of the region. They are eligible for financial support through the State's Consolidated Planning Grant for local transit planning purposes.

The RPT coordinates with the AOGs as the lead local planning agency for Coordination Plans. Utah is divided into seven (7) AOGs that encompass the following counties (Figure 4):

- Bear River Association of Governments (BRAG): Box Elder, Cache, and Rich counties.
- Mountainland Association of Governments (MAG): Summit, Utah, and Wasatch counties.
- Wasatch Front Regional Council (WFRC): Salt Lake, Davis, Weber, Morgan, and Tooele counties.
- Uintah Basin Association of Governments (UBAOG): Daggett, Uintah, and Duchesne counties.
- Six County Association of Governments (SCAOG): Juab, Millard, Piute, Sanpete, Sevier, and Wayne counties.
- Southeastern Utah Association of Local Governments (SEUALG): Carbon, Emery, Grand, and San Juan counties.
- Five County Association of Governments (FCAOG): Washington, Kane, Iron, Garfield, and Beaver counties.

MAG and WFRC serve dual functions as MPOs and AOGs for their respective areas.

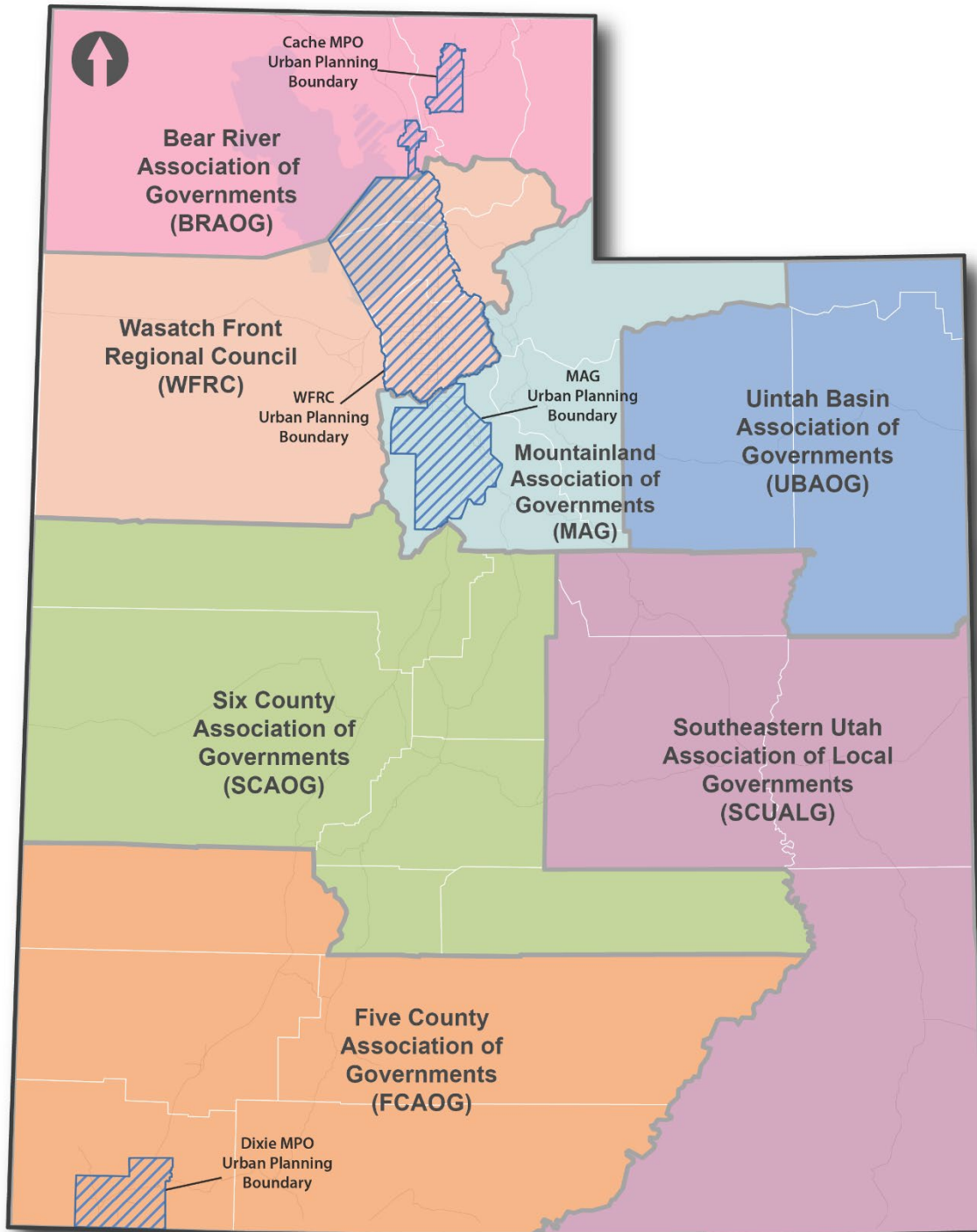
### ***2.f.iii. Rural Planning Organizations (RPOs)***

Areas not considered urban are also represented in the realm of transportation planning. Like MPOs and AOGs, RPOs coordinate transportation issues on a regional basis. However, RPOs provide transportation planning for areas with populations less than 50,000 and are designated by UDOT as part of the Statewide Rural Long-Range transportation plan ([UDOT Statewide Rural Long-Range Transportation Plan](#)). Much like the other programs, rural planning involves coordination and public involvement, planning, programming, and funding, and RPOs serve as a rural consultation link between the state's local elected officials and residents. RPOs help to fulfill the requirements mandated by Title 23 of the Code of Federal Regulations (CFR) Part 450 Subpart B — Statewide Transportation Planning and Programming 450.200 to 450.224. Utah currently has four (4) RPOs:

- Wasatch County RPO was formed in 2003 and works with MAG.
- Tooele County RPO was formed in 2004 and works with WFRC.
- Box Elder RPO was formed in 2008 and works with WFRC.
- Washington RPO was formed in 2009 and works with Dixie MPO.

Figure 4: Utah AOG and MPO Planning Boundaries

## Utah AOG and MPO Planning Boundaries





## **2.g. Public Transit Systems**

At the time of publication of the SMP, Utah has eight (8) public transit systems (Figure 1).

- Cache Valley Transit District (CVTD): Provides fixed-route, on-demand, and paratransit service throughout Cache County, Utah and Preston, Idaho.
- Utah Transit Authority (UTA): Provides transit, paratransit, on-demand, and ride-share services throughout Box Elder, Davis, Salt Lake, Tooele, Utah, and Weber counties.
- Cedar Area Transportation System (CATS): Under Cedar City authority, provides fixed-route and paratransit service throughout the city.
- SunTran: Managed by the City of St. George, provides fixed-route and paratransit service throughout the city.
- Park City Transit (PCT): Under Park City authority, provides fixed-route and paratransit service throughout the city.
- High Valley Transit (HVT): Provides fixed-route, on-demand, and paratransit service in Summit and Wasatch counties.
- Basin Transit Association (BTA): Provides fixed-route service to Duchesne, Roosevelt, and Vernal.
- Moab Area Transit (MAT): Provides fixed-route and on-demand service throughout the city.

## **2.h. Tribal Governments**

Federally recognized Indian tribes may be subrecipients or may elect to apply to FTA as direct recipients. Seven (7) major tribes reside in Utah (Figure 5).

- Confederated Tribe of Goshute
- Paiute Indian Tribe of Utah (Kanosh, Koosharem, Indian Peaks, Cedar, Shivwits Band)
- Northwestern Band of Shoshone Nation
- Skull Valley Goshute Tribe
- Ute Indian Tribe (Uintah and Ouray Reservation)
- Ute Mountain Ute (White Mesa Community)
- Navaho Nation

Tribal transportation funding and programs come from a variety of federal and state sources. The following programs are recognized:

- Federal-Aid Highway Program.
- Indian Reservation Roads Program.
- Tribal Transit Grant Program.

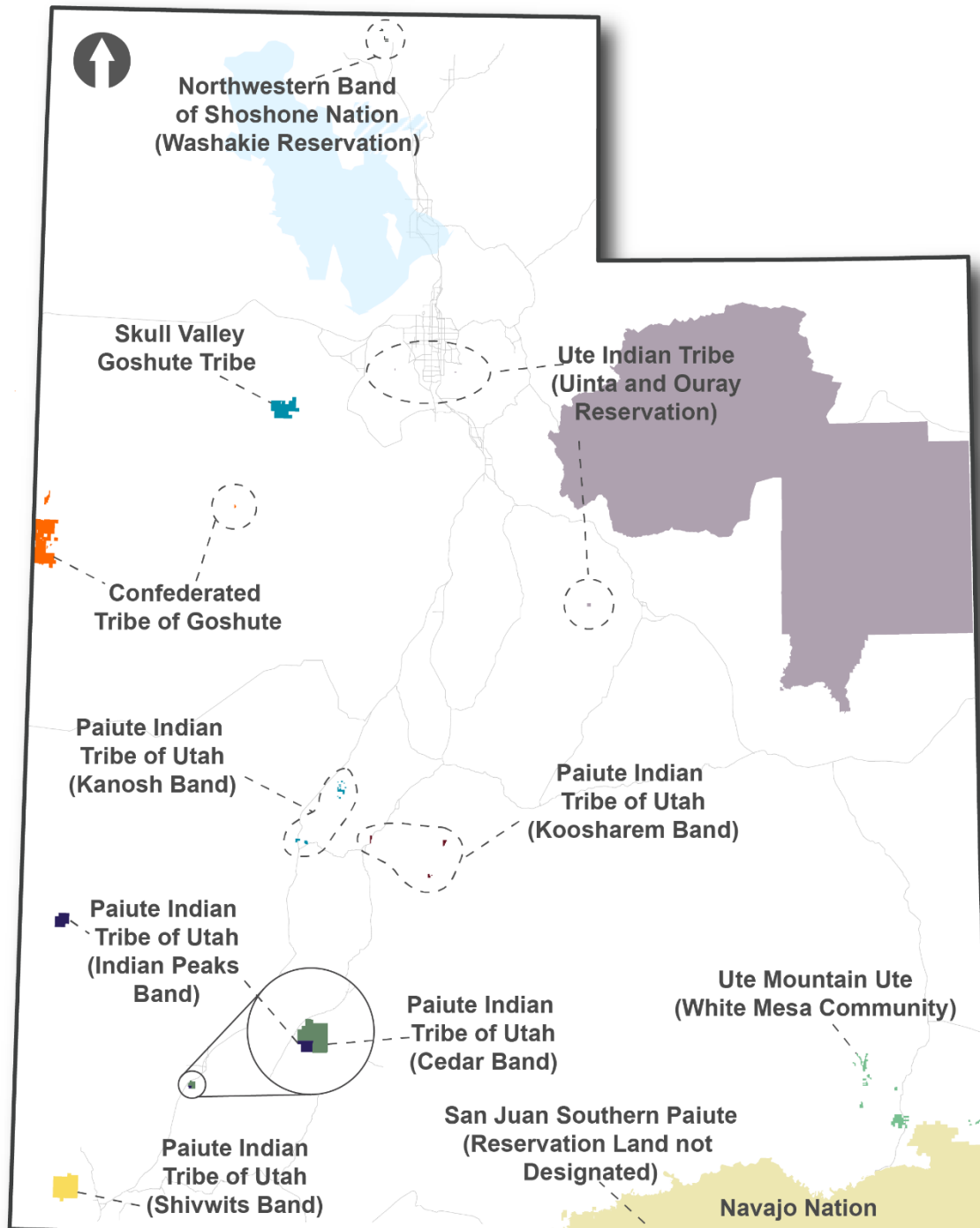


- Tribal Technical Assistance Program.

Ute Tribe Transit provides transit service throughout the Ute Reservation and is the only tribe that receives FTA funds. None of the other tribal governments listed above provide transit service.

Figure 5: Utah Tribal Lands

## Utah Tribal Lands



## 2.i. Coordination

### 2.i.i. *Section 5310 Coordination*

The 5310 program requires projects to be identified in a Coordinated Plan developed by a lead local agency. In practice in Utah, AOGs serve as the lead local planning agency.

RPT's role in the coordinated planning process is to ensure FTA coordination requirements are met and adequate technical assistance is provided, as needed. To meet the planning requirements of 5310 per circular 49 U.S.C. 5310 the locally developed Coordinated Plan should incorporate the following elements:

- A stakeholder committee that is representative of targeted populations and transportation providers in the region.
- List of all human service providers in the region.
- Public participation in the Coordinated Plan.
- Title VI outreach/participation.
- An inventory of existing vehicles within the region (including non-FTA funded vehicles).
- An assessment of available services that identifies current transportation providers (public, private, and non-profit).
- An assessment of transportation needs for individuals with disabilities and seniors.
- Strategies and activities and/or projects to address existing service and identify gaps/needs in service.
- Project prioritization/selection process and criteria.
- Priorities for implementation (a list of projects and activities, feasibility, year, etc.).

The process for adoption of the Coordinated Plan is determined by the lead local agency with input from the Coordinated Plan development stakeholder committee. The RPT team requires the local adoption process to involve Coordinated Plan development participants but is not involved in the adoption process.

The 5310 Client Manager provides guidance to the lead local agency on the minimum requirements of the Coordinated Plan process to ensure projects are eligible for FTA program funding. Only projects that address needs identified in local coordinated plans are eligible for funding through the Section 5310 program. Though encouraged to do so, 5311 and 5339 projects are not required to be part of the Coordinated Plan. They do, however, need to be part of the state STIP and long-range plan.

Each application cycle the RPT team offers technical assistance to potential subrecipients, coordinating agencies, and regional planning organizations. The type of technical assistance may vary from year to year and may include a combination of online meetings, in-person presentations, and one-on-one assistance. At the beginning of each

annual RPT project development and grant-making cycle, the RPT team may join regional planning meetings held by the various association of governments. The objectives are to:

- Build on the momentum of recent coordination planning efforts.
- Bring potential applicants together to collaborate on their respective applications for FTA funding.
- Create additional opportunities for coordination to be integrated into new applications for FTA funding.
- Collaboratively review the outcome of recent coordination planning efforts with potential applicants, including a review of the needs, strategies, and priorities identified at the local level.
- Ensure subrecipients are aware of and meet all Title VI/Civil Rights requirements.
- Enhance the seamlessness of the transition from the coordination planning process to the annual RPT project development and grant-making process.

The RPT team includes coordination requirements in subrecipient agreements that encourage the sharing of transportation resources across public and human service agencies in order to maximize federal investments. Review of locally developed coordination plans and participation in coordinated planning processes are also requirements of funding eligibility.

### ***2.i.ii. Section 5311 and 5339 Provider Coordination***

The RPT team requires that all fixed-route providers have an adopted three (3) to five (5) year capital improvement plan identifying capital projects, approximate costs, and the year of implementation. The 5311/5339 Client Manager meets at least annually with each fixed-route provider to review awarded funding forecasts, anticipated funding needs, project priorities, and a determination of which projects will be added to the STIP. Additionally, UDOT strongly encourages 5311 applicants to take part in coordinated transportation planning activities in their service area.

### **2.j. Private & Non-Profit Sector Participation**

Federal law specifically requires that subrecipients offer private providers an opportunity to consult in the development of transportation plans and programs in urbanized and rural areas. This opportunity must be proactive and provide complete information, timely public notice, full access to key decisions, and opportunities for early and continuing involvement throughout the transportation planning and programming process.

As part of the Coordinated Plan planning and application process, applicants must coordinate their services with private providers. Coordination with all transportation providers in the same geographic area, including private sector providers, significantly affects an applicant's success in the Coordinated Plan selection process for 5310 grant funds. Private for-profit providers may only receive 5310 funds indirectly through an eligible provider if contracted for operating services. They cannot apply directly for these 5310 funds.

### 3. Eligibility For Federal Funding Programs

This chapter describes which entities may apply to the state for funds as subrecipients and what kinds of projects the state may conduct itself as primary recipient. It also describes the eligible activities for the grant funds and local and state matching funds requirements. In-kind match must be documented according to 2 CFR 200.306 ([2 CFR 200.306](#)).

#### 3.a. Section 5304 Metropolitan and Statewide Planning Program

##### 3.a.i. Eligible Subrecipients

The RPT team distributes Section 5304 funds to rural AOGs and rural public transit systems for local transit planning purposes ([Section 5304 Metropolitan and Statewide Planning Program](#)). Requests for funding are on an as-needed basis.

##### 3.a.ii. Eligible Activities

Section 5304 funds can be used for:

- Statewide transit planning needs for areas outside the urbanized MPO boundaries.
- Transit feasibility studies.
- Five (5) year transit development plans on a regional basis.
- Special transit research studies.
- Identification of transit program needs.
- Short- and long-range transportation plans.

Examples include transit feasibility studies and agency capital improvement plans. Funds are used by AOGs around the state to maintain and update their regional Coordinated Plans (required by Section 5310 to be eligible).

##### 3.a.iii. Match Requirements

The RPT team requires local match, as determined by federal guidelines, up to twenty (20) percent of eligible costs. In-kind matching contributions are subject to audit and approval by the RPT Program Manager and must use a UDOT approved cost-allocation plan.

The local share may come from state or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, and net income generated from advertising and concessions. The local share could also come from other federal sources not related to USDOT programs, or from USDOT's Federal Lands Highway Program. Some transportation programs supported by the Bureau of Indian Affairs, such as Indian Reservation Roads, may be used as matching funds for FTA programs.

### **3.b. Section 5310 Enhanced Mobility for Seniors & Individuals with Disabilities**

#### ***3.b.i. Eligible Subrecipients***

The RPT team administers Section 5310 formula funding to small urban and rural private nonprofit organizations and state or local governmental authorities that are approved to coordinate services for seniors and individuals with disabilities ([Section 5310 Enhanced Mobility for Seniors & Individuals with Disabilities](#)).

Examples of eligible governmental authorities are a county agency on aging or a public transit provider which the state has identified as the lead agency to coordinate transportation services funded by multiple federal or state human service programs. In Utah, the AOGs lead the Coordinated Plan efforts.

#### ***3.b.ii. Eligible Activities***

Section 5310 funds must be used for public transportation capital and operating projects that are planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities. These funds may also be used to exceed minimum ADA requirements, improve accessibility of fixed-route services for seniors and individuals with disabilities, and provide alternative public transportation to assist these populations. Mobility management techniques may enhance transportation access for populations beyond those serviced by one agency or organization within a community.

##### ***3.b.ii.1 Eligible Capital and Operating Expenses***

The RPT team refers to FTA's 5310 [Circular Chapter Three \(3\) General Program Information, Subsection Fourteen \(14\)](#) to determine eligibility for capital expenses. Generally, the RPT team approves expenses that meet the Circular criteria and are planned, designed and carried out to meet the specific needs of seniors and individuals with disabilities. Examples include, but are not limited to:

- Rolling stock and related activities for Section 5310 funded vehicles.
- Passenger facilities related to Section 5310-funded vehicles.
- Support facilities and equipment for Section 5310-funded vehicles.
- Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost.

Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA-complementary paratransit service may qualify toward the required fifty-five (55) percent of funding going toward capital costs, so long as the service is provided by an eligible recipient/subrecipient and is included in the Coordinated Plan.

FTA 5310 funds may also be used for operating expenses of projects that support transportation for older adults and individuals with disabilities. Examples of operating expenses include:

- Labor costs: wages and benefits.
- Fuel.
- Acquisition of materials and supplies.
- Contracted services.
- Overhead costs.

Operating projects that are distinct from mobility management activities are those related to reimbursement and operation of volunteer driver programs, the provision of transportation vouchers, and the implementation of specialized transit service.

### ***3.b.iii. Match Requirements***

The RPT team requires local match as determined by federal guidelines up to twenty (20) percent of eligible capital costs. The federal share of eligible operating costs may not exceed fifty (50) percent, leaving the local share of operating costs at no less than fifty (50) percent.

The local share may come from state or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, and net income generated from advertising and concessions. The local share could also come from other federal sources not related to USDOT programs, or from USDOT's Federal Lands Highway Program. Guidance on federal fund braiding is provided here [CCAM Federal Fund Braiding Guide](#).

## **3.c. Section 5311 Formula Grants for Rural Areas**

### ***3.c.i. Eligible Subrecipients***

The RPT team administers Section 5311 formula funding ([Section 5311 Formula Grants for Rural Areas](#)) to small urban and rural entities including:

- State or local governmental authority, which is defined as the following:
  - A political subdivision of a state.
  - An authority of at least one state or political subdivision of a state.
  - An Indian tribe, both federally recognized and other Indian tribes.
  - A public corporation, board, or commission established under the laws of a state.
- Private non-profit organizations.
- Operators of public transportation or intercity bus service that receive FTA grant funds indirectly through a recipient.

New applicants eligible for Section 5311 need to have a current and documented transit feasibility study that includes at least the following:

- The need for a public transportation system in the planning area.
- Community support for a public transportation system.

- The extent of commitment from local organizations and existing transportation providers to coordinate services.
- Documentation of projected revenues and expenses.
- Financial and managerial capabilities of the applicant.
- The extent to which the project will comply with federal regulations concerning EEO, Title VI, DBE, Section 13(c), and Section 504/ADA.

### ***3.c.ii. Eligible Activities***

Section 5311 funding is used to support public transportation in rural areas with populations less than 50,000. Activities may include:

- Enhancing rural access to health care, shopping, education, employment, public services, and recreation.
- Assisting in the maintenance, development, improvement, and use of public transportation systems in non-urbanized areas.
- Encouraging and facilitating the most efficient use of all transportation funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services.
- Assisting in the development and support of intercity bus transportation.
- Providing for the participation of private transportation providers in non-urbanized transportation.

### ***3.c.iii. Eligible Expenses***

The RPT team refers to FTA's 5311 [Circular Chapter Three \(3\) General Program Information, Subsection Three \(3\)](#) to determine eligible expenses for capital, operating, and project administration including mobility management and planning. Generally, the RPT team approves expenses that meet the Circular criteria to enhance the overall mobility of people living in rural areas. Eligible expenses include:

- Develop transportation plans and programs.
- Plan, engineer, design, and evaluate a public transportation project.
- Conduct technical studies relating to public transportation.

Mobility management coordinates programs among public transportation providers and other human service agencies providing transportation. 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.

### ***3.c.iv. Match Requirements***

The RPT team requires local match, as determined by federal guidelines, up to twenty (20) percent of eligible costs. In-kind matching contributions are subject to audit and approval by the RPT Program Manager and must use a UDOT approved cost-allocation plan.



The local share may come from state or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, and net income generated from advertising and concessions. The local share could also come from other federal sources not related to USDOT programs, or from USDOT's Federal Lands Highway Program. Some transportation programs supported by the Bureau of Indian Affairs, such as Indian Reservation Roads, may be used as matching funds for FTA programs.

The federal share of eligible net operating costs may not exceed fifty (50) percent, leaving a local share of not less than fifty (50) percent (minus fare revenue).

### **3.d. Section 5311(b)(3) Rural Transit Assistance Program (RTAP)**

#### ***3.d.i. Eligible Subrecipients***

UDOT, as the eligible recipient of RTAP funds as outlined in [FTA's Circular 9040.1G](#), contracts with Utah's Urban & Rural Specialized Transit Association (URSTA) for rural technical assistance and training. URSTA provides specialized in-person and virtual training opportunities and resources, manages the RTAP scholarship program, hosts an annual conference and bus rodeo, and advocates for statewide coordinated transit services. See <https://www.ursta.org/> for more information.

#### ***3.d.ii. Eligible Activities***

Funds may support rural transit activities in four categories:

- Training.
- Technical assistance.
- Research.
- Related support services.

#### ***3.d.iii. Match Requirements***

These are UDOT administrative funds managed at the DOT level and match requirements are not applicable.

### **3.e. Section 5311(f) Intercity Bus Program**

#### ***3.e.i. Eligible Subrecipients***

The RPT team uses its required fifteen (15) percent of the annual [Section 5311](#) apportionment to administer the Intercity Bus Program by entering into a contract with an intercity bus provider through a Request for Proposals (RFP). Only those contracted by UDOT are eligible to receive funding.

#### ***3.e.ii. Eligible Activities***

Eligible expenses include capital, operating, and project administrative expenses for projects that develop and support intercity bus transportation.

### ***3.e.iii. Match Requirements***

The RPT team requires local match, as determined by federal guidelines, of eligible net operating costs of not less than fifty (50) percent (minus fare revenue). The federal share of eligible net operating costs may not exceed fifty (50) percent. UDOT allows for the use of in-kind match derived from the agreed upon and justified unsubsidized operating costs in connecting interstate corridors in lieu of a required local match. .

## **3.f. Section 5339 Bus & Bus Facilities**

### ***3.f.i. Eligible Subrecipients***

The RPT team administers and provides funding through its grant application process to small urban and rural providers for the purchase of rolling stock (buses) and construct bus facilities. For eligible small urban subrecipients, UDOT suballocates the portion of 5339 small urban funds directly to the agency. [Section 5339](#) has a formula component, Section 5339(a), as well as two discretionary components: Section 5339(b) Grants for Buses and Bus Facilities Competitive Program, and Section 5339(c) the Low or No Emissions Vehicle Competitive Program. Notices of discretionary funding are published in the Federal Register along with application instructions on Grants.gov.

### ***3.f.ii. Eligible Activities***

Activities include capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities. Projects for both fixed-route and demand-response services are eligible. Preventative maintenance is not an eligible activity with Section 5339 funding.

Activities under the Low or No Emissions Vehicle Competitive Program are limited to:

- Purchasing or leasing low- or no-emission buses.
- Acquiring low- or no-emission buses with a leased power source.
- Constructing or leasing facilities and related equipment (including intelligent technology and software) for low- or no-emission buses.
- Constructing new public transportation facilities to accommodate low- or no-emission buses.
- Rehabilitating or improving existing public transportation facilities to accommodate low- or no-emission buses.
- Workforce development training.

### ***3.f.iii. Match Requirements***

The RPT team requires local match as determined by federal guidelines up to twenty (20) percent of eligible capital costs.

The local share may come from state or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, and net income generated from advertising and concessions. The local share could also come from other federal sources not related to USDOT programs, or from USDOT's Federal Lands Highway Program. Guidance on federal fund braiding is provided here [CCAM Federal Fund Braiding Guide](#).

## 4. Applying for RPT Funding

FTA gives each state the maximum discretion permitted by law in designing and managing state-administered programs to meet local needs specific to each state. UDOT must use sound management practices to administer FTA-funded programs in accordance with the grant application, FTA Master Agreement, and all applicable laws and regulations.

This chapter describes the RPT application process for available estimated funding, outlines the project evaluation and selection process, and provides guidance to eligible subrecipients on ways to demonstrate the need for funding. It includes the annual application schedule and outlines the RPT philosophy behind distributing funds. The RPT annual schedule is posted on the RPT website and organized by month.

### 4.a. Services & Service Areas

For the majority of programs, the services provided with capital or operating grants focus on rural areas of Utah. Projects may include public transportation into and out of urbanized areas. However, rural program funding may not be used to provide service exclusively within an urban area.

Note: Section 5311(f) describes intercity network corridors. See [Chapter 3.e Intercity Bus Program](#) for more information.

### 4.b. Project Selection Process

The RPT manages a multi-step process that ranges from the announcement of funds to contracting with subrecipients. This process includes the following steps, which are described in detail below:

- Announcement of RPT estimated funds.
- Applicant letter of intent (LOI).
- Application process.
- Project selection process.
- STIP approval.

The RPT Team monitors Equity of Distribution and Public Participation as described towards the end of this section. Upon project selection, the RPT will enter the contracting phase, as outlined in [Chapter 5](#).

#### ***4.b.i. Announcement of RPT Estimated Funds and Outreach***

The grants administered by the RPT follow an annual funding cycle, as shown in Figure 6 and Figure 7. This cycle is subject to change depending on the timing of FTA apportionments, new transportation bills, and other items that may be beyond the control of the RPT team. Each year's funding cycle begins with an announcement of the RPT estimated funding and request for Letter of Intent (LOI). The announcement is sent to

each agency listed in the RPT's database of transportation providers, non-profit organizations, and local government agencies. The announcement is also posted on UDOT's website. AOGs identify current and potential applicants of 5310 funding during the Coordinated Plan process.

Figure 6: UDOT RPT 5310 Application Review Process

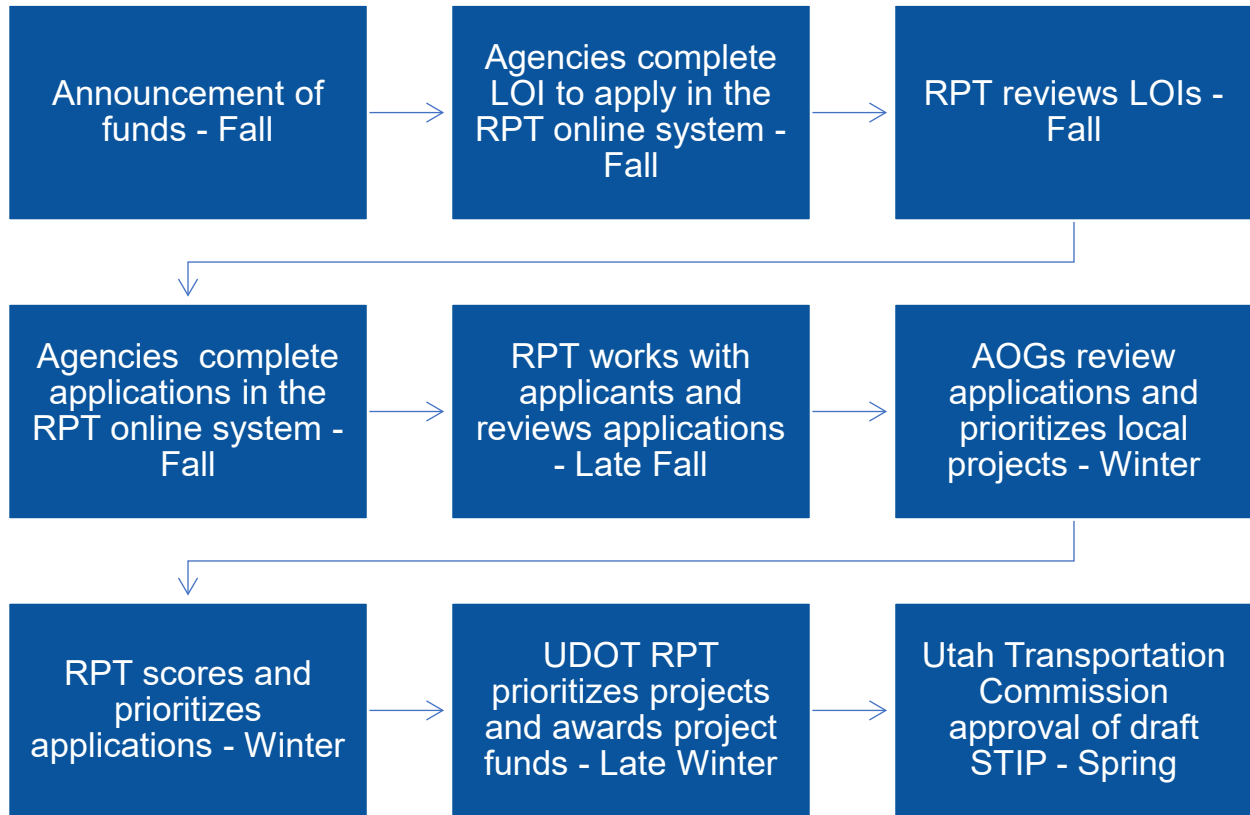
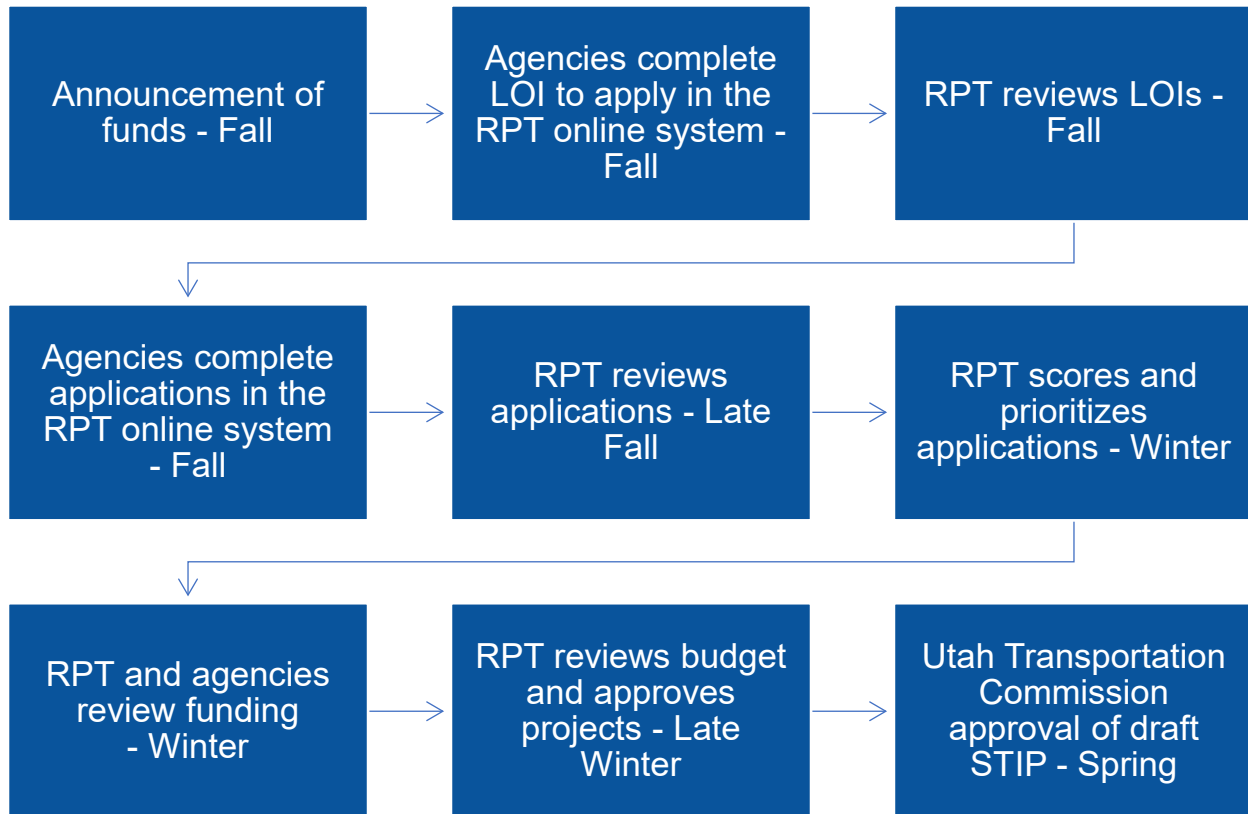


Figure 7: UDOT RPT 5311 and 5339 Application Review Process



## 4.b.ii. Applicant Letter of Intent (LOI)

At the same time the RPT team announces the estimated funding amounts, it also requests that potential applicants submit a LOI. An agency who wishes to apply for specific future funding is required to submit an LOI during the open submission period. The LOI is the formal announcement of the agency's interest in applying for funds and to assist the RPT team in prescreening eligible applicants. LOIs are submitted via the RPT online system. Existing subrecipients may use their RPT online accounts. New agencies may obtain an account on RPT's webpage at:

<https://udot.utah.gov/connect/business/public-entities/rural-public-transit-team/>

The LOI will contain the following information:

- Basic project description.
- Commitment to contribute required local match.
- Commitment to adhere to required rules and regulations.
- Designation of Signature Authority (if not already provided or if changes are required).

#### ***4.b.iii. Application Process***

Each applicant that successfully completes the LOI and passes the initial threshold criteria as outlined in the bullets above is provided instructions on how to complete an application for applicable funding on the RPT online system. For convenience, the RPT team separates the applications for 5310, 5310 Mobility Management, 5311, 5311 Mobility Management, and 5339 funds. Applicants are advised to contact the RPT team should they require additional information or directions to properly complete the application.

RPT staff are available to provide training and assistance as applicants complete the online application. Following the application deadline (fall), the RPT team conducts a competitive evaluation and selection process (see Section 4.b.iv) to determine which projects will be awarded financial assistance. Funding line items are incorporated into the TIP or STIP, as applicable. In small urban areas with populations of 50,000 to 200,000, projects are included in the MPO Transportation Improvement Program (TIP). In rural areas with populations less than 50,000, projects are included in the STIP.

In areas where the Coordinated Plan or competitive selection process is not completed in a timeframe that coincides with the development of the TIP/STIP, the TIP/STIP amendment process is used to include competitively selected projects in the TIP/STIP before the FTA grant award.

Project approval is finalized when the Utah Transportation Commission reviews and approves the STIP and FTA accepts the Commission's approval.

#### ***4.b.iv. Application Evaluation and Selection Process***

##### ***4.b.iv.1 Section 5310***

The RPT team has established a competitive selection process for distributing funds among Section 5310 program applicants. The competitive selection process is divided into five (5) steps:

1. Threshold Criteria: Threshold criteria are minimum requirements all applicants must meet to be considered for funding:
  - a. Applicants must submit complete LOIs and applications on time.
  - b. Applicants must be eligible subrecipients for the grant program under which funds are requested.
  - c. Applicants must document that the local cash match will be available.
  - d. The application must include an eligible service and be covered under one of the eligible assistance categories.
  - e. Demonstrate the project is included in the appropriate locally developed Coordinated Plan.
  - f. Applicants do not have to have an approved Title VI plan at time of application. However, if funding is awarded, a Title VI plan will be required prior to contracting.

2. Regional Review: The 5310 Client Manager forwards eligible applications to the respective regional planning agency (e.g., AOG, MPO, RPO) for prioritization. Projects that serve multiple regions are reviewed by each region served. The review process and criteria used for review are determined by each individual region and advertised through public notices. The region evaluates all applications and forwards its prioritization/recommendations to the RPT team.
3. RPT Review: After receiving prioritization/recommendations from each region, the RPT team conducts its own evaluation and review based on established criteria. The resulting weighted scores are compiled to produce a final score for each application. Applications are then ranked and final proposed awards are prepared for Commission approval.
  - a. UDOT provides final weighting and scoring (and posts scoring criteria with weighting on the RPT website), as well as the following due diligence:
    - i. Ensures AOG/RPO process is included in the weighting.
    - ii. Ensures score sheet is prepared and includes proposed list of projects.
    - iii. Completes business entity search to confirm 501(c)(3) status:
      1. <https://secure.utah.gov/bes/>.
      2. Updates status annually.
      3. If not yet complete, has business complete immediately.
      4. If it remains incomplete, application is not approved.
    - iv. Documents that the subrecipient is not on the U.S. General Services Administration Debarment and Suspension list:
      1. [www.sam.gov](http://www.sam.gov) (subrecipient must be registered under the correct legal name).
4. RPT Risk Assessment Worksheet: Prior to finalizing awards, the RPT team will perform a risk assessment using the risk assessment worksheet (found in [Appendix D](#)) to evaluate potential awardees. The purpose is to review the operational status and compliance history for each applicant to understand the depth of risk and additional oversight required. Based on the result of the risk assessment, UDOT may choose not to fund an application or will choose the appropriate level of compliance oversight. The risk assessment includes review of the following:
  - a. Grant history/FTA experience.
  - b. Financial capability.
  - c. Personnel experience.
  - d. Compliance and reporting.
  - e. Proper use of assets.
5. The Utah Transportation Commission approves final funding awards. The RPT publishes a list of selected projects following the competitive selection process posted on the RPT website at: [www.udot.utah.gov/publictransit](http://www.udot.utah.gov/publictransit).



#### **4.b.iv.2 Sections 5311 and 5339**

Complete LOIs and applications are required for both the 5311 and 5339 programs. The 5311 and 5339 funds are competitive but do not require regional planning agency review and ranking. The RPT team works directly with the applicants to review capital and operating needs and to determine the year in which projects will be identified on the STIP. The competitive selection process is divided into five (5) sequential steps:

1. **Threshold Criteria:** Threshold criteria are minimum requirements all applicants must meet to be considered for funding:
  - a. Applicants must submit complete LOIs and applications on time.
  - b. Applicants must be eligible subrecipients for the grant program under which funds are requested.
  - c. Applicants must document that the local cash match will be available.
  - d. The application must include an eligible service and be covered under one of the eligible assistance categories.
  - e. Applicants must have an adopted three (3) to five (5) year capital improvement plan identifying capital projects, approximate costs, funding availability for administration, operations, vehicles, equipment, technology and facilities, and the anticipated year of implementation.
  - f. Applicants do not have to have an approved Title VI plan at time of application. However, if funding is awarded, a Title VI plan will be required prior to contracting.
2. **RPT Review:** The RPT team conducts its evaluation and review based on established criteria. The resulting scores are compiled to produce a final score for each application. Applications are ranked and final proposed awards are prepared for Commission approval.
  - a. UDOT provides final weighting and scoring (and posts scoring criteria with weighting on the RPT website), as well as the following due diligence.
    - i. Ensures score sheet is prepared and includes proposed list of projects.
    - ii. Completes business entity search to confirm 501(c)(3) status:
      1. <https://secure.utah.gov/bes/>.
      2. Updates status annually.
      3. If not yet complete, has business complete immediately.
      4. If it remains incomplete, application is not approved.
    - iii. Documents that the subrecipient is not on the U.S. General Services Administration Debarment and Suspension list:
      1. [www.sam.gov](http://www.sam.gov) (subrecipient must be registered under the correct legal name).
3. **RPT Risk Assessment Worksheet:** Prior to finalizing awards, the RPT team will perform a risk assessment using the risk assessment worksheet (found in [Appendix D](#)), to evaluate potential awardees. The purpose is to review the operational status and compliance history for each applicant to understand the



depth of risk and additional oversight required. Based on the result of the risk assessment, the RPT team may choose not to fund an application or will choose the appropriate level of compliance oversight. The risk assessment includes review of the following:

- a. Grant history/FTA experience.
  - b. Financial capability.
  - c. Personnel experience.
  - d. Compliance and reporting.
  - e. Proper use of assets.
4. The Utah Transportation Commission approves final funding awards. The RPT team publishes a list of selected projects following the competitive selection process the RPT website at: [www.udot.utah.gov/publictransit](http://www.udot.utah.gov/publictransit).

Section 5311(f), Intercity Bus, does not follow the same annual process. As demand and funding allow, the RPT team works with UDOT's Procurement office to administer a request for proposals (RFP) and to select an operator best suited for the specific route(s).

#### ***4.b.v. Equity of Distribution***

The RPT team has adopted policies and procedures to ensure the competitive selection process is conducted in an open and transparent manner, resulting in a fair and equitable distribution of funds among agencies across the state, including tribal governments and other entities serving Native Americans. This does not mean the selection process will result in an equal allocation of resources among projects or communities. Instead, equitable distribution refers to equal access to, and equal treatment by, a fair and open competitive selection process. This outreach is outlined in the UDOT RPT Title VI Implementation Plan, specifically the Public Participation Plan in Appendix H of the plan: <https://drive.google.com/file/d/1Ya-9rdDQMTysAARbC7TI2a8RxAS5UOh6i/view>.

#### ***4.b.vi. Public Participation***

Federal law requires that the public be involved in the transportation planning process. Private providers also must have an opportunity to be involved in the development of transportation plans and programs. UDOT has an adopted Public Participation Plan it uses to provide minimum guidance while expressly not limiting projects or programs that may require greater levels of public outreach. UDOT meets these requirements through involvement in planning processes such as the Utah Intercity Bus Plan and the regional Coordinated Plans.

Additionally, UDOT requires potential capital subrecipients to hold a public hearing if their project will substantially affect a community or the public transportation services of a community. Coordinated Plans require at least one (1) public hearing prior to adoption.

## 5. Pre-Award Activities

### 5.a. Funding Award Process

Once funding is apportioned by FTA for a specific fiscal year, the Client Managers and Grant Manager complete the following tasks:

- Create the Program of Projects (POP).
- Review RPT requirements with subrecipient.
- Ensure funding is included in the STIP.
- Identify scope and activity line items.
- Prepare a narrative description for each scope and activity line item.
- Prepare a summary of each subrecipient project.
- Enter FTA funding application into FTA's web-based grant management system (TrAMS). The application must include an executive summary of activities to be performed, expected outcomes, intended beneficiaries, subrecipient activities, environmental findings, and attachments.

FTA reviews and approves the submittal. This process may take up to ninety (90) days. Once approved by FTA, the RPT Program Manager "PINs" the approved award (i.e., generates a PIN that operates as a signature). The funds are now available to use in subrecipient reimbursement contracts.

### 5.b. Distribution of Excess or Previous Year(s) Funding

If funding from a previous year is not fully awarded, the RPT team may award these funds to agencies that applied for those funds but were not awarded them during the first review process. An agency must be in good standing with the RPT and without compliance issues to be eligible for funds.

- The funds are made available to the agencies in order of prioritization from the first review process.
- If unable to award based on original applications, excess funds from an FTA apportionment may be advertised during the regular application process and eligible agencies may apply for those excess funds.
- Any excess funds that are programmed toward a capital project that increases the federal aid amount by twenty-five percent (25%) or five hundred thousand dollars (\$500,000), whichever is lesser, will be taken to the Commission for approval.

### 5.c. Program of Projects for FTA Grants

The Program of Projects (POP) for FTA grants identifies the subrecipients and projects for which UDOT is applying to FTA for financial assistance. The POP must be identical to, or consistent with, listings contained in the STIP and MPO Transportation Improvement Programs (TIP). The POP is submitted to FTA in TrAMS through the grant application and includes the following, but is not limited to:

- The names of subrecipient transit providers and type.
- Total number of subrecipients (5310).
- Brief description of each project.
- Total project cost, federal and local shares, indication of whether a project is a capital or operating expense (5310 and 5311), or project administrative expense (5311 only).
- The location of the entity receiving the award.
- The primary location of performance under the award/the areas served including Congressional Districts and any tribal entities.
- Any suballocation among public transportation providers or other eligible subrecipients.
- Amount of funds used for program administration from the ten (10) percent allowable.

#### 5.d. Developing a Contract Agreement

The RPT Client Manager may meet with the subrecipient and other members of the RPT team prior to executing a contract agreement to address questions and discuss the contract agreement contents. The purpose of the meeting is to address any subrecipient questions and review RPT's expectations, policies, and procedures. Examples of possible discussion topics are shown in **Table 3**.

*Table 3: Contract Agreement Topics*

Subrecipient questions pertaining to the project	Match requirements
Documentation of ongoing operating funds	Reporting requirements
Procurement requirements	Grant administration
Project/program management	Financial management
Asset management	Civil Rights/Title VI
Equal Employment Opportunity (EEO)	Disadvantaged Business Enterprise (DBE)
Americans with Disabilities Act (ADA)	Drug and alcohol testing
Additional federal and state requirements	Period of Performance for the contract

The RPT team uses an electronic signature process to execute contracts. The process generally includes the following:

- The RPT Contracts and Billings Specialist sets up a contract in its electronic signature system and assigns participants for each signature or review needed for contract.
- Contract is e-mailed for review and signatures.
- Once all approvals/signatures are obtained, contract is executed by the UDOT Comptroller's office with a date and contract number.
- Each participant will receive a completed copy of the executed contract via e-mail for printing and/or electronic filing.
- A copy of the executed contract is filed in RPT's online system and in the subrecipient's electronic file by the Contracts and Billing Specialist.

### **5.e. Contract Agreements**

The RPT requires written agreements/contracts between subrecipients and UDOT. These agreements include all required federal clauses and certifications either incorporated in their entirety or by reference.

The RPT has developed contract agreement templates that are used as the starting point for agreements with subrecipients. Each formula grant section has language tailored to the RPT's eligible activities. The templates are not specific to the procurement type or project amount. Subrecipients must certify that they will comply with all federal laws, rules, and regulations. Federal clauses that do not apply to specific projects because of the procurement type, project activity, or project amount do not apply to the project.

### **5.f. RPT Online System Program Management**

The RPT team uses a web-based program management tool that allows users to input and sort data. The program is used to facilitate the grant making and contracting processes. The RPT team uses this online system to:

- Maintain a database of all active subrecipients, including contact information, transit assets, legal designees, and agency details.
- Provide an online reporting platform where subrecipients can enter report information such as vehicle usage, inspections, accidents, maintenance records, National Transit Database (NTD) and transit asset management information, and annual financial report information.
- Manage transit assets, including tracking the usage of vehicles, current liens, vehicle disposal, vehicle performance measures, and maintenance.
- Planning, mobility management, and other contract scope of work performance measures.
- Receive and review LOIs and RPT applications for funding.
- Track the status of individual projects/contracts and overall grants.
- Receive and track invoices for reimbursement from subrecipients.

- Distribute surveys.
- Track on-site compliance visits.
- Generate user-defined reports.

The online system is a secure site that requires an RPT-provided username and password. Each agency contracting with RPT will assign a lead contact and designated users from their agency. Each user can be assigned unique and revisable access rights depending on their role and needs. Subrecipients should contact the applicable Client Manager to obtain access to the online system.

### **5.g. Preparing for Procurement**

The RPT team is responsible for ensuring full and open competition and equitable treatment of all potential bidders/suppliers in the procurement process conducted by the RPT team or its subrecipients. [49 CFR 18](#), otherwise known as the Common Grant Rule, and [FTA Circular 4220.1F](#), Third-Party Contracting Requirements, set forth the requirements for the solicitation, award, and administration of procurements for any entity receiving federal funding. Depending on the nature of the procurement and type of subrecipient, all or some of the requirements in FTA Circular 4220.1F may apply.

Please refer to the UDOT RPT Procurement Guide for details on roles and responsibilities:

<https://drive.google.com/file/d/1-Om3bnZmbue3SCz2a6AAAqTRQh97DKfK/view>.

## 6. Federal Requirements for Subrecipients Upon Receiving Funds

Federal legislation directly affects the RPT and its subrecipients and is implemented through FTA guidance/circulars. This section does not include an exhaustive list and description of federal legislation; rather, it describes legislation that is sometimes less known or legislation for which the RPT has more stringent policies.

### 6.a. Civil Rights

UDOT adheres to federal civil rights requirements through agency monitoring and administration and the establishment of both FHWA and [FTA Title VI](#) plans.

Subrecipient must submit all required certifications and assurances prior to contract signature and annually thereafter. These include:

- Certified Standard Assurances.
- Non-Discrimination Assurance Certification.
- Assurance of Nondiscrimination on the Basis of Disability.
- Protections for Private Providers of Public Transportation, including [labor protections](#) and charter service regulations.

UDOT includes the appropriate civil rights disclosure on the inside cover of the Public Transportation Grant Application and includes civil rights clauses in subrecipient agreements.

UDOT provides ongoing oversight to subrecipients through site visits and/or desk reviews. The checklist UDOT uses during grantee visits/reviews includes a section that verifies compliance with civil rights requirements (i.e., non-discrimination, employment, complaints, proper notification, outreach, and accessibility of services).

UDOT reaches potential subrecipients serving significant minority populations through the Coordinated Plan process and by broad distribution of grant funding announcements and application materials.

#### 6.a.i. Agency Monitoring and Administration

UDOT complied with the requirements of the Civil Rights Act by executing and filing a one-time assurance with FTA on April 29, 1988. Subrecipients are required to file assurances annually with UDOT in agreement form.

### 6.b. Title VI Program

UDOT notifies each subrecipient that receives federal funds that they must comply with Title VI of the 1964 Civil Rights Act. The RPT Compliance Officer reviews subrecipient compliance with Title VI requirements during site visits and desk reviews to ensure that the subrecipient policies and procedures meet nondiscrimination standards set forth in the federal regulations and in UDOT's [RPT Title VI Implementation Plan](#).

Subrecipients that receive federal funds must develop a Title VI policy that describes how they will ensure nondiscrimination to all populations in their services. At a minimum, a subrecipients policy must contain the following elements:

- Title VI notification to beneficiaries.
- Language assistance plan.
- Complaint process and procedures.
- Process for the inclusion of limited English proficiency populations, minority, and low-income populations in outreach activities.

When applicable, a table depicting the racial breakdown of committee membership and a description of efforts made to encourage the participation of minorities on committees or councils.

The complete UDOT RPT Title VI Implementation Plan, including the Public Participation Plan in Appendix H of the plan can be viewed here:

<https://drive.google.com/file/d/1Ya-9rdDQMTysAARbC7TI2a8RxA5UOh6i/view>.

#### **6.b.i. Environmental Justice**

[FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients.”](#) This document provides FTA recipients and subrecipients with guidance and instructions necessary to carry out [USDOT Order 5610.2](#) to Address Environmental Justice in Minority Populations and Low-Income Populations, and Executive Order 12898 on Environmental Justice. The circular describes the process that the Office of the Secretary of Transportation and each operating administration will use to incorporate FTA C 9040.1G Page XI–4 DATE 11/24/2014 environmental justice principles (as embodied in executive order 12898 on environmental justice) into existing programs, policies, and activities.

#### **6.c. DBE Program**

UDOT’s Civil Rights Office has an established USDOT DBE program that fulfills the requirements of [49 CFR 26](#). Since federal affirmative action requirements are a condition of federal financial assistance, the regulation states that all local government, USDOT-assisted federal-aid projects (over \$250,000) require a USDOT DBE program (49 CFR 26.21C). A copy of the current DBE program can be found on [UDOT’s Civil Rights webpage](#).

The RPT team in collaboration with UDOT’s Civil Rights Office establishes annual overall rural public transit DBE goals every three (3) years. A letter certifying the goal is signed by UDOT’s Executive Director and submitted to the FTA Region VIII Civil Rights Liaison. The Compliance Officer reports actual awards and participation in TrAMS every six (6) months as required by FTA.



**6.c.i. Transit Vehicle Manufacturer (TVM)**

Only those transit vehicle manufacturers listed on FTA's certified list of Transit Vehicle Manufacturers, or that have submitted a goal methodology to FTA that has been approved or has not been disapproved, at the time of solicitation are eligible to bid. A TVM's failure to implement the DBE Program in the manner prescribed by 49 C.F.R. 26 may result in removal from FTA's certified TVM list and the inability to bid on future FTA-assisted vehicle procurements.

UDOT's DBE Program Plan describes the procedures for obtaining TVM certifications and directs readers to additional information in UDOT's [RPT Procurement Policy and Procedures](#).

**6.c.ii. DBE Goal Setting Process**

Refer to UDOT's DBE Program plan for information on the DBE goal setting process.

**6.c.ii.1 DBE Goal Setting on Projects**

The RPT team will request a DBE goal for each contract/project it intends to fund. The Contracts and Billing Specialist in conjunction with the relevant Client Manager will request a DBE goal evaluation from UDOT's Civil Rights Office. The DBE Liaison Officer will send a memo to the RPT team assigning a DBE goal and declaring if Davis Bacon wages apply. The memo will be included in contracts and subrecipient solicitation documents.

**6.d. Equal Employment Opportunity (EEO)**

Federal transit laws ([49 USC 5332\(b\)](#)) provide that "no person in the United States shall on the grounds of race, color, religion, national origin, sex, or age be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any project, program or activity funded in whole or in part through financial assistance under this Act." This applies to employment and business opportunities and is considered to be in addition to the provisions of Title VI of the Civil Rights Act of 1964.

Subrecipients who meet certain requirements, according to FTA's EEO Circular 4701.1A, must submit, prepare, and maintain either full or abbreviated EEO programs in accordance with the following requirements.

Full EEO Program submitted every four (4) years:

- Has one hundred (100) or more transit-related employees, and
- Requests or receives capital or operating assistance in excess of \$1 million in the previous Federal fiscal year, or
- Requests or receives planning assistance in excess of \$250,000 in the previous Federal fiscal year.

Abbreviated EEO Program prepared and maintained:

- Has between fifty (50) and ninety-nine (99) transit-related employees, and



- Requests or receives capital or operating assistance in excess of \$1 million in the previous Federal fiscal year, or
- Requests or receives planning assistance in excess of \$250,000 in the previous Federal fiscal year.

Construction projects over \$10,000 are also subject to EEO requirements. The U.S. Department of Labor's [Executive Order 11246](#) does not require construction contractors to develop written affirmative action programs. Regulations do require and specify good faith steps that must be taken by construction contractors to increase utilization of minorities and women in skilled trades.

### **6.e. Section 504 & the Americans with Disabilities Act (ADA)**

The RPT team, its supported programs, and subrecipients must comply with Titles II and III of the ADA, ensuring that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service. UDOT's Civil Rights has created ADA Complaint [procedures](#) and has a universal [Complaint Form](#) for filing transit-related complaints.

#### **6.e.i. Vehicles**

The RPT and subrecipients comply with Section 504 of the Rehabilitation Act of 1973 and the ADA by assuring that no individual is discriminated against in connection with the provision of transportation service. Complaints are handled according to the program complaint procedures described in [Chapter 7.g](#) of this document.

The RPT must ensure that subrecipient-purchased or remanufactured vehicles comply with ADA requirements. In the ADA, 49 CFR 37 and 38 contain accessibility standards and specific requirements for the acquisition of accessible vehicles for public and private entities. RPT policy prohibits the use of federal funds to purchase any vehicles that do not comply with ADA. Regardless of service type or whether the vehicle is new or used, all vehicles purchased must be ADA accessible. RPT policy prohibits the conversion of ADA-specific vehicles—purchased for 5310, 5311, and 5339 uses—to be used as general-purpose vehicles.

When purchasing a vehicle through Section 5310, 5311, or 5339, strict adherence to the ADA is followed in specifications and procurement of equipment.

#### **6.e.ii. Facilities**

The RPT team requires subrecipients to comply with ADA requirements when constructing or altering a facility. Any new facility to be used in providing public transportation services must be ADA accessible. If the subrecipient alters an existing facility to be used to provide public transportation, the altered portions of the facility must be accessible. When the nature of an existing facility makes it impossible to comply fully with accessibility standards, the alterations must be made accessible to the extent feasible.

The RPT must obtain documentation sufficient to support that it has made the facility accessible to the maximum extent feasible or that alterations required to increase feasibility were disproportionate to the level of the alteration.

UDOT Civil Rights will serve as the primary point of contact for ADA compliance issues related to transit facilities and may delegate oversight action to an appropriate UDOT staff based on the nature of the project. The Civil Rights Office will partner with regional engineers and inspectors or their authorized representatives to evaluate facilities and physical improvements for ADA compliance. This may involve “over-the-shoulder reviews” of designs, inspections of completed facilities, and/or contractor oversight.

#### ***6.e.iii. Complementary Paratransit***

The ADA requires public transit agencies that provide fixed-route service to provide “complementary paratransit” services to people with disabilities who cannot use the fixed-route bus or rail service because of a disability. ADA regulations specifically define a population of customers who are entitled to this service as a civil right. The regulations also define minimum service characteristics that must be met for this service to be considered equivalent to the fixed-route service it is intended to complement.

In general, ADA complementary paratransit service must be provided within three-quarters of a mile of a bus route or rail station, at the same hours and days, for no more than twice the regular fixed-route fare.

While the transit agency is required to provide paratransit for trips with origins and destinations within three-quarters of a mile of a route/station, paratransit-eligible customers who are outside the service area may still use the service if they are able to travel into the service area.

#### ***6.e.iv. Demand-Responsive Service***

Demand-response transit service is comprised of vehicles operating in response to requests from passengers or their agents to the transit operator, who then dispatches a vehicle to pick up the passengers and transport them to their destinations. A demand-response operation is characterized by the following:

- The vehicles do not operate over a fixed route or on a fixed schedule, except, perhaps, on a temporary basis to satisfy a special need.
- Typically, the vehicle may be dispatched to pick up several passengers at different pick-up points before taking them to their respective destinations and may even be interrupted enroute to these destinations to pick up other passengers.

Route deviation and point deviation systems are defined as demand-response systems, which do not require ADA complementary transit. One key factor to consider in determining if a transit system is fixed route or demand responsive is if an individual has to request the service. To be considered demand responsive, the service must deviate for the general public as well as those with disabilities. The RPT must ensure that deviated

fixed-route service provided by subrecipients has the characteristics of demand-responsive service.

### ***6.e.v. Reasonable Modification of Policies and Practices***

FTA ADA Circular C4710 (November 4, 2015) requires public transportation providers to make reasonable modifications to their policies, practices, and procedures to avoid discrimination and ensure programs and services are accessible to individuals with disabilities. It applies to public entities providing fixed-route, demand-responsive (dial-a-ride), and complementary paratransit services. It establishes that an individual's disability cannot preclude a public transportation entity from providing full access to its service, except when it would fundamentally alter the service.

The responsibility of entities to make requested reasonable modifications is not without some limitations. There are four classes of situations in which a request may legitimately be denied:

1. The request would fundamentally alter the entity's services, programs, or activities.
2. The request would create a direct threat to the health or safety of others.
3. Without the requested modification, the individual with a disability is able to fully use the entity's services, programs, or activities for their intended purpose.
4. The request would cause an undue financial and administrative burden.

Examples of an eligible and ineligible reasonable modification may include:

- Snow and ice: Passenger's request for a paratransit driver to walk over a pathway that has not been fully cleared of snow and ice should be granted so that the driver can help the passenger with a disability navigate the pathway.
- Pick up and drop off: The paratransit operator should pick up and drop off the passenger at the entrance requested by the passenger, rather than meet them in a location that has been predetermined by the transportation agency, assuming that doing so does not involve a direct threat.
- Private property: The paratransit operator should make every reasonable effort to gain access to private property (e.g., work with the passenger to get the permission of the property owner to permit access for the paratransit vehicle).
- Obstructions: A passenger's request for a driver to position the vehicle to avoid obstructions to the passenger's ability to enter or leave the vehicle at a designated stop location, such as parked cars, snow banks, and construction, should be granted so long as positioning the vehicle to avoid the obstruction does not pose a direct threat.
- Fare handling: A passenger's request for transit personnel (e.g., the driver, station attendant) to handle the fare media when the passenger with a disability cannot pay the fare by the generally established means should be granted on fixed route

or paratransit service (e.g., in a situation where a bus passenger cannot reach or insert a fare into the farebox).

- Eating and drinking: If a passenger with diabetes or another medical condition requests to eat or drink aboard a vehicle or in a transit facility in order to avoid adverse health consequences, the request should be granted, even if the transportation provider has a policy that prohibits eating or drinking.
- Medicine: A passenger's request to take medication while aboard a fixed route or paratransit vehicle or in a transit facility should be granted. For example, transit agencies should modify their policies to allow individuals to administer insulin injections and conduct finger stick blood glucose testing.
- Boarding separately from wheelchair: A wheelchair user's request to board a fixed route or paratransit vehicle separately from his or her device when the occupied weight of the device exceeds the design load of the vehicle lift should generally be granted.
- Dedicated vehicles or special equipment in a vehicle: A request for special equipment (e.g., the installation of specific hand rails or a front seat in a vehicle for the passenger to avoid nausea or back pain) can be denied so long as the requested equipment is not required by the Americans with Disabilities Act or the Department's rules.
- Outside of the service area or operating hours: A person's request for fixed route or paratransit service may be denied when honoring the request would require the transportation provider to travel outside of its service area or to operate outside of its operating hours. This request would not be a reasonable modification because it would constitute a fundamental alteration of the entity's service.
- Exposing vehicle to hazards: If the passenger requests that a vehicle follow a path to a pickup or drop off point that would expose the vehicle and its occupants to hazards, such as running off the road, getting stuck, striking overhead objects, or reversing the vehicle down a narrow alley, the request can be denied as creating a direct threat.
- Intermediate stops: The RPT views granting a paratransit passenger's request for a driver to make an intermediate stop, where the driver would be required to wait, as optional.
- Personal care attendant (PCA): A PCA is "someone designated or employed specifically to help the eligible individual meet his or her personal needs." A PCA typically assists with one or more daily life activities such as providing personal care, performing manual tasks, or providing assistance with mobility or communication. PCA assistance is not always needed during a complementary paratransit trip itself, but because of the nature of typical PCA functions, it is most likely the services provided by a PCA would be required throughout the day at the passenger's destination.

- PCAs are sometimes family members or friends. In some instances, PCAs are other individuals with a disability. This might be an individual with a physical disability who assists someone with a vision disability or who accompanies an individual with an intellectual disability who cannot travel independently.
- Caring for service animal: A paratransit or fixed route passenger's request that the driver take charge of a service animal may be denied. Caring for a service animal is the responsibility of the passenger or a PCA.
- Opening building doors: For paratransit services, a passenger's request for the driver to open an exterior entry door to a building to provide boarding and/or alighting assistance to a passenger with a disability should generally be granted as long as providing this assistance would not pose a direct threat or leave the vehicle unattended or out of visual observation for a lengthy period of time.

### **6.f. Charter & School Bus Service**

RPT policy prohibits the use of federally funded equipment for charter or school bus service. Exceptions to the federal regulations are not recognized and may not be used to permit service.

### **6.g. Build America, Buy America**

Build America, Buy America (BABA) regulations require that all steel, iron, manufactured products, and construction materials used in a project are produced in the United States. Solicitations for steel, iron, manufactured products, and construction materials must contain a Buy America certification unless the procurement is subject to a general waiver or is below the small purchase threshold of \$150,000. The most current guidance on waivers and exceptions can be found on the FTA Buy America website: <https://www.transit.dot.gov/buyamerica> or by contacting an RPT Client Manager. Subrecipients can also refer to the UDOT Procurement Guide, and consult with the RPT Compliance Officer for procurements with Buy America/Buy American requirements.

### **6.h. Pre-Award and Post-Delivery Audits**

As a condition of receiving FTA-appropriated funds for the purchase of rolling stock, UDOT must certify compliance with Buy America and the pre-award and post-delivery audit requirements. If the procurement is completed by an eligible entity, all pre- and post-delivery documentation must be submitted and approved by UDOT prior to reimbursement. For additional information see:

- UDOT Procurement Guide: <https://drive.google.com/file/d/1-Om3bnZmbue3SCz2a6AAAqTRQh97DKfK/view>.
- Conducting Pre-Award and Post Delivery Audits for Rolling Stock Procurements (FTA): <https://www.transit.dot.gov/regulations-and-guidance/buy-america/conducting-pre-award-and-post-delivery-audits-rolling-stock>.

### **6.h.i. *Pre-award Certification (before contract award), Post-delivery Audits***

UDOT is responsible for obtaining the pre-award Buy America Certification, Purchasers Requirement Certification, and the Federal Motor Vehicle Safety Standards (FMVSS) certification. Pre-award review is required for Buy America compliance. The process for pre-award certification and post-delivery audit is outlined in the UDOT Rural Public Transit Procurement Guide, which is linked [here](#).

## **6.i. Pre-Award Authority**

Pre-award authority means authority given by UDOT, under specific and limited circumstances, to a subrecipient allowing them to incur costs for allowable project activities before the Federal grant obligation date and remain eligible for reimbursement. Applicants requesting pre-award authority must meet all applicable federal requirements prior to incurring the expenses. Failure to comply with applicable state and Federal requirements will render those project costs or, in certain cases, the project in its entirety ineligible for FTA assistance.

## **6.j. Other Provisions**

### **6.j.i. *Labor Protections***

When projects funded under Section 5311 are used to acquire, improve, or operate a transit system, federal law requires arrangements to protect the rights of affected transit employees contained in [49 USC 5333\(b\)](#). FTA includes labor protection clauses in contracts relating to operations, rolling stock procurement, and construction.

### **6.j.ii. *Omnibus Transportation Employee Testing Act***

The Omnibus Transportation Employee Testing Act of 1991 mandated the Secretary of Transportation to issue regulations to combat prohibited drug and alcohol misuse in the transportation industry. These rules are enshrined in 49 CFR 655, Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.

### **6.j.iii. *Drug & Alcohol Testing***

Drug and alcohol testing is required for 5311 service operators. Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program. Service operators are required to establish and implement a drug and alcohol testing program. The RPT has contracted with a specialist to provide drug and alcohol oversight and compliance.

### **6.j.iv. *Clean Air & Clean Water Acts***

For contracts over \$100,000, clauses are included in each contract requiring adherence to the Clean Air and Clean Water acts.



### **6.j.v. *Environmental Protection – National Environmental Policy Act (NEPA)***

FTA's environmental regulations implementing NEPA can be found at 23 CFR 771. FTA projects are most commonly approved under the Categorical Exclusion (CE) NEPA class of action. CEs are actions that do not involve significant environmental impacts based on FTA's past experience. There are two types of CEs outlined in 23 CFR 771.118, for FTA activities that generally meet the definition of a CE:

1. **C-List CEs - 23 CFR 771.117(c)** – Activities and projects which have very limited or no environmental effects at all (e.g., planning studies, preliminary design work, program administration, grants for training, operating assistance, and the purchase of transit vehicles).
2. **D-List CEs - 23 CFR 771.117(d)** – Activities and projects that involve construction and/or have a greater potential for off-site environmental impacts (e.g., construction of transit facilities, parking, etc.). These projects may be designated “categorically excluded” after review of documentation.

For all projects involving construction, a subrecipient must complete a [FTA checklist](#) for review by FTA. Based on information provided, FTA will make the determination that the CE is the appropriate class of action. UDOT must first review the completed checklist before the RPT sends it to FTA, who has final authority to approve the NEPA document.

FTA has not delegated authority for NEPA to the states and therefore must approve all NEPA documents at the federal level. FTA, as the lead federal agency, is also for all consultation with other state and federal regulatory agencies (e.g, State Historic Preservation Office for Section 106 and Army Corps of Engineers for wetlands and waters of the US, etc.). UDOT will coordinate with the subrecipient and FTA as the NEPA work is completed. FTA Region 8 will issue the final NEPA approval. No final design, right-of-way acquisition or construction work can happen prior to FTA approval.

Even if a project is determined to be a categorical exclusion, there may be other relevant state and federal environmental protection requirements which must be met for the project depending on the type and location of the project.

For projects with environmental impacts that are determined not to be categorically excluded, FTA requires the preparation of an environmental assessment for public comment and FTA approval. In the unlikely event that significant environmental impacts are identified with a project, an environmental impact statement may be required. FTA makes the final determination on the class of action.

### **6.j.vi. *Federal Motor Carrier Safety Regulations (FMCSR)***

The State of Utah and therefore UDOT comply with Federal Motor Carrier Safety Regulations (FMCSR) and pass these regulations to rural transit providers. As a subrecipient of federal funding, rural transit agencies need to be familiar with FMCSR.

For example, if a transit vehicle has a Gross Vehicle Weight Rating (GVWR) over 10,000 pounds, is designed to transport more than eight (8) passengers (including the driver) for compensation, or carries sixteen (16) or more passengers (including the driver) not for compensation, a Class C Commercial Driver's License (CDL) is required and a subrecipient is required to obtain a USDOT number.

UDOT's Motor Carrier Division performs its own inspections and the RPT team are not specifically responsible for ensuring compliance with these regulations. However, the RPT team reserves the right to question subrecipients on FMCSR compliance. The home page for the Federal Motor Carrier Safety Administration (FMCSA) is: [www.fmcsa.dot.gov/](http://www.fmcsa.dot.gov/).

#### ***6.j.vi.1 FTA Certifications and Assurances***

UDOT submits FTA Certifications and Assurances on an annual basis. The RPT team facilitates this process by which annual Certifications and Assurances are pinned by UDOT's General Counsel after being approved by the Executive Director. Subrecipients must also submit Certifications and Assurances on an annual basis to the RPT verifying they will comply with the requirements. The Certifications and Assurances are included in contract agreements between UDOT and a subrecipient. These Certification and Assurances can be viewed on [FTA's website](#), or by contacting an RPT Client Manager.

#### **Restrictions & Lobbying**

For all contracts over \$100,000, subrecipients are required to sign and submit the Certification Regarding Lobbying.

#### ***6.j.vii. Government-wide Debarment & Suspension***

Both the direct recipient and subrecipient are required to verify that the contractor or subcontractor is not excluded or disqualified. The direct recipient is required to confirm the status of the subrecipient on <https://www.sam.gov>. The subrecipient is also required to submit certification stating that they are not disqualified.



## 7. Subrecipient Program Reporting and Compliance

This chapter describes the program reporting requirements, performance measures, and compliance requirements. The purpose of reporting and compliance is to ensure the federal investments are well maintained, safe, and unbiased in service.

### 7.a. Section 5304 Metropolitan and Statewide Planning Program

#### 7.a.i. Reporting/Performance Measures

5304 subrecipients are required to report performance measures on a quarterly basis based on the specifics of a project and in compliance with FTA 5304 regulations.

#### 7.a.ii. Compliance

The RPT team monitors 5304 contracts to ensure the expenditures meet the scope of work and reporting/performance measure requirements.

### 7.b. Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities

#### 7.b.i. Reporting/Performance Measures

The RPT team requires 5310 subrecipients to report on their assets in the RPT online system until the useful life benchmark (ULB) is met in years or mileage. Disposition processes are described in Chapter 8.c. During the ULB period, subrecipients are responsible to report on information regarding expenses, ridership, maintenance, and usage/activity through the course of the year and are further described in this section 7.b. Reporting is required in the RPT online system until the RPT Compliance Officer or Client Manager relieves a subrecipient of this responsibility after the ULB is met in years or mileage or the subrecipient no longer has an active contract with the RPT. Due dates for reporting are listed in Chapter 8.d.v. – Table 6.

Depending on your contract the report may include:

- Number of days during the quarter the vehicle(s) was in service.
- Total hours driven.
- Operating costs.
- Number of requests for services denied.
- Number of one-way trips (each time a passenger boards) for seniors and/or individuals with disabilities over 65 years of age.
- Number of one-way trips for individuals with disabilities under 65 years of age.
- End of quarter odometer reading.
- Performance measure reports for non-vehicle contracts.
- Contract milestone progress

### **7.b.i.1 Vehicle Surveillance Report**

The vehicle surveillance report requires subrecipients to thoroughly inspect the vehicle(s) and all accessories (lifts, signage, securements, etc.) at least twice a year. The report is generated through RPT's online system and must be completed and submitted in the RPT online system. Due dates are shown in Table 6.

All items must be inspected. If an item is not applicable, the subrecipients must enter N/A. If an item is not in good working order, "F" (fail) must be selected. If an item is working appropriately, "P" (pass) must be selected. The # (number) indicates the number of days that the subrecipient has to respond/fix an issue. If a "0" is selected, the issue must be fixed immediately, and the vehicle must not be used until the problem is fixed.

The Compliance Officer is required to follow up immediately if a "0" is selected, within the number of days indicated, to verify the problem has been addressed. If the problem is not addressed within time period, the vehicle is required to be grounded until the subrecipient has addressed the problem.

The vehicle surveillance inspection form is found on the RPT website: <https://drive.google.com/file/d/1lpZeu14F0HDM45iZqSPD20eUpRZhePd/view>.

### **7.b.i.2 Preventive Maintenance**

RPT policy requires subrecipients to perform preventive maintenance at the intervals shown in the approved maintenance plan. Whenever preventive maintenance is performed, subrecipients are required to complete the preventive maintenance report in the RPT online system. The report includes entering the date and mileage when the maintenance was done. The online system compares the mileage to the scheduled mileage and provides RPT staff notification if requirements are not met.

### **7.b.i.3 Annual Reports**

#### **Federal Financial Report (FFR)**

The purpose of the FFR is to provide a current, complete, and accurate financial picture of the grant. It is prepared on the accrual basis of accounting. It contains financial facts, financial data, and is based on required supporting documentation. This report is completed by UDOT's Comptroller's office in October of each year but may also be done on a quarterly basis for certain grants.

#### **Milestone Progress Report (MPR)**

The MPR is the primary written communication between the direct recipient (UDOT) and FTA. It is used to track progress at the budgetary level. The MPR is initially based on the milestone schedule completed when the grant application is first created, submitted, and approved. The electronic grants system also allows for milestones to be added at the project and scope levels. This report is completed by the RPT Grant Manager in October of each year but may also be done on a quarterly basis for certain grants.

## **Ridership Report**

This report consists of service information and operating costs. The following items are included for each subrecipient: vehicle count; titles/liens released for that year; number of days, hours, and miles of service provided; total number of passenger trips broken out by type; service denials; and total operating costs for the year. This is the “Performance Measures” report on the “Reports” tab in the RPT online system, and it is completed by subrecipients and reviewed by the RPT team. This data is aggregated and then reported to FTA.

## **Gaps in Service Filled Report**

This report contains the subrecipient address, counties served, the number of people (population) eligible for Section 5310 service, and the total number of trips provided for the year. Population data is added from the most recent census. Estimated trips are added by appending the data from the Ride Report.

## **Service Improvements Reports**

This report contains any improvements made by subrecipient relative to coverage, service quality and time that impact the service availability as a result of other Section 5310 projects implemented in the current year. Subrecipients will enter this information in to the RPT online system.

## **Physical Improvements Report**

This report contains any subrecipient changes to transportation facilities, technology or vehicles that change the availability of services as a result of other Section 5310 projects implemented in the current year. Subrecipients will enter this information in to the RPT online system.

### ***7.b.ii. Compliance***

FTA defers to UDOT to ensure subrecipients are compliant with federal and state regulations. This includes compliance in areas such as procurement, asset management (use, protection, maintenance, etc.), civil rights and Title VI, ADA, and DBE. The RPT team requires all subrecipients to follow RPT’s policies and procedures related to the 5310 grant program. As part of RPT’s compliance program, site visits and inspections are performed for each subrecipient at least every other year.

See [Chapter 8.c: Asset Management and Maintenance](#) for additional information on asset management, oversight, and compliance procedures and requirements.

#### ***7.b.ii.1 Site Visit and Inspection***

Site visits and inspections are performed by the RPT Compliance Officer and include a comprehensive review of the funded activities. The purpose of the site visit is to verify each facility and/or vehicle is being used for the intended purpose, procurement documentation is being maintained, maintenance is being performed and is effective, Title

VI posters are current and posted in necessary areas, ADA features are adequate and functioning properly, and insurance and registration are current and adequate. The site visit also allows the Compliance Officer an opportunity to provide technical assistance to subrecipients.

The Compliance Officer will contact each subrecipient two weeks in advance to schedule site visits and inspections and to provide a proposed agenda. The RPT team understands schedules are demanding and will work with subrecipients to establish convenient dates and times. However, subrecipients are expected to remain in compliance at all times and the RPT Compliance Officer may perform unannounced site visits and inspections.

Typical site visit activities may include:

- Reviewing Title VI posters (language and location).
- Reviewing procurement, DBE, maintenance, and insurance documentation.
- Performing surveillance inspections on vehicles including inspecting ADA features.
- Riding along in vehicles during service hours.
- Interviewing drivers.
- Reviewing equipment usage.

A subrecipient representative must be available during the site visit to answer questions and provide documentation for RPT files, as requested.

The Compliance Officer will discuss any deficiencies found in RPT online reports and will provide technical assistance and troubleshooting. Once the site visit and inspection are complete, the Compliance Officer will summarize the meeting in a final report and deliver it to the subrecipient. This report may include deficiencies found during the visit and due dates for the subrecipient to make necessary corrections. The subrecipient is responsible to complete corrections in the timeframe outlined in the final report. The Compliance Officer will follow up with the subrecipient to verify items are addressed and documented.

#### ***7.b.ii.2 Reporting and Day-to-Day Oversight (Alerts Generated by RPT's online system)***

Four auto-generated alerts are provided by RPT's online system and e-mailed to the RPT Team and subrecipient:

- Low vehicle usage.
- Preventive maintenance alert.
- Late vehicle usage reporting.
- Accident/incident alert.

The goal of these alerts is to quickly identify and correct problems.

## **Low Vehicle Usage Alert**

Vehicle usage reports must be entered daily into the RPT online system to ensure vehicles are being used as originally intended. Required information includes:

- Miles driven.
- Number of passengers.
- Type of passengers (e.g., over the age of 65, younger than 65, low income, persons with disabilities).

If the vehicle has been idle for seven (7) days or longer, the RPT online system sends an email alert to the RPT team and the subrecipient. The Compliance Officer will review the usage data and compare recent usage to the estimated usage in the grant application. If usage is well below the estimate or if the Compliance Officer believes there is an issue, the Compliance Officer will contact the subrecipient to inquire about the lack of vehicle usage and/or updates.

## **Preventive Maintenance Alert**

The subrecipient is responsible for ongoing maintenance of its vehicles and is responsible to enter all of the required data into the RPT online system's maintenance module. When preventive maintenance is not performed on schedule, an email alert is sent to the Compliance Officer and subrecipient. The Compliance Officer will contact the subrecipient to ensure preventive maintenance is performed as quickly as reasonably possible. The subrecipient will confirm with the Compliance Officer the maintenance was performed and will enter the required information into the RPT online system.

## **Late Vehicle Usage Report**

If a subrecipient has fallen behind on their vehicle usage reporting for more than two weeks an email alert will be sent out reminding the agency to update their reporting. The reminder is sent to any subrecipient contact within an agency that is a "vehicle point of contact". The UDOT Compliance Officer and the UDOT Rural Transit Program Manager will also be notified.

## **Accident/Incident Alert**

### *Serious Accidents and Incidents*

FTA defines a serious accident as those accidents involving a fatality serious injury, property damage in excess of \$25,000, or where the accident requires towing away from the scene.

FTA defines a serious incident as damaged transit equipment and/or facilities or suspension of regularly scheduled transit service caused by a natural disaster or an evacuation of a transit facility or vehicle for life safety reason.

In both cases, the subrecipient must notify the RPT Compliance Officer and report the accident in the RPT online system. Additionally, FTA defines these as reportable events where the subrecipient must report through the National Transit Database.

If a serious accident involves a total loss of property or a potential lawsuit, the RPT Program Manager will notify FTA Region VIII. An accident reporting form should be available in each vehicle. The form should be filled out at the scene by the bus operator and transit supervisor and given to the County Insurance Coordinator. Accident/incident information includes:

- Date of occurrence.
- Time of occurrence.
- Location of occurrence.
- Description of occurrence.
- Copies of witness reports.
- Number of fatalities.
- Number of persons injured.
- Extent of injuries.
- Extent of damages.
- Photographs of damage.
- Copy of police report.
- Copy of insurance information.
- Drug and alcohol test report.
- In case of incident if any assistance is required from UDOT.

#### *Minor Accidents/Incidents*

A minor accident is one that causes less damage and injuries than a major car accident. In most cases, no one is injured in a minor car accident and property damage is limited. The subrecipient is required to enter serious and minor accident/incident information into RPT's online system. As soon as it is reported by the subrecipient, the system will send an email alert to the Compliance Officer and the RPT Program Manager. The Compliance Officer will:

- Obtain the police report from the subrecipient.
- Request drug and alcohol test results for accidents/incidents involving fixed route providers.
- Contact the subrecipient to set a deadline for repairs.
- Discuss required photos and/or need for a site visit.
- Follow-up with the subrecipient on agreed upon deadlines.

- Follow up on insurance proceeds for totaled vehicles. Note: FTA requires 80 percent payback if the totaled vehicle payout is above \$5,000.

## 7.c. Section 5311 Formula Grants for Rural Areas

### 7.c.i. Reporting/Performance Measures

Reporting and performance measurement requirements may include the following items shown in **Table 4** depending on the type of service provided.

Table 4: Reporting Guidance

Report	Reporting Guidance
National Transit Database	Annual Reporting
Drug and Alcohol	Monitored by Drug and Alcohol Consultant; Annual Reporting
ADA Complementary Paratransit Plan	Annual Reporting
EEO	Annual Reporting
Uniform administrative requirements, cost principles, and audit requirements for Federal awards	Application and Annual Reporting
DBE	Contract Monitoring; Annual Reporting
Quarterly Report (Procurement and Construction Projects)	Quarterly Reporting; Vehicle mileage and performance measure reporting
Preventive Maintenance	Annual Reporting; Annual Review and Inspection
Accidents and Incidents	Annual Reporting; Ongoing Monitoring

#### 7.c.i.1 Annual Reports

##### Federal Financial Report (FFR)

The purpose of the FFR is to provide a current, complete, and accurate financial picture of the grant. It is prepared on the accrual basis of accounting. It contains financial facts, financial data, and is based on required supporting documentation. This report is completed by UDOT's Comptroller's Office in October of each year but may also be done on a quarterly basis for certain grants.

##### Milestone Progress Report (MPR)

The MPR is the primary written communication between the direct recipient (UDOT) and FTA. It is used to track progress at the budgetary level. The MPR is initially based on the milestone schedule completed when the grant application is first created, submitted, and approved. The electronic grants system also allows for milestones to be added at the project and scope levels.



## **National Transit Database (NTD)**

Through the NTD, FTA collects annual financial, asset, and operating information from public transportation agencies across the country and requires all transit agencies to report on an annual basis. In the Annual Report, agencies provide a summary of transit characteristics, including financial, operating, and asset statistics. Agencies that file as Full Reporters must also report monthly operating and safety statistics.

The 5311 subrecipients are required to report data into the NTD website at <https://www.transit.dot.gov/ntd>. The RPT team is required to submit data to the NTD by the end of October. If the NTD modifies submittal requirements, a notice will be sent to the RPT Program Manager and Compliance Officer three (3) months in advance. The Compliance Officer will ensure that the RPT online system reflects these changes.

The RPT Compliance Office checks for the accuracy of 5311 subrecipient NTD reporting and reconciles it with the TAM data and RPT Online to ensure all RPT reports show the same information on asset management.

Changes are also posted on the NTD website at: <https://www.transit.dot.gov/ntd/federal-register-notices-rules-regulations>. An online rural reporting manual is published annually and found at the same link.

If errors in the submittal are identified, the NTD's Validation Manager will send a validation report via email. The RPT team will follow up with the subrecipients to obtain corrections and then resubmit the data to the NTD.

While there are several forms associated with the NTD, the RPT team is required to submit the following forms.

### **Agency Identification Form**

This form is required to collect contact information for the rural agency or Indian tribe reporting directly to the NTD. Contact information is collected for the grant's accountable executive and, if applicable, the transit agency director. The NTD pre-fills information on this form from the prior report year. The Compliance Officer updates any information that has changed. Saving this form will generate each subrecipient's RU-20 form from the prior report year, pre-filled with the basic agency and contact person information and the revenue vehicle fleet data. Saving the RU-10 form will also generate the RU-30 form and reveal the "Add Form," "Print All," and "Submit Report" buttons.

### **Rural General Public Transit Form**

This form collects key financial and operating information on each subrecipient. Data collected include the subrecipient's name and information, modes operated, service area, annual operating expenses, sources of operating revenues, annual capital costs, sources of capital funds, number of vehicles and characteristics, number and ownership of maintenance facilities, volunteer resources, annual vehicle revenue miles, annual vehicle revenue hours, annual unlinked passenger trips, and safety information.



The Compliance Officer completes a separate form for each subrecipient, and includes information on all general public transit operations of the subrecipient in the report.

### **Drug and Alcohol Report**

FTA sends the RPT Program Manager a drug and alcohol report notice with a new username and password. The RPT Program Manager forwards the document to the RPT's contracted drug and alcohol compliance manager. The contractor works closely with the subrecipients to ensure that each is ready to submit their report no later than March 15 of each year. Subrecipients enter their reports into the DAMIS system: <https://transit-safety.fta.dot.gov/DrugAndAlcohol/DAMIS/default.aspx>. The drug and alcohol contractor reviews the reports and sends an email to the RPT Program Manager to review and approve each report.

While the drug and alcohol contractor is responsible for ensuring that subrecipients have compliant drug and alcohol programs, the Compliance Officer is responsible for ensuring that each subrecipient is meeting all compliance standards. As a result, the Compliance Officer should stay current on evolving federal drug and alcohol compliance standards and requirements.

### **ADA Complementary Paratransit Plan**

Submittal of a complementary paratransit plan is necessary when the subrecipient has a new or updated plan. Otherwise, a statement of continued compliance must be sent to the RPT team. These plans and statements are due to the Compliance Officer by the third Monday in January of each calendar year. UDOT is responsible for reviewing, approving, and retaining ADA complementary paratransit plans.

### **Equal Employment Opportunity (EEO) Plan**

An EEO plan is required if a subrecipient has a staff of fifty (50) or more and accepts \$1 million or more in capital or operating federal funds, or \$250,000 or more in planning federal funds. Subrecipients will update their EEO plans every four (4) years. Currently, Park City Corporation (Park City Transit) and Cache Valley Transit District (CVTD) are the two (2) subrecipients required to submit an EEO plan. The RPT team reviews Park City's EEO plan and FTA reviews CVTD's EEO plans because they are also a direct recipient. Somewhat different EEO requirements apply to all construction projects over \$10,000. See [Chapter 6.d](#) for more information.

### **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**

The deadline for submitting a Single Audit is based on the subrecipient's audit schedule. Subrecipients that have accepted \$750,000 or more of combined federal funds in the past year are required to complete and submit a Single Audit. At a minimum, the RPT requires subrecipients to bring to the RPT's attention any audit findings relevant to their use of FTA-appropriated funds. The subrecipient is required to resolve these findings within six

months of the audit date, and the RPT monitors subrecipients to ensure findings are resolved. UDOT's Internal Audit Division reviews audits and the RPT Program Manager reviews the audit results for findings related to FTA-appropriated funds. If there are findings related to FTA-appropriated funds, the RPT Program Manager ensures the subrecipient is followed up with and findings are resolved.

## **DBE**

The FTA Office of Civil Rights is responsible for monitoring FTA recipients' DBE programs and ensuring their compliance with USDOT's DBE regulations found at 49 CFR Part 26. UDOT in turn passes these requirements and compliance to its subrecipients. Subrecipients are required to submit the Uniform Report of DBE Commitment and Awards and Payments to the RPT by May 25 and November 25 of each year for the applicable reporting period. The Compliance Officer enters the report into TrAMS.

### ***7.c.ii. Compliance***

#### ***7.c.ii.1 Site Visit and Inspection***

Site visits and inspections are performed by the Compliance Officer and include a comprehensive review of the funded activities. These site visits are similar to the site visits done for the Section 5310 program but are usually more involved due to the larger variety of projects and funding types. The purpose of the site visit for the Section 5311 program is to verify that each vehicle or facility is being used for the intended purpose, procurement documentation is being maintained, maintenance is being performed and is effective, Title VI posters are current and posted in necessary areas, ADA features are adequate and functioning properly, insurance and registration are current and adequate, operations comply with policy, and an opportunity for technical assistance is provided for the subrecipient. The Compliance Officer is always available and is expected to provide assistance as needed. For Section 5311 projects, operations and administrative activities are eligible expenses and are included in the reviews.

#### ***7.c.ii.2 Construction Projects***

The RPT requires subrecipients to perform local management and oversight of construction projects funded in whole or in part with Federal funds. The RPT oversees these management operations as well as the procurement process, including oversight of the procurement process. Oversight of the procurement process is done in accordance with the RPT Procurement Guide. Throughout construction, the RPT team performs periodic site visit, inspections, and compliance interviews to oversee effective management practices and compliance with applicable regulations.

Mandatory review points include:

- Pre-advertising review to evaluate solicitation documentation and contract documents. The RPT's review of construction specifications and plans is for compliance with federal and state procurement regulations and not for compliance to industry and other design standards. The subrecipient retains all responsibility

for developing plans and specifications in accordance with applicable codes and standards.

- Pre-award review to verify proposed successful bidder is responsive and responsible.

Subrecipient is responsible for monitoring the Contractor's DBE compliance during the life of the Contract. The Contractor will work with the Subrecipient to provide them periodic updates on the DBE value to date as verification of continued compliance during the contract. The Subrecipient will provide the Contractor with the frequency and content requirements of these updates, depending on the type of project and scope of work.

Throughout construction, the RPT Compliance Officer, and/or a UDOT-authorized representative, performs site visits and inspections through a similar process as described for non-construction projects. The purpose of site visits for construction projects is to review construction management methods, including, but not limited to:

- Administration items.
  - Subcontracting.
  - Change orders.
  - Schedule.
  - Scope.
  - Budget.
  - Insurance.
  - Bonds.
  - DOL
  - DBE
- Site safety.
- Materials documentation.
  - Buy America compliance.
  - Acceptance testing.
  - Submittals.
  - Certifications.
- Title VI compliance.
- Overall project status.

Compliance with federal and state requirements is reviewed along with compliance with the contract plans and specifications. Site visits are also a technical assistance opportunity for the subrecipient. The Compliance Officer will provide assistance as needed.

See [Chapter 8](#) for asset management, oversight and compliance procedures and requirements.

## **7.d. Section 5311(b)(3) Rural Transit Assistance Program (RTAP)**

### **7.d.i. Reporting/Performance Measures**

Reporting requirements are established on a contract-by-contract basis and are included in the contract between the RPT and the subrecipient.

## **7.e. Section 5311(f) Intercity Bus Program**

### **7.e.i. Reporting/Performance Measures**

#### **7.e.i.1 Federal Financial Report (FFR)**

The purpose of the FFR is to provide a current, complete, and accurate financial picture of the grant. It is prepared on the accrual basis of accounting. It contains financial facts, financial data, and is based on required supporting documentation.

#### **7.e.i.2 Milestone Progress Report (MPR)**

The MPR is the primary written communication between the direct recipient and FTA. It is used to track progress at the budget level. The MPR is initially based on the milestone schedule completed when the application is first created, submitted, and approved. The electronic grants system also allows for milestones to be added at the project and scope levels.

### **7.e.ii. Compliance**

The Intercity Bus Form collects key financial and service information on subrecipients of the intercity bus funds set aside under 49 USC 5311(f). This form should be used only for private intercity bus providers. Data collected includes the subrecipient's name and information, modes operated, service area, 5311 funds, annual vehicle revenue miles, and annual unlinked passenger trips.

## **7.f. Section 5339 Bus and Bus Facilities**

### **7.f.i. Reporting/Performance Measures**

Reporting requirements for 5339 may include:

- DBE.
- Quarterly report (procurement and construction projects only).
- Surveillance report.
- Accidents/incidents.

### **7.f.ii. Federal Financial Report (FFR)**

The purpose of the FFR is to provide a current, complete, and accurate financial picture of the grant. It is prepared on the accrual basis of accounting. It contains financial facts, financial data, and is based on required supporting documentation.

### ***7.f.iii. Milestone Progress Report (MPR)***

The MPR is the primary written communication between the direct recipient and FTA. It is used to track progress at the budget level. The MPR is initially based on the milestone schedule completed when the application is first created, submitted, and approved. The electronic grants system also allows for milestones to be added at the project and scope levels.

### ***7.f.iv. Compliance***

See [Chapter 8](#) for asset management, oversight and compliance procedures and requirements.

## **7.g. Program Complaint Procedures**

Complaints regarding ADA compliance, civil rights violations, or Title VI must follow UDOT's [Civil Rights complaint procedures for FTA-funded projects](#). Complaints regarding project selection or other grievances may be filed at the local, state, or FTA level. Complaints are first filed at the lowest level and are subsequently filed at higher levels only if the complaints are not resolved.

### ***7.g.i. Subrecipient Complaint Procedures***

The RPT team requires subrecipients to have a complaint process to handle complaints from private non-profit and/or for-profit organizations. The RPT requires all subrecipients to have complaint procedures in place that incorporate due process, including the following:

- A detailed, written description of the procedures for filing a complaint.
- Prompt and equitable resolution.
- An opportunity for the complainant to provide additional information.
- Notification to complainant of whom to contact regarding the status of the complaint.

### ***7.g.ii. State Complaint Procedures***

Complaints not resolved at the local level and complaints against the state are filed through [UDOT's Civil Rights office](#). Complaints submitted to UDOT follow the complaint procedures located on [UDOT's Civil Rights webpage](#).

**7.g.iii. FTA Complaint Procedures**

Complaints not resolved at the state level are filed with the FTA Region VIII Administrator. All complaints submitted to FTA must be in writing, specify in detail the action claimed to violate the agreement, and be accompanied by evidence sufficient to enable the administrator to make a preliminary determination as to whether probable cause exists to believe that violation of the agreement has taken place. Complaints are sent to:

FTA Region VIII Administrator  
Byron Rogers Federal Building  
1961 Stout Street  
Suite 13-301  
Denver, CO 80294

## 8. State Program Oversight of Subrecipients

This chapter describes how UDOT RPT oversees subrecipients for financial management, procurement management, asset management and maintenance, and federal program compliance monitoring. It also describes the technical assistance provided by the RPT to subrecipients and National Transit Database reporting.

### 8.a. Financial Management

The RPT, in conjunction with UDOT's Comptroller's Office, accounts for federal grant funds using financial management systems authorized by state law and procedure. Fiscal controls and accounting procedures used by UDOT allow for the preparation of financial management reports required by both the Common Rule and the grant authorization statute and permit the tracing of funds to a level of expenditure that demonstrates whether funds are being spent in compliance with applicable statutes and other grant requirements.

The RPT is responsible for ensuring that its subrecipients have an established and adequate financial system in place for the purposes of expending and accounting for FTA-provided funds. The RPT requires applicants of FTA-appropriated funds to demonstrate their financial viability, specify all of their funding sources and the administration of these funds, and provide evidence of a local match for the proposed project. It is through this process that proof of a financial system is validated. The RPT team may provide technical assistance regarding accounting requirements to new subrecipients. In addition, financial audits may be conducted during biennial reviews of all subrecipients or at intervals determined by the RPT team.

#### ***8.a.i. Local Match Source and Verification***

RPT policy requires each subrecipient to document they have the local financial capacity to complete the project and has committed the required local match in its budget and is consistent with [2 CFR 200.306](#). During the application process, the subrecipient must assure they have the match.

Prior to contract agreement execution, the RPT team requires a copy of the subrecipient's approved budget indicating the source and amount of local match designated for the particular project. This budget must be accompanied by a signed letter on agency letterhead confirming the budget is accurate and approved, and the local match for the project will remain allocated. This process is necessary to avoid starting projects with subrecipients who cannot meet their match requirements. It is also necessary to verify the local match is coming from acceptable sources. Refer to [Chapter 3](#) for acceptable sources and specific match requirements for each program and expense type.

#### ***8.a.ii. Force Account***

If subrecipient employees perform work on capital projects other than grant administration, this work is considered force account work according to federal regulations. This work includes, but is not limited to, design, construction, refurbishment,



inspection, incremental labor, and construction management activities. If the cost of force account work is \$100,000 or more, the subrecipient must have a force account plan and justification. This plan must be maintained by the subrecipient in their files and available to the RPT team upon request. The full cost of the project is considered when determining if a subrecipient meets the threshold. Force account work is similar to sole source procurements and requires justification of the force account plan. Justification may be on the basis of cost, exclusive expertise, safety, efficiency of operations, or union agreement.

### ***8.a.iii. Indirect Costs***

Non-federal entities (except those governmental departments or agency units that receive more than \$35 million in direct Federal funding) that have never received a negotiated indirect rate can indefinitely elect a de minimis indirect cost rate of ten (10) percent of modified total direct costs.

*If the agency elects to not use the de minimis rate:*

An indirect rate proposal is developed annually at the operating agency level to distribute administrative support and/or overhead costs of that agency to the programs (and the grants and contracts) that benefit from them. An indirect cost rate proposal may include the allocable portion of a central service Cost Allocation Plan (CAP). A governmental unit for which a federal cognizant agency has been designated must submit its indirect cost rate proposal to its federal cognizant agency annually.

A governmental unit or agency that does not have a cognizant federal agency identified by OMB must develop an indirect cost rate proposal annually and maintain the proposal and related supporting documentation for audit. These annual rate proposals must also be submitted to UDOT for review and be placed in the subrecipient's file. Unless required by FTA or the cognizant agency, these governmental units are not required to submit their proposals for their review and approval. In addition to initial approval, FTA requires updates to be submitted to it or another cognizant agency when:

- The subrecipient has made a change in its accounting system, thereby affecting the previously approved CAP/indirect cost rate and its basis of application.
- The subrecipient's proposed CAP/indirect cost rate exceeds the amounts approved previously by more than 20 percent (e.g., if the previously approved rate is 10 percent, approval is needed once the rate exceeds 12 percent).
- The subrecipient changes the CAP/indirect cost rate proposal methodology.

RPT policy requires subrecipients to identify all indirect costs and show them separately on reimbursement requests. Subrecipients must charge the rates shown in the approved plan. The RPT team identifies projects to which indirect costs are associated and compares charges in reimbursement requests to the approved plan to ensure the correct rates are used.

### ***8.a.iv. Uniform Administrative Requirements, Cost Principles, & Audit Requirements for Federal Awards***

[2 CFR 200](#), Office of Management and Budget Uniform Guidance, more commonly known as the SuperCircular, includes uniform administrative requirements, cost principles, and audit requirements for federal awards. The USDOT incorporated the changes to the Uniform Guidance under 2 CFR part 1201, which deviates from part 200 only with respect to standard application requirements, equipment, procurements by States, and financial reporting.

#### ***8.a.iv.1 Subrecipient Accounting Procedures and Audits***

A subrecipient of Section 5304, 5310, 5311, or 5339 funds is not required to adopt any particular accounting method. However, all direct recipients are required to have a fiscal management system in place that meets the requirements of 49 CFR 18.20. Additionally, all subrecipients are required to maintain accounting systems that translate to the accrual method of accounting and the Uniform System of Accounts, as required by the reporting requirements specified in 49 USC 5335(b).

Subrecipients who spend less than \$750,000 in federal funds during the federal fiscal year (October 1 through September 30) are exempt from federal audit requirements. However, subrecipients must retain records and make them available for review or audit for up to six (6) years beyond the term of the operating grant plus three (3) years after final disposition (see [2 CFR 200.334](#)).

Subrecipients who spend in excess of \$750,000 threshold during the federal fiscal year must have either an annual single audit or program-specific audit conducted. Subrecipients must submit a copy of the audit report to UDOT's Internal Audit group and to the RPT Program Manager when it becomes available. A member of the RPT team will send a yearly email reminder requesting the submission of the required single audit or confirmation the agency has not met the minimum threshold. Emailed, digital copies of the audit are an acceptable form of submission.

### **8.b. Procurement Management**

The RPT team is responsible for ensuring full and open competition and equitable treatment of all potential bidders/suppliers in the procurement process. [2 CFR 200](#), Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards and FTA Circular 4220.1F, Third-Party Contracting Requirements, set forth the requirements which the RPT team must adhere to in the solicitation, award, and administration of procurements. Depending on the nature of the procurement and type of subrecipient, all or some of the requirements in FTA Circular 4220.1F may apply.

Please refer to the [UDOT Procurement Guide](#) for details on roles and responsibilities.

### **8.c. Asset Management & Maintenance**

UDOT is responsible for monitoring the use of FTA-funded vehicles, real property, facilities, and equipment. Assets that are not maintained in a state of good repair present potential risks, including safety, service unavailability, and high maintenance and repair costs. As such, the RPT team oversees all assets purchased and leased under UDOT grant agreements. Asset oversight is provided through asset inventory, maintenance reviews, and inspections.

#### ***8.c.i. Transit Asset Management (TAM)***

UDOT has completed a [Transit Asset Management \(TAM\) Plan](#) for the federal fiscal years 2023-2026. Any programs or activities that receive federal transit funding must comply with asset management requirements. Any agency receiving federal dollars either directly from FTA, indirectly through UDOT, or both, must:

- Maintain a complete and accurate inventory list.
- Track all federal assets from purchase to disposal.
- Develop and implement a written maintenance plan.

UDOT ensures that all transit assets used by subrecipients purchased with federal funds are used for the program or project for which they were acquired. UDOT maintains continuing control of FTA-funded subrecipient assets with tools including:

- Equipment inventories.
- Lease restrictions.
- Insurance requirements.
- Operation and ridership reports.
- Retention of liens on titles.
- Disposition requirements.
- Site visits.

TAM is the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation.

UDOT works with its subrecipients to adhere to FTA submission plan and reporting requirements. All subrecipients included in the UDOT TAM Plan are required to submit an updated asset inventory to UDOT on an annual basis for both the TAM and NTD, as well as a four-year capital replacement schedule for the TAM. UDOT annually submits updated TAM targets into the NTD and notifies subrecipients of updates to the federal requirements as listed on the [FTA TAM webpage](#).

### **8.c.ii. Asset Inventory**

UDOT requires subrecipients to maintain records in the RPT online system for vehicles, facilities, and other substantial assets purchased with FTA-appropriated funds.

### **8.c.iii. Property/Asset Insurance**

The RPT team requires its subrecipients to maintain adequate insurance coverage (collision, comprehensive, liability, uninsured motorist, no fault, flood hazards, Federal Motor Carrier Safety, fire, etc.) as required by federal, state, and local law and to provide assurance of coverage to protect FTA's interest in the property/asset. This includes all vehicles, equipment, facilities, and other property as defined by [FTA Circular 5010.1E](#), Grant Management Requirements. The subrecipient must comply with all applicable motor vehicle laws and secure a certificate of insurance covering each motor vehicle demonstrating that the subrecipient has obtained all insurance required by state and federal law. The subrecipient is required to obtain the minimum specified coverage for the following categories:

- Bodily Injury & Property Damage Liability: Minimum specified by state and federal law, whichever is greater.
- Collision, Comprehensive & Uninsured Motorist: An amount equal to at least one hundred percent (100%) of the property value during the period of coverage or minimum specified by state and federal law, whichever is greater.
- No Fault: Minimum specified by state and federal law, whichever is greater.
- Flood Hazards: The subrecipient agrees to have flood insurance as required by the Flood Disaster Protection Act of 1973, 42 U.S.C. § 4012a(a), for any building located in a special flood hazard area (100-year flood zone), before receiving federal assistance to acquire, construct, reconstruct, repair, or improve that building. Additionally, the building and its contents must be covered by flood insurance in an amount at least equal to the federal investment (less estimated land cost) or equal to the maximum limit of coverage made available with respect to the particular type of property under the National Flood Insurance Act of 1968. Current limits are \$500,000 per building and \$500,000 for the contents of each building.
  - FTA has defined building and contents coverage in its Emergency Relief rule, [49 CFR part 602](#), as follows:
    - (a) Building: For insurance purposes, a structure with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site. This includes manufactured or modular office trailers that are built on a permanent chassis, transported to a site in one or more sections, and affixed to a permanent foundation.
    - (b) Contents coverage: For insurance purposes, contents are personal property within a building, including fixtures, machinery, equipment and supplies. In addition to the costs to repair or replace, contents insurance coverage shall include the cost of debris removal and the reasonable cost of removal of contents to minimize damage.

This insurance is required to continue uninterrupted throughout the period of required use. For facilities and other non-vehicle property, the subrecipient must obtain insurance coverage for an amount equal to at least one hundred percent (100%) of the property/asset value during the period of coverage or minimum specified by state and federal law, whichever is greater. The property/asset is required to be insured against theft, vandalism, fire, earthquake, flood, and wind.

#### ***8.c.iv. Use of Property/Assets***

Federally funded property/assets must be used by the subrecipient in the program or project for which it was acquired, and the use must meet the definition of public transportation as defined in this SMP. Property/assets should first be utilized to meet the needs under the program for which it was acquired. The RPT team requires its subrecipients to maintain continuing control of its assets.

However, the RPT team encourages maximum use of property/assets funded under its programs and encourages the coordination of vehicles or other equipment as long as it does not disrupt the original intended use. Subrecipients must notify the RPT team immediately if property/assets are not used in the approved program or project or if it is used in a manner substantially different from that described in the project scope. The RPT team will provide guidance and assist the subrecipient in approving alternative uses or disposing of the property/asset.

#### ***8.c.v. Transfer of Property/Assets to Eligible Subrecipients***

Property/assets can be transferred to any eligible subrecipient if the property/asset will continue to be used in accordance with the requirements of the project proposal and grant program. The subrecipient receiving the property/asset must comply with all applicable state and federal requirements. The names of the entities involved in the transfer of property/asset, as well as a description of the property/asset transferred, should be included in a new or revised POP. The transfer may be shown in the POP for any active grant. It does not have to be in the grant under which the property/asset was originally funded. For any transfer of property/assets for which a federal interest remains, the new owner must reimburse the original subrecipient the prorated value of the local match calculated using straight line depreciation.

For example, if a vehicle with five (5) years of useful life is transferred after four (4) years, the new owner must reimburse the original owner in an amount equal to forty percent (40%) of the original local match. The reimbursement value will be calculated based on the total match, the useful life, and the total months the bus has been in service (see the example below):

$$\text{Local Match} - ((\text{Local Match}/\text{Useful Life in Months}) \times \text{Total Months in Service}) = \text{Reimbursement Value}$$

$$\$12,000 - ((\$12,000/60) \times 48) = \$2,400$$

### ***8.c.vi. Transfer of Property/Assets to Another FTA Program***

If authorized by the RPT team, property/assets, including land, that are no longer needed for the purpose for which it was acquired can be transferred to a local governmental authority to be used for a public purpose other than transportation with no further obligation to the federal government. If the property cannot be used within the applicable grant program, the RPT may consider transferring the property to another FTA grant program.

If no additional use can be found for the property/asset, it may be disposed of according to RPT policy and upon approval from the RPT Compliance Officer

Subrecipients are required to maintain satisfactory records regarding the use of the property/assets. All vehicle usage and accidents must be reported by subrecipients in the RPT online system. Facility use documentation must be available at any time to the RPT. Part of the annual Certifications and Assurances, subrecipients are required to provide assurance that property/assets exist and are being used and maintained in accordance with the project proposal filed by the subrecipient.

### ***8.c.vii. Incidental Use***

The RPT team encourages subrecipients to look for incidental use opportunities so long as the incidental use does not interfere with the original property/asset use. The RPT team requires the subrecipient to receive RPT approval prior to the incidental use. The RPT team also requires subrecipients to document incidental use and revenues once the use has been approved. In addition to not interfering with the original project and program use, several requirements for incidental use must be met:

- The subrecipient must maintain continuing control over the property. Incidental use agreements must contain appropriate provisions maintaining the subrecipient's control.
- The subrecipient must fully recapture all costs related to the incidental use from the non- transit public or private entity, including all applicable excise taxes on fuel for fueling facilities and wear and tear to capital improvements.
- The subrecipient must use revenues received from the incidental use for capital and/or operating expenses that were or will be incurred to provide the public transportation.
- Private entities must pay all applicable excise taxes on fuel.

### ***8.c.viii. Leasing***

Leasing is currently not permitted by the RPT team.



**8.c.ix. Property/Asset Title and Lien**

The RPT team does not hold titles/deeds, nor does it secure property liens or restrictive covenants on real property. For vehicles, the RPT team requires each subrecipient to relinquish physical possession of the title to the RPT team for the length of time there is an active federal interest in the vehicle.

Subrecipients must include UDOT as a lien holder when completing registration, insurance, and other forms. The lien or covenant will be released when the disposition standards have been met and any non-compliance findings are resolved.

**8.c.x. Useful Life Benchmark (ULB)**

The Useful Life Benchmark (ULB) is the expected lifecycle or accepted period of use for a capital asset. The RPT team utilizes FTA's default ULB to assist in managing its FTA funded assets. FTA defines the ULB as the expected lifecycle of a capital asset and still be in a good state of repair. The ULB for each vehicle class is found in **Table 5** below. The ULB refers to total time in revenue service, not time spent stockpiled or otherwise unavailable for regular transit use. Go to <https://www.transit.dot.gov/TAM/ULBcheatsheet> for ULB of other types of vehicles.

The RPT team, at its discretion, may extend the ULB of capital purchases. Examples include, situations, including non-compliance with Federal and/or UDOT regulations and contracts, non-use of equipment, low vehicle miles, and inconsistent maintenance.




**8.c.xi. Disposition Of Assets**

UDOT is responsible for approving the disposal of subrecipient federally funded transit assets. Useful life benchmarks for vehicles are found in Table 5. The RPT team adheres to manufacturer useful life benchmarks for non-vehicle assets. Subrecipients should refer to disposal requirements found in [UDOT's current TAM plan](#) on page 63, section 7.11.3 - Disposal:

*The Infrastructure Investment and Jobs Act (IIJA) changed the provisions for transit asset disposition [49 USC § 5334(h)(4)(B)]. For rolling stock, equipment and aggregate supplies that have met their minimum useful life and were (1) purchased with federal assistance (2) with a fair market value of more than \$5,000 and (3) sold after November 15, 2021, the recipient may retain a portion of the funds -- \$5,000 plus the percentage of its local share in the original award. Any remaining federal share must be returned to FTA via pay.gov. The federal share of the sales proceeds cannot be retained for public transportation use.*



Table 5: Useful Life Benchmarks for Vehicles

Vehicle Class	Photo	Approx. GVWR	Seat #	Length	Useful Life Benchmark (age) / useful life (mileage)
A: Large, Heavy-Duty Transit Buses, Articulated Buses and Electric Buses		33,001 – 40,000 lbs.	35 – 40+	36 – 40 ft. or greater	14 years/ 500,000 miles
B: Medium-Size, Heavy-Duty Transit Buses and Electric Buses		26,001 – 33,000 lbs.	25 – 35	31 – 35 ft.	12 years/ 350,000 miles
C: Medium-Size, Medium-Duty Transit Bus & Truck Chassis Cutaway Bus		10,000 - 26,000 lbs.	16 – 30	26 – 30 ft.	10 years/ 200,000 miles
D: Medium-Size, Light-Duty Bus & Van Chassis Cutaway Bus		10,000 – 16,000 lbs.	12 – 16	20 – 25 ft.	10 years/ 150,000 miles

### ***8.c.xii. Maintenance***

Subrecipients are required to develop maintenance plans covering their federally funded vehicles and facilities, and to provide UDOT with a copy of their plan(s). Subrecipients must maintain all federally-funded property in good operating order and maintain ADA accessibility features. UDOT provides guidance and resources for the development of maintenance plans. Subrecipients are monitored for adherence to the plans through UDOT's continuing control and compliance methods.

## **8.d. Federal Program Compliance Monitoring**

UDOT, through the RPT team, is ultimately responsible for ensuring federal funds are spent and administered according to federal and state requirements. Before distributing any federal funds on projects, the RPT team certifies to FTA that UDOT and its subrecipients have met all statutory and program requirements. The RPT team passes these requirements down to these entities in their contract agreements and expects its subrecipients to comply with federal and state requirements. The RPT team maintains continuing control over these entities and ensures compliance through its oversight and compliance policies and procedures.

### ***8.d.i. Applications***

The application process includes several oversight and compliance checks:

- Prior to selecting projects for 5310 funding, the Client Manager reviews [Coordinated Plans](#) to ensure planning requirements are met.
- The Client Manager reviews applications for any other requirements related to eligibility. This includes reviews to verify applicants and proposed activities are eligible for funding under the specific grant program. Applications that do not meet requirements are returned for revision or not accepted.
- The Client Manager ensures applicants have the necessary local share available and demonstrate the technical capacity necessary to deliver a federally assisted project.

### ***8.d.ii. Contract Agreements***

Key tasks related to contract agreements include the following:

- Contract agreements are compiled by the Contracts and Billings Specialist from information obtained by the Client Manager. Before a contract is distributed for signature it is reviewed by the Client Manager and RPT Program Manager. The contracts include federal and state requirements, and these requirements are passed to subrecipients. Relevant documents such as this SMP are incorporated by reference.
- Contract agreements are reviewed as needed by the Compliance Officer to ensure federal and state requirements are consistent with current regulations. If necessary, they are reviewed by the UDOT Attorney General. Once approved by

the Attorney General, they are updated and become the current contract agreements for use.

#### ***8.d.iii. Financial Oversight***

The RPT team provides ongoing financial management oversight of grants through its quarterly expenditure reimbursement process. The process requires subrecipients to submit a monthly, or at least quarterly, expenditure request (see Section 4.2 – Invoicing for detailed information).

If applicable, the Contracts and Billings Specialist will total indirect costs submitted with reimbursement requests to ensure they reflect the percentage identified in the subrecipient's approved Cost Allocation Plan. Indirect percentage will be recorded in individual invoicing documents. Reimbursement of these expenses is contingent upon an approved Cost Allocation Plan.

Additionally, subrecipients who receive funds exceeding the audit threshold (currently \$750,000) must ensure the audits performed are consistent with the requirements of [2 CFR 200](#), Office of Management and Budget Uniform Guidance. The RPT Program Manager requests yearly submission of these audits or certification if an audit is not required.

#### ***8.d.iv. Site Visits and Inspections***

The RPT's Compliance Officer conducts biennial site visits, inspections, and comprehensive review of the funded activities for each subrecipients. Additionally, the RPT team may choose to perform site visits and inspections on a more frequent basis. Reasons for more frequent visits include, but are not limited to, numerous follow-up items on previous visits, complaints regarding service, vehicles, or other items, or frequent RPT online system alerts. As part of its site visit process, Compliance Officer will inspect vehicles, equipment, and facilities that benefit from UDOT and FTA investment. For those subrecipients that have less than two (2) pieces of property, one hundred percent of the assets (i.e. 1 asset) will be inspected. For those subrecipients with more than two (2) pieces of property, assets are randomly selected and at least fifty (50) percent are inspected.

To assist the Compliance Officer, the RPT team has standard forms that include specific questions about equipment and operations. These forms cover ADA; procurement; asset management including use, maintenance, and loss prevention; DBE; Title VI; and EEO. Reviews of subrecipient's reporting and financial management are conducted via the RPT online system and are typically done prior to the site visit in coordination with the Client Manager and Contracts and Billings Specialist.

Any reviews that can be done remotely with the Compliance Officer should be completed prior to the site visit and inspection so that findings can be discussed at the site visit. These meetings may include the Client Manager and the Contracts and Billing Specialist. Once the subrecipient review is complete, the Compliance Officer will submit a final report to the subrecipient and Client Manager. Any follow-up items with timeframes for

responses/corrective actions are identified in this report. The Compliance Officer will track and verify follow-up items are addressed and documented. All site visit and inspection dates and findings are tracked in the RPT online system and filed in the RPT team filing system.

### **8.d.v. Reporting and Performance Measure Oversight**

In addition to site visits and inspections, the RPT team collects quantitative and qualitative data throughout the year for several reports required by FTA and/or the RPT. These reports are used for several reasons, including but not limited to: ensuring capital assets are being used and maintained correctly, civil rights requirements are being met, financial reporting is accurate, and contracts and grants are being managed effectively. **Table 6** below includes each report, due dates, and responsible party for review.

*Table 6: Reporting and Performance Measure Oversight*

Report	Date to UDOT	Date to FTA (if necessary)	Responsible Party for Reviewing Data
Quarterly Report (project updates/status and performance measures)	January 15, April 15, July 15, October 15	-	Client Manager
Complementary Paratransit Plan	Third Monday in January	-	Client Manager or Compliance Officer
DBE Report	May 15, November 15	June 1, December 1	RPT DBE Liaison
EEO Plan and Report	June 1		UDOT Civil Rights / UDOT HR
Drug and Alcohol Report	February 15	March 15	D&A consultant to RPT submits report to DAMIS
OMB Single Audit	Annually, within nine (9) months of fiscal year end	-	UDOT Internal Audit Division
Vehicle Mileage and Trips	Weekly	-	Compliance Officer
Surveillance Inspections	April 15, October 15	-	Compliance Officer
Preventive Maintenance	Mileage specific	-	Compliance Officer
Real Property	Annually		Compliance Officer

Report	Date to UDOT	Date to FTA (if necessary)	Responsible Party for Reviewing Data
Accidents and Incidents	As necessary	-	Compliance Officer or Client Manager
5310 Gap Report	-	October 31	Compliance Officer or Client Manager
Invoicing or Reimbursement Requests	Minimum quarterly	-	Contracts and Billings Specialist or RPT Program Manager
NTD	January 20	January 31	Client Manager or Compliance Officer
Milestone Progress Report (MPR)*	October 15	October 31	Grant Manager
Federal Financial Report (FFR)	October 15	October 31	UDOT Comptroller

*MPRs and FFRs may be required on a quarterly basis depending on the project.*

When any report is submitted on time or late, the RPT online system sends a notification to RPT staff and the assigned individual either reviews the report or follows up with the subrecipient on late reports. The RPT online system tracks the review, acceptance, or the return of reports, thereby documenting this process.

#### ***8.d.vi. Non-Compliance***

Subrecipients are responsible for complying with all federal and state requirements. RPT policy requires prompt notice to subrecipients of any non-compliance issues. The RPT team will work with subrecipients to identify corrective action plans. The RPT team understands circumstances may arise that cause non-compliance issues. However, ongoing or repeated issues, failure to correct noted issues in the time allowed, or ignoring RPT direction is not permitted and may result in probation, exclusion from future funding, or confiscation of property. The following outlines the process for non-compliance notification and action for all programs:

1. After 10 days from a past due reporting deadline, the Compliance Officer sends an informal e-mail. The Compliance Officer will also document delinquency.
2. After 20 days from a past due reporting deadline, the Client Manager sends a formal letter. The letter is included in the subrecipient's file.
3. After 30 days from a past due reporting deadline, the RPT Program Manager will send a formal letter. Possible repercussions at the discretion of the RPT Program Manager include:

- Probation.
  - Subrecipient may have to do additional reporting.
  - Subrecipient's ability to receive future funding may be affected.
- Confiscation of vehicle.
- RPT reserves the right to use all means necessary to ensure compliance, including exclusion from future funding opportunities or termination of grant agreements.

#### ***8.d.vii. Documentation***

All documentation of compliance and oversight activities is filed by the Compliance Officer in the agencies' electronic files. RPT maintains an electronic file for each subrecipient.

#### **8.e. Technical Assistance & Training**

The RPT team is available to provide technical assistance and training with emphasis on maximizing resources, developing competent transit management, and improving the effectiveness of transit operations. The RPT team is available for various forms of technical assistance upon request, such as: project planning, program and management development, coordination of public and private transportation programs, and vehicle and equipment procurement. The RPT team also offers ongoing RPT online system training to new and existing subrecipients and is available to provide technical assistance on an as-needed basis for new regulations and policy revisions and upon request.

The RPT provides technical assistance for new subrecipients prior to or immediately after taking possession of the asset. This training provides a one-on-one opportunity for subrecipients to ask questions and the RPT to provide information on requirements for reporting, procurement, grant administration, project management, financial management, asset management, civil rights and Title VI, ADA, and other federal and state requirements.

The RPT conducts biennial program reviews (site visits) of its subrecipients. These reviews cover ADA, procurement, Title VI, EEO, asset management, and project management. In addition to providing the RPT with an opportunity to assure compliance, this serves as a technical assistance opportunity. The subrecipients may ask questions regarding federal and state requirements and the RPT provides valuable input on what is required and what is working well in other parts of the state.

RTAP funds are used primarily to provide training for local project administration and operations, driver training, and risk management training. The RPT uses its appropriated RTAP dollars to fund Utah's Urban & Rural Transit Association (URSTA). URSTA is a statewide organization with the purpose of advocating for transit, increasing public awareness, hosting regional and statewide bus rodeos, and providing a myriad of administrative and operational training opportunities. See <https://www.ursta.org/> for more information.

### ***8.e.i. Training Resources***

UDOT provides several ongoing trainings upon request to ensure that each subrecipient is prepared for and compliant in the following:

- Application Requirements (5310, 5311, 5339).
- Reporting and Invoicing in the RPT online system (5304, 5310, 5311, 5339).
- Vehicle Procurement Procedures (5310, 5311, 5339).
- Civil Rights Requirements (ADA, Title VI, DBE, EEO) (5310, 5311, 5339).
- Drug and Alcohol Requirements (5311).
- NTD Reporting (5310, 5311, 5339).
- Annual Financial Reporting (5311).
- Complementary Paratransit (5311).
- Surveillance Reporting (5310, 5311, 5339).
- Quarterly Reporting (5304, 5310, 5311, 5339).
- Procurement Procedures (5304, 5310, 5311, 5339).
- FTA Financial Requirements (5304, 5310, 5311, 5339).
- FTA Milestone Submittal (5310, 5311, 5339).
- Application training.
- RPT online system training.

UDOT also provides the following tools to aid subrecipients in the aforementioned areas of compliance. All are listed on the RPT website.

- State Management Plan.
- Procurement Guide.
- Procurement Forms.
- DBE Program Plan.
- Title VI Checklist.

### **8.f. National Transit Database**

To keep track of the industry and provide public information and statistics as it continues to grow, FTA's National Transit Database (NTD) records the financial, operating, and asset condition of transit systems <https://www.transit.dot.gov/ntd>.

Those receiving funding from the Urbanized Area Formula Program (5307) or Rural Formula Program (5311) are required to submit data to the NTD in uniform categories. Agencies that receive funding from the Enhanced Mobility of Seniors & Individuals with Disabilities Program (5310) and participate in a local human services transportation plan providing client-based transportation services—services that can be used only by its



clients—are not required to report to the NTD. These are not public transportation services because they are only open to a segment of the general public that is defined by being clients of the agencies and not, as required by the public transportation definition, a segment of the general public defined by age, disability, or low income.

Therefore, only 5310 agencies that provide public transportation are eligible to report financial and operating information to the NTD. Participation in a local human services coordination plan by itself is not a sufficient condition for reporting to the NTD.

## 9. State Program Management and Federal Compliance

This chapter describes how UDOT RPT team funds, manages, and maintains internal compliance of FTA-funded projects administered through UDOT.

### 9.a. Grant Administration

The state is awarded formula grant dollars for the rural transit programs that UDOT manages. Those grant dollars are in turn awarded to subrecipients by way of awarded projects as described in Chapter 4: [Applying for RPT Funding](#) earlier in this document.

FTA typically sends UDOT a notification of available and lapsing program funds in the fall of each year. In addition, FTA sends each state the FY annual list of Certifications and Assurances and Master Agreement. By signing/pinning the Certifications and Assurances, UDOT signifies the intent to comply with all applicable provisions, acting as a contract between FTA and the state. In addition, each subrecipient, by signing their individual contracts with UDOT, agrees to comply with the annual list of Certifications and Assurances as well. Steps to this process include:

1. The FTA sends the RPT Program Manager a copy of the Master Agreement and Certifications and Assurances via e-mail.
2. The RPT Program Manager has the UDOT Executive Director and Attorney review and sign a copy of the Master Agreement and Certifications and Assurances.
3. Once signed, the RPT Program Manager accesses the FTA web-based system and PINs (operates as a signature) that UDOT has read and agrees to comply with all Certifications and Assurances.

To obtain a PIN, UDOT's Executive Director must sign a Designation of Signatory indicating that the RPT Program Manager has the right to sign on for access to the web-based system, and PIN on behalf of UDOT. Once FTA receives this letter, a PIN will be generated and sent to the signatory.

#### **9.a.i. FTA Transit Award Management System (TrAMS)**

UDOT uses the FTA Transit Award Management System (TrAMS) as its primary means of applying for and reporting on formula and discretionary grants. The process of applying for and administering grants is outlined in the TrAMS User Guide.

Like the RPT online system, TrAMS is FTA's online application and reporting system. Direct recipients are required to utilize the TrAMS system to acquire funds and report on projects. FTA offers web trainings and has published a user guide at: <https://www.transit.dot.gov/funding/grantee-resources/teamtrams/trams-guidance-training>. Like any software, updates and changes are ongoing. FTA send direct recipients notifications regarding TrAMS modifications.

### **9.a.i.1 TrAMS Grant Cycle**

The TrAMS grant cycle includes:

- The announcement of federal funding availability.
- Creation of a grant application and approval.
- Grant management including reporting and modifications.
- Grant closeout.

### **9.a.i.2 Announcement of Federal Funding Availability.**

FTA announces the availability of federal funding and current fiscal year appropriations between January and March of each year. These notices are published in the Federal Register <https://www.federalregister.gov> for various federal transit programs. Once this happens, the RPT team may begin creating grant applications. The RPT team develops a timeline that will allow for ample time for the RPT team to compile and assess the applications prior to submittal in TrAMS.

### **9.a.i.3 Creation of Grant Applications and Approval**

The RPT team works through the following steps to apply for eligible sections of funding.

1. Working with the appropriate Client Manager, the Grant Manager creates a Program of Projects (POP) with required elements, as described in [Chapter 5.c](#). The POP is based on the awards that were previously made during the application process for that particular fiscal year of funding, as described in [Chapter 4](#).
2. Using the completed POP, the Grant Manager creates an application in TrAMS for each eligible project. Documents to be attached to the application include:
  - a. Program of Projects.
  - b. STIP pages.
  - c. Environmental documents, if applicable.
  - d. 5333(b) information (5311 only).
  - e. In-kind match letter (5311(f) ICB only).
  - f. Suballocation letter(s) (5339 only).
3. Following submission of the application in TrAMS, the Grant Manager notifies FTA Region VIII the application is ready for formal review. Once FTA Region VIII completes its review, the RPT Program Manager is notified to PIN the grant. The grant is then executed and funds are obligated to UDOT.

### **9.a.i.4 FTA Grant Management**

Once federal funds are obligated to UDOT, the RPT team can begin to manage the funding internally. The RPT team follows its internal procedures for grant set up and management.

In October of each year, FTA requires a detailed status report for each open grant. The following progress reports are required (listed with the responsible party):

- Milestone Progress Reports (MPR) – RPT Grant Manager.
  - Some FTA grants may require quarterly reporting, per grant requirements or per FTA Region VIII's request.
- SSO Grant Milestone Reports are completed quarterly by the SSO office.
- Federal Financial Reports (FFR) – UDOT Comptroller's Office.

Project modifications to a grant may be completed as needed by the Grant Manager, either as a budget revision or an amendment. The Grant Manager should work with the FTA Region VIII post-award manager for approval of a budget revision or amendment.

#### **9.a.i.5 RPT Contract Management**

Following the setup of a grant in UDOT's financial systems, contracts can now be encumbered against the grant. See [Chapter 5.d](#).

#### **9.a.i.6 RPT Contract Invoicing**

When the contract execution process has been completed, invoices and backup documentation can then be submitted by subrecipients directly into the RPT online system. Emails are auto generated and sent to RPT staff alerting them of the submittals.

Submitted invoices must include:

- A cover letter containing the following information:
  - Official letterhead.
  - Contract number.
  - Invoice billing period (month or quarter).
  - A unique invoice number not previously used (e.g., invoice period end date plus contract number – example: 063022-123456).
  - Requested federal reimbursement amount, local share amount, and total invoice amount.
  - Signed by an authorized agent.
- An itemized financial statement.
- Supporting backup invoice documentation.

Invoices must include a summary of all expenses incurred and backup documentation directly relating to expenses summarized. The summary and backup documentation must be readable (no dark backgrounds or pages that are too light), and clearly marked, or the invoice will be denied and returned to the subrecipient for correction. Backup documentation must include all costs incurred and claimed for reimbursement. Acceptable backup documentation includes the subrecipient's progress payments to contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and a copy of staff hours worked and summary of salary and fringe documentation. Specific to payroll, a summary of payroll expenditures from the subrecipient's payroll/accounting system during the period of reimbursement request is required.

The RPT team follows its internal procedures to process invoices for payment.

#### **9.a.i.7 Contract Extensions/Modifications**

Contract extensions or modifications are utilized to extend the time period of a contract or to add to or reduce the amount of funding on a contract. The RPT team follows its internal procedures to process contract extensions and/or modifications.

#### **9.a.i.8 RPT Contract Closeout**

Once all funds have expended from a subrecipient's contract, the contract is then closed in UDOT's systems by the RPT Contracts and Billing Specialist using document internal procedures.

#### **9.a.i.9 FTA Grant Closeout**

When the Grant Manager has determined that a grant is ready to be closed, the FTA grant closeout process can begin. The RPT Grant Manager will follow internal documented procedures to properly close the grant in FTA's TrAMS system.

#### **9.a.i.10 United States Department of Labor Review**

When federal funds are used to acquire, improve, or operate public transportation, federal law requires arrangements to protect the interests of mass transit employees. 49 U.S.C. § 5333(b) specifies that these protective arrangements must provide for the preservation of rights and benefits of employees under existing collective bargaining agreements, the continuation of collective bargaining rights, the protection of individual employees against a worsening of their positions in relation to their employment, assurances of employment to employees of acquired transit systems, priority of reemployment, and paid training or retraining programs.

The Department of Labor must certify that protective arrangements are in place and meet the above requirements for all grants of assistance under the Federal Transit Law before the FTA can release funds.

### **9.a.ii. Accounting Systems & Transfer of Funds**

Subrecipients establish a set of accounts in which all transit related costs, revenues, and operating sources are recorded and clearly identified, easily traced, and substantially documented. Accounting practices and records must be in accordance with generally accepted accounting principles.

### **9.a.iii. UDOT Grant Management Setup**

When a grant is obligated by FTA, the RPT Federal Grant Manager and UDOT Comptroller's Office perform the following:

1. Upon notification the grant is obligated and ready for use, the Federal Grant Manager notifies UDOT's Comptroller's Office and provides the grant information to be entered into the State financial system.

2. UDOT's Comptroller's Office enters the grant information into the State Financial System and assigns FINET Program and Phase numbers to the grant. All contracts using funds from a grant will be under the assigned FINET Program number and encumbered against the grant.
3. The Comptroller's Office receives a copy of executed contracts and contract mods, who will then submit a monthly Federal Funding Accountability and Transparency Act (FFATA) report to FTA.
4. The Federal Grant Manager enters the grant information into the RPT online system, electronic files, FTA grant financial spreadsheets, and the subrecipient financial spreadsheet for tracking purposes.

## **9.b. RPT Internal Financial Management**

### ***9.b.i. RPT Administrative Expenses***

A portion of FTA grant funding may be used by UDOT to administer the RPT program and provide technical assistance to subrecipients. Examples of program administrative costs are general administration, staff salaries, office supplies, development of specifications for vehicles and equipment, and budget line items for planning activities. Individual program administrative expenses are as follows:

- Section 5310: up to ten (10) percent of the state's total FY apportionment may be used to administer the program.
- Section 5311/5311(f) Programs: Up to ten (10) percent of the state's total FY apportionment may be used to administer the Section 5311/5311(f) program. Section 5311(b)(3) Program: The RPT team does not use Rural Transit Assistance Program (RTAP) funds for state administrative expenses. However, it does use these funds for technical/training opportunities. The direct cost of using RPT staff to deliver RTAP services such as training or technical assistance is a program expense, not an administrative expense. Allowable technical assistance costs may include project planning, program development, development of vehicle and equipment specifications, management development, coordination of public transportation programs (public and private for-profit and non-profit), and such research as the RPT team may deem appropriate to promote effective means of delivering public transportation service in non-urbanized areas.
  - RPT contracts with the Utah Urban & Rural Statewide Transit Association (URSTA) to provide activities listed above.
- There are no state administrative funds associated with Sections 5304, 5329 and 5339.

## 10. FTA Transit Programs Managed by UDOT Traffic & Safety

### 10.a. Section 5329 Safety & Security Oversight

Section 5329 funding used for State Safety Oversight (SSO) of rail fixed guideway public transportation systems is managed by [UDOT's Traffic and Safety Division](#). The most recent guidance regarding this program can be found on [UDOT's website](#).



## 11. Resources

Transportation funding and the laws and guidelines that govern the implementation of the various transportation programs are fluid and subject to change. The programs discussed throughout this SMP and their circulars will, at some point, evolve or be replaced. With that in mind, it is important to utilize the resources below for assistance with day-to-day work as well as to maintain awareness of the dynamic transit field.

The resources below are grouped by internal and external (other agencies/sites/programs) guidance. It is important to gain familiarity with all of them.

### 11.a. Internal Guidance

UDOT RPT Home Page:

<https://udot.utah.gov/connect/business/public-entities/rural-public-transit-team/>

Transit Asset Management Plan (2022):

<https://drive.google.com/file/d/19zJ4O-TkLvd8QEo76XtW9mdFa0jffzfH/view>

RPT's online system:

<https://www.udot.utah.gov/public/ptt/f?p=131:101>

UDOT Title VI Program (2022):

<https://drive.google.com/file/d/1Ya-9rdDQMTysAARbC7TI2a8RxA5UOh6i/view>

UDOT Procurement Guide (2022):

<https://drive.google.com/file/d/1-Om3bnZmbue3SCz2a6AAAqTRQh97DKfK/view>

Civil Rights and Title VI Training Resources:

<https://www.udot.utah.gov/connect/business/civil-rights/>

UDOT FTA DBE Program:

<https://www.udot.utah.gov/connect/business/civil-rights/>

### 11.b. External Guidance

FTA Home Page:

<https://www.transit.dot.gov/>

IIJA-BIL:

<https://www.transit.dot.gov/BIL>

FAST-Act:

<https://www.transit.dot.gov/FAST>

Grants and Financing:

<https://www.transit.dot.gov/funding/grants/grant-programs>

Environmental Review Process:

[Environmental Programs | FTA \(dot.gov\)](#)

National Transit Database:

<https://www.transit.dot.gov/ntd>

Third-Party Contracting Guidance:

<https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/third-party-contracting-guidance>

FTA Best Practices Procurement Manual:

<https://www.transit.dot.gov/funding/procurement/third-party-procurement/best-practices-procurement-manual>

FTA Construction Project Management Handbook:

<https://www.transit.dot.gov/funding/procurement/fta-construction-management-handbook-2016>

FTA ITS Consistency Policy for Transit Projects Guidance:

<https://www.transit.dot.gov/research-innovation/national-its-architecture-consistency-policy-transit-projects>

FTA Master Agreement:

<https://www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/fta-grant-agreements>

2 CFR 200 (2014):

<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>

Transportation Research Board:

<https://www.nationalacademies.org/trb/transportation-research-board>

RTAP:

<http://www.nationalrtap.org/>

Utah Urban & Rural Specialized Transit Association (URSTA): <http://www.ursta.org/>

National Center for Mobility Management:

<https://nationalcenterformobilitymanagement.org/>

American Public Transportation Association (APTA):

<https://www.apta.com/>

## 12. Appendix

### 12.a. Public Comment Period Feedback

A public comment period was open from February 20 through March 22, 2023. The public could view the draft SMP on the RPT webpage and had multiple ways of submitting a comment such as:

- Completing an online Google form
- Emailing a comment to [publictransit@utah.gov](mailto:publictransit@utah.gov)
- Mailing a comment to the RPT team

A virtual open house was held on Wednesday, March 15, 2023 from 4-5 pm, MST. No one from the public joined the call and no comments were sent in as a result of the open house.

## 12.b. Definitions

The following terms and phrases appear throughout the SMP. An understanding of these terms will aid readers who are not familiar with FTA and UDOT programs, policies, and procedures.

**Americans with Disabilities Act (ADA):** A law that prohibits discrimination and ensures equal opportunity for individuals with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation (Public Law 336 of the 101st Congress, enacted July 26, 1990 (42 United States Code [USC]) 12101 et seq.), and later amended January 1, 2008, extending protections to a greater number of people.

**Applicant:** An entity that is seeking, but has not yet been awarded, specific federal financial assistance. Used interchangeably with “grant applicant”.

**Bipartisan Infrastructure Law (BIL):** See “Infrastructure Investment and Jobs Act (IIJA)”

**Build America/Buy America (BABA):** This act requires that all of the iron, steel, manufactured products, and construction materials used in infrastructure projects are produced in the United States.

**Bus and Bus Facilities Program (Section 5339):** FTA formula grant program providing capital funding to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities.

**Capital Asset:** Facilities or equipment with a useful life of at least one (1) year.

**Capital Expenses:** Expenses directly related to the acquisition, construction, and improvement of facilities or equipment used for public transportation purposes, including, but not limited to, vehicles and related equipment.

**Capital Lease:** Any transaction whereby the recipient/subrecipient acquires the right to use a capital asset without obtaining full ownership regardless of the tax status of the transaction.

**Capital Project:** A category of reimbursable project expenses that includes all activities identified in 49 USC 5302(3). For example, rolling stock, facilities, equipment, and certain operating activities like preventive maintenance, mobility management, and capital cost of contracting.

**Commuter Bus:** Fixed-route bus systems that primarily connect outlying areas with a central city through bus service that operates with at least five (5) miles of continuous closed-door service. This service may operate motor coaches (over-the-road buses), and usually features peak scheduling, multiple-trip tickets, and limited stops in the central city.

**Competitive Selection Process:** A process through which projects are chosen to receive funding. The process is conducted by the RPT in cooperation with local government authorities, with final approval from the Utah Transportation Commission.

**Coordinated Public Transit-Human Service Transportation Plan (Coordinated Plan):** Locally developed, coordinated transportation plan that identifies the transportation needs of individuals with disabilities, seniors, and people with low incomes; provides strategies for meeting those needs; and prioritizes transportation services for funding and implementation.

**Cost Allocation Plan:** Cost allocation plan means one or more documents identifying, accumulating, and allocating or developing billing rates based on the allowable costs of services provided by a state, local government, or Indian tribe on a centralized basis to its departments and agencies. The costs of these services may be allocated or billed to users.

**Designated Recipient:** An entity designated—in accordance with the planning process under 49USC 5303 and 5304—by the governor of a state, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under Section 5310, 5311, 5329, and 5339 grants.

**Disability:** Per section 3(1) of the Americans with Disabilities Act of 1990 (42) a physical or mental impairment that substantially limits one or more major life activities of such individual.

**Eligible Low-Income Individual:** An individual whose family income is at or below 100 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 USC 9902(2)), including any revision required by that section) for a family of the size involved.

**Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310):** FTA formula grant program for public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities.

**Fixing America's Surface Transportation Act (FAST Act) 2015:** The FAST Act authorizes \$305 billion over fiscal years 2016 through 2020 for highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology, and statistics programs. The FAST Act replaces MAP-21.

**Federally Recognized Indian Tribal Governments:** Those Indian tribes recognized by the U.S. Bureau of Indian Affairs for certain federal government purposes.

**Formula Grants for Rural Areas (Section 5311):** FTA formula grant program that provides funding to states for the purpose of supporting public transportation in areas with populations less than 50,000.

**Infrastructure Investment and Jobs Act (IIJA):** The Bipartisan Infrastructure Law, as enacted in the Infrastructure Investment and Jobs Act, authorizes up to \$108 billion for public transportation – the largest federal investment in public transportation in the

nation's history. On November 15, 2021, President Biden signed the Bipartisan Infrastructure Law. The legislation reauthorizes surface transportation programs for FY 2022-2026 and provides advance appropriations for certain programs. The Bipartisan Infrastructure Law authorizes up to \$108 billion to support federal public transportation programs, including \$91 billion in guaranteed funding. IIJA replaces the FAST Act.

**Individual with a Disability:** An individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who uses a wheelchair or has semi-ambulatory capability), cannot effectively use, without special facilities, planning, or design, public transportation service or a public transportation facility.

**Indirect Costs:** Costs that are incurred for common or joint objectives and therefore cannot be identified readily and specifically with a particular sponsored project, an instructional activity, or any other institutional activity ([2 CFR 200](#)). The indirect cost rate is determined in the cost allocation plan.

**Intercity Bus Service:** Regularly scheduled bus service for the general public that operates with limited stops over fixed routes connecting two or more urban areas not in close proximity. This service has the capacity for transporting baggage carried by passengers and makes meaningful connections with scheduled intercity bus service to more distant points, if such service is available.

**Local Government Agency:** Any of the following: a) a political subdivision of a state; b) an authority of at least one state or political subdivision of a state; c) an Indian tribal government; or d) a public corporation, board, or commission established under the laws of a state.

**Mobility Management:** Short-range planning and management activities and projects for improving coordination among public transportation and other transportation service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a government entity, under 49 USC 53 (other than Section 5309). Mobility management funding does not include operation of public transportation services.

**Non-profit Organization:** A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 USC 501(c) that is exempt from taxation under 26 USC 501(a), or one that has been determined under state law to be non-profit and for which the designated state agency has received documentation certifying the non-profit status of the organization.

**Non-urbanized Area:** Any area outside of an urbanized area, with a population less than 50,000 not included in an urbanized area.

**Older Adults:** See "Senior Individual."

**Operating Expenses:** Expenses directly connected with service operations, including but not limited to: fuel, oil, vehicle maintenance, driver and dispatcher salaries and fringe benefits.

**Paratransit:** Comparable transportation service required by the ADA for individuals with disabilities who are unable to use fixed-route public transportation systems.

**Performance Measures:** Beginning with MAP-21, performance measures are established for each project to measure project or system performance.

**Program of Projects (POP):** A list of projects to be funded in a grant application submitted to FTA by a designated recipient. The POP lists the subrecipients and indicates if they are private non-profit agencies, governmental authorities, or private providers of transportation service; 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.

**Project Administrative Expenses:** Expenses relating to the administration of a local transportation project, including, but not limited to, administrative salaries, overhead expenses, planning expenses, supplies, and office equipment used to administer the project.

**Property:** Equipment, supplies, and rolling stock.

**Public Transportation:** Surface transportation by a conveyance that provides regular and continuing general or special transportation to the general public, but does not include school bus, charter, or intercity bus transportation or intercity passenger rail transportation.

**Rehabilitated Vehicle:** A vehicle that has undergone a major mechanical overhaul, which would include all or many of the following replacement components: new engine, transmission, drive shaft, axle, differential, brakes, wheel bearing, fuel system, suspension system, steering system, electrical system, coolant system, exhaust system, and heating/air conditioning of a vehicle. Vehicle rehabilitation may also include, but not be limited to, cosmetic body or interior work.

**Rural/Statewide:** Areas within the State outside of the Small Urbanized and Urbanized areas.

**Senior Individual:** At a minimum, all persons 65 years of age or older.

**Small Urbanized Area:** An area that has been defined and designated in the most recent decennial census as an "urbanized area" by the Secretary of Commerce. These areas are classified with a population ranging from 50,000 to 200,000.



**State Administrative Expenses:** Expenses relating to the administration of an FTA program, including, but not limited to, administrative salaries, overhead expenses, supplies, planning, and office equipment used to administer the program.

**State Management Plan (SMP):** A document that describes a state's policies and procedures in administering the Section 5304, 5310, 5311, and 5339 programs. All states are required to have an FTA-approved SMP. The SMP may be used internally or by subrecipients around the state.

**State Management Review (SMR):** FTA's comprehensive oversight review of the direct recipient and designed to assess management practices and program implementation. The review occurs onsite every three (3) years.

**Statewide Transportation Improvement Program (STIP):** A five-year list of all individual state, city, and county transportation improvement projects, including highway and transit projects. The STIP is developed by UDOT and is jointly approved by FTA and the Federal Highway Administration (FHWA). The STIP includes the Metropolitan Planning Organization's (MPO's) Transportation Improvement Plan (TIP).

**Statewide Transportation Planning Program (Section 5304):** FTA formula grant program that is allocated to statewide transportation needs. The RPT disperses funds to areas outside of urban areas to assist with transit planning needs.

**Subrecipient:** A state or local governmental authority, non-profit organization, or operator of public transportation services that receives FTA funding through a direct recipient.

**Technical Capacity:** Having the necessary staff with the technical training and experience to adequately manage and fulfill federal requirements, including the ability to meet documentation requirements, submit required reports correctly and on time, and maintain project equipment.

**Transportation Improvement Program (TIP):** A prioritized, minimum four-year program of projects addressing the most immediate implementation priorities of urbanized areas with populations of 50,000 or more. The TIP is developed and adopted by MPOs as part of the metropolitan transportation planning process. The TIP is approved jointly by the MPO and the governor, and incorporated into the STIP without modification.

**Urbanized Area:** An area encompassing a population not less than 50,000 that has been defined and designated in the most recent decennial census as an "urbanized area" by the Secretary of Commerce. Urban Areas, as used in the context of FTA formula grant programs, are areas with populations of more than 200,000.

### 12.c. Table of UDOT FTA Subrecipients

These lists of subrecipients should not be considered all inclusive, as additional eligible agencies may apply for future funding.

Table 7: Specialized Transit (5310) Subrecipients


Specialized Transit Provider	Address	Phone
Active Reentry	10 S. Fairgrounds Rd, Price, UT 84501	(435) 637-4950
Beaver Area Healthcare	1109 N. 100 W. Beaver, UT 84713	(435) 438-7139
Cache County Seniors	240 N. 100 E. Logan, UT, 84321	(435) 755-1720
Cache Employment & Training Center	275 W. 400 S. Logan, UT 84321	(435) 752-7952
Common Ground Outdoor Adventures	335 N. 100 E. Logan, UT 84321	(435) 713-0288
Community Careers	166 N. Main Street, Richfield, UT 84701	(435) 896-8461
Emery County Seniors	217 S. 200 E. Emery, UT 84522	(435) 286-2219
Four Corners Community Behavioral Health, Inc.	198 E. Center St. Moab, UT 84532	(435) 259-6131 (435) 637-2358
Kane County Senior Citizens Improvement Corp	172 E. 100 N. Kanab, UT 84741	(435) 644-4321
Options for Independence	106 E. 1120 N. Logan, UT 84341	(435) 753-5353
Piute County Senior Citizen Center	180 500 N. St. Junction, UT 84740	(435) 577-2183
Red Rock Center for Independence	168 N. 100 E. #101 St. George, UT 84770	(435) 673-7501
Sevier County Seniors	250 N. Main St. Richfield, UT 84701	(435) 893-0400 (435) 896-6807
Southwest Behavioral Health Center	474 W. 200 N. St. George, UT 84770	(435) 634-5600
TURN Community Services	423 W. 800 S. Suite A-200, Salt Lake City, UT 84101	(801) 359-8876
Transitions Inc.	29 E. Center Blanding, UT 84511-2948	(435) 678-3741

Specialized Transit Provider	Address	Phone
USU - CPD	1415 Old Main Hill Logan, UT 84322	(435) 797-1064
Uintah Healthcare Special Service District	330 S. Aggie Boulevard, Vernal, UT 84078	(435) 789-8851 (435) 781-3505
Ute Tribe Public Transit	988 S. 7500 E. Fort Duchesne, UT 84026	(435) 725-4924
Washington County (on behalf of Council on Aging)	245 N. 200 W. St. George, UT 84770	(435) 634-5743 (435) 256-6344
Senior Centers Funded under UBAOG: Daggett County Seniors Duchesne County Seniors Crossroads Senior Center	165 W. Highway 43 Manila, Utah 84046 734 N. Center St. Duchesne, UT 84021 50 E. 200 S. Roosevelt, UT 84066	(435) 784-3158 (435) 738-1170 (435) 722-4296

Table 8: Rural Fixed-Route (5311) Subrecipients

Fixed-Route Provider	Address	Phone
Cache Valley Transit District	754 W. 600 N. Logan, UT 84321	435-770-7994
Cedar Area Transit	716 N. Airport Road Cedar City, UT 84721	435-586-2912
High Valley Transit	1885 W. Ute Boulevard Park City, UT 84098	617-817-7769
Park City Transit	1053 Iron Horse Drive Park City, UT 84060-1480	435-615-5351
Salt Lake Express (5311(f))	PO Box 556 Rexburg, ID 83440	208-317-8211
Uintah Basin Area Transit	330 E. 100 S. Roosevelt, UT 84066	435-722-4518
Ute Tribe Public Transit	P.O. Box 190 #215 Fort Duchesne, UT 84026	435-725-4924

## 12.d. UDOT RPT Risk Assessment Form

Rural Public Transit (RPT) Team Risk Assessment Form				
Subrecipient:		Grant / Section:		
UEID #:		Grant FFY:		
Application Description:				
Review Date:		Monitor Period:		
1	Is the entity a new subrecipient/applicant (or 3+ years since last contract)?	<b>High Risk</b>		
2	<b>Financial</b>			
	Did the subrecipient/applicant receive a single audit in accordance with 2 CFR Part 200 Subpart F (if receiving \$750,000 plus in Fed funds)?	Yes	No	N/A
	Was the same or similar sub award audited last year?	Yes	No	N/A
	Did the subrecipient provide ample proof of ongoing funding?	Yes	No	N/A
	Did the subrecipient submit reimbursements quarterly (at a minimum)?	Yes	No	N/A
	Were reimbursement requests submitted with proper documentation?	Yes	No	N/A
	Did the subrecipient provide adequate proof of ongoing match in submitted invoices?	Yes	No	N/A
	Did the subrecipient provide adequate proof of use for facilities? (% FTA vs other departments)	Yes	No	N/A
3	<b>New personnel or new or substantially changed systems</b>			
	Has the subrecipient's staff remained unchanged during the previous year?	Yes	No	N/A
	Has the subrecipient's organization remained unchanged during the previous year?	Yes	No	N/A
4	<b>Subrecipient/Applicant consistently on time and/or accurate in the submission of:</b>			
	Applications	Yes	No	N/A
	Quarterly Reporting	Yes	No	N/A
	Milestone Progress Reporting	Yes	No	N/A
	Vehicle Usage/Disposal	Yes	No	N/A
5	<b>Subrecipient/Applicant met or is meeting performance targets</b>			
	Has the subrecipient reported on performance targets?	Yes	No	N/A
	Has the subrecipient met or exceeded targets?	Yes	No	N/A
6	<b>Assets are being utilized appropriately</b>			
	Is vehicle usage on track to meet the useful life?	Yes	No	N/A
	Has the subrecipient maintained continuing control of the vehicle?	Yes	No	N/A
	Are vehicles being well maintained/preventative maintenance?	Yes	No	N/A
	Is the facility utilized by other departments/agencies?	Yes	No	N/A
	Are facilities being utilized appropriately?	Yes	No	N/A

RATING SCALE		
0-4 No's	Subrecipient is considered low risk for monitoring.	LOW
5-10 No's	Subrecipient is considered medium risk for monitoring.	MEDIUM
11-20 No's	Subrecipient is considered high risk for monitoring.	HIGH

### Classification/RPT Directed Actions:

<b>High Risk</b>
1. Request a review by UDOT Internal Audit.
2. Require 100% documentation for reimbursement.
3. Withhold full or partial payments pending single audit results, drug & alcohol reports (Transit), or quarterly reports (NHTSA and Transit).
4. Review the corrective actions and determine if they followed up on the corrective actions.
5. Provide training and technical assistance on program related matter.
6. Consider whether the results of the audits necessitate adjustments to the pass-through entity's own records.
7. Consider taking enforcement action against the non-compliant subrecipient.
8. Submit proof of operating/match funding yearly.
<b>Medium Risk</b>
1. Schedule a financial review with the subrecipient.
2. Withhold full or partial payments pending single audit results, drug & alcohol reports (Transit), or quarterly reports (NHTSA and Transit).
3. Provide training and technical assistance on program related matter.
4. Submit proof of operating/match funding yearly.
<b>Low risk</b>
1. Provide standard monitoring.