



# **Program Management Plan**

**Section 5310**

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

**REVISED February 2026**

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# PROGRAM MANAGEMENT PLAN

## Introduction

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Title 49 U.S.C. § 5310 authorizes the formula assistance program for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (the Section 5310 program).

The Section 5310 program provides formula funding to States, Designated Recipients, and State or local governmental authorities that operate a public transportation service (recipients) to improve mobility for seniors and individuals with disabilities.

This program provides funds for capital and operating expenses to recipients for:

- Public transportation projects planned, designed, and carried out to meet the needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
- Public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.);
- Public transportation projects that improve access to fixed-route service and decrease reliance on complementary paratransit; and
- Alternatives to public transportation projects that assist seniors and individuals with disabilities with transportation.

The Federal Transit Administration (FTA) apportions the funds annually to States and/or Designated Recipients based on an administrative formula that considers the ratio of the number of seniors and individuals with disabilities in rural areas (under 50,000 population), small urbanized areas (50,000 – 200,000 population), and large urbanized areas (over 200,000 population). These funds are subject to annual appropriations.

VIA Metropolitan Transit (hereinafter referred to as “VIA”) is the Designated Recipient for the San Antonio urbanized area to disburse these funds. VIA is a Metropolitan Transit Authority created according to Chapter 451, Texas Transportation Code, to provide public transportation services for the citizens of Bexar County and governed by a Board of Trustees who are appointed by county and municipal governments.

### **VISION**

*Be the driving force of our community’s growth*

### **MISSION**

*To take you to what matters most*

### **PROMISE**

*Count on VIA, every ride*

The Board of Trustees has the final authority for project selection and funding determinations for Section 5310 grant awards.

This Program Management Plan (PMP) describes how VIA administers the Section 5310 program and coordinates with other providers in the region to ensure coordinated, effective provision of service that meets federal and state requirements, consistent with guidance found in FTA Circular 9070.1H, Chapter VII, § 4.

Title 49 U.S.C. § 5310(e)(2)(A) describes project selection and plan development requirements. Before receiving a grant under Section 5310, VIA must certify that:

- I. The projects selected by the VIA are included in a locally developed, coordinated public transit-human services transportation plan;
- II. The plan described in clause (I) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public; and
- III. To the maximum extent feasible, the services funded under this section will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services.

FTA holds responsibility for national implementation of Title 49 USC 5310; the agency has provided further program guidance in FTA Circular 9070.1H, and any amendments thereto. Guidance in the circular elaborates upon the intent of the program, interprets provisions, and establishes additional requirements for designated recipients, direct recipients, and subrecipients of Enhanced Mobility of Seniors and Individuals with Disabilities Program funding. The development of this PMP is included among these additional requirements. Therefore, the contents of this plan must comply with FTA C. 9070.1H and satisfy the FTA requirement for its development. The FTA circular and the PMP are available on VIA's website at [www.viainfo.net/grant-5310/](http://www.viainfo.net/grant-5310/).

Note: Copies of this document are available in alternative formats upon request. Please contact the following individual to discuss suitable formats:

Attn: Senior Financial Analyst  
VIA Metropolitan Transit  
123 N. Medina Street  
San Antonio, TX 78207  
Via.Grants@viainfo.net  
210-362-2000

## Goals and Objectives

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The goal of this Program Management Plan (PMP) is to describe VIA's process for managing the Federal Transit Administration (FTA) 5310 program within the San Antonio urbanized area. As part of this process, VIA intends to fulfill the following objectives:

- Improve mobility for seniors and individuals with disabilities throughout the San Antonio region by removing barriers to transportation services and expanding the transportation mobility options available;
- Identify, contact, and inform public agencies, community organizations, nonprofit, and private for-profit organizations providing services for seniors and persons with disabilities, as to the availability of 5310 program grant funds;
- Establish, promote, and outline processes for soliciting and evaluating 5310 program funding proposals;
- Assure that proposals selected for funding are responsive to one or more of the needs identified in the Alamo Area Council of Governments Regionally Coordinated Transportation Plan;
- Establish the requirements for the selected projects to enter into grant agreements with VIA; and,
- Summarize the requirements for managing and reporting the progress of implementing the funded projects.

This PMP is a living document. It will be updated as necessary to reflect statutory or regulatory changes, incorporate any expansions and enhancements of the 5310 program, as well as any revisions to the program's management requirements or other guidance.

## Roles and Responsibilities of VIA

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VIA is the Designated Recipient for 5310 funds allocated to the San Antonio urbanized area. VIA's role includes administering, managing, and programming these funds, and selecting and monitoring the implementation of funded projects. VIA primarily conducts these responsibilities through two key management functions:

- The Call For Projects process
- Provision of technical assistance to both current and potential subrecipients in the completion of grant applications.

Moreover, it is VIA's responsibility to ensure that all interested parties have a fair and equitable opportunity to apply and, if selected, receive a fair and equitable distribution of funds. Once funds are distributed, it is VIA's responsibility to ensure that all selected grant subrecipients comply with the requirements and guidelines as defined by the FTA and applicable requirements imposed on specialized service providers by any state or local authorities. See the Funding Distribution and Project Selection Criteria section for more information on the Call For Projects frequency and process.

## Coordination

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As required by the Section 5310 program, VIA ensures that all projects selected from the Call For Projects process meet one or more of the needs identified in the San Antonio region's coordinated public transit-human services transportation plan. The Alamo Area Council of Governments (AACOG) is responsible for developing the region's plan, titled the "Alamo Area Council of Governments Regionally Coordinated Transportation Plan," with VIA participating in the development process as the agency has one full member and one ex officio member on the AACOG Transportation Policy Board. The most recent coordinated plan is available on the [AACOG Transportation website](#).

As part of its program administration responsibilities, VIA supports coordination through the following efforts:

- Announcing the Call For Projects through local media, local newspapers, the VIA website, and other media, to increase awareness and understanding of the 5310 program
- Designing and implementing an inclusive selection process
- Involving a group of committees to review and provide feedback on the applications (if required)
- Ensuring subrecipients comply with Federal requirements, including coordination efforts
- Ensuring that at least 55 percent of the area's apportionment is used for traditional Section 5310 projects
- Providing technical assistance to applicants and subrecipients
- Remaining in regular contact with the FTA and providing timely reports as determined by FTA guidance

VIA's Call For Projects review and selection process will include a determination that subrecipient projects are consistent with the plan through the process's evaluation criteria.

## Eligible Subrecipients

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Under the federal guidelines, the following entities are eligible to apply for 5310 funding:

1. Private nonprofit organizations
2. Local governmental authorities that:
  - a) are approved by a state to coordinate services for seniors and individuals with disabilities; or,
  - b) certify that there are no nonprofit organizations readily available in the area to provide the service.

Governmental authorities eligible to apply for Section 5310 funds as "coordinators of services for seniors and individuals with disabilities" and are designated by the VIA to coordinate human service activities in the urbanized area.

The regulations permit private taxi operators and Transportation Network Companies (TNCs) to be subrecipients if they are operating a service that is "shared-ride" that is open to the general public on a

regular basis in accordance with FTA C. 9070.1H. A more common scenario is that such companies may participate in the program as a contractor.

To be eligible for funding from the 5310 programs, proposed projects must be designed to serve residents located in or have an origin or a destination within the San Antonio urbanized area. Agencies must have an active registration and a Unique Entity Identifier in SAM.gov.

## **Funding Eligibility**

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Section 5310 funds are available for capital and operating expenses to support the provision of transportation services that meet the specific needs of seniors and individuals with disabilities. However, Congress has imposed some qualifications on the use of Section 5310 funding, labeling potential projects as “traditional” or “non-traditional” projects.

### **Traditional Projects**

A minimum of 55 percent of the program funds must be used to support traditional Section 5310 projects. Traditional 5310 projects are those public transportation capital projects planned, designed, and carried out to meet the needs of seniors and people with disabilities. The 55 percent requirement is a floor, not a ceiling; more than 55 percent of apportionments can be used for these types of projects.

Examples of traditional capital projects for 5310 funded service include, but are not limited to:

- Rolling stock and related equipment for Section 5310-funded vehicles, such as
  - Replacement or expansion vehicles, including testing, inspection, and acceptance costs
  - Preventive maintenance
  - Radios and communication equipment
  - Wheelchair lifts/ramps, securement devices, etc.)
- Passenger facilities related to Section 5310-funded vehicles, such as the purchase and installation of benches, shelters, and other passenger amenities
- Support facilities and equipment for Section 5310-funded vehicles, such as:
  - Extended warranties (must not exceed industry standards)
  - Computer hardware/software
  - Transit-related intelligent transportation systems
  - Dispatch systems
  - Fare collection systems
- Lease of equipment when the lease is consistent with the requirements of FTA Circular 5010.1F
- Acquisition of transportation services under a contract, lease, or other arrangement
  - Reflecting longstanding FTA policy, services provided under contract when provided by an eligible recipient/subrecipient of Section 5310 funds may be treated as a capital expense (e.g., eligible for 80% federal participation)
- Mobility Management

- Mobility Management consists of 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 U.S.C. chapter 53 (other than section 5309). Mobility management does not include operating public transportation services. Mobility management activities may include:
  - The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
  - Support for short-term management activities to plan and implement coordinated services;
  - The support of State and local coordination policy bodies and councils;
  - The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;
  - The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities, such as coordinating individualized travel training and trip planning activities for customers;
  - The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
  - Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems, inclusive of geographic information systems (GIS) mapping; global positioning system technology; coordinated vehicle scheduling; dispatching and monitoring technologies; technologies to track costs and billing in a coordinated system; and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense)

The purchase of rolling stock for or the acquisition of ADA complementary paratransit service are eligible capital expenses that may also qualify under the 5310 program as public transportation capital projects planned, designed and carried out to meet the specific needs of seniors and individuals with disabilities when fixed-route public transportation is insufficient, unavailable, or inappropriate, provided the projects are carried out by eligible subrecipients.

### **Non-Traditional Projects**

The remaining 45 percent of 5310 funds may be used for capital and operating expenses for public transportation services and alternatives that exceed the requirements of the ADA or improve access to

fixed route services and decrease reliance by individuals with disabilities on ADA complementary paratransit service.

Non-traditional projects for 5310-funded service typically include public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA complementary paratransit service; or alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation. Potential applicants should refer to the guidance in VIA's Call For Projects when seeking to fund non-traditional projects.

Some projects may qualify in both the traditional and non-traditional categories. Additionally, projects designed to exceed the requirements of the ADA must address other requirements; VIA recommends applicants seek technical assistance prior to submitting the project application to ensure the project conforms to the coordinated plan and FTA guidelines.

When awarding funding, VIA will ensure that the overall program of projects, when viewed in its entirety, ensures that the funding is awarded so that 55% of the program supports traditional projects.

## **Local Funding and Match Requirements**

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5310 funds are eligible to support up to 80 percent of the cost of capital projects and up to 50 percent of the net operating costs.

The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local service agency or private social service organization, or new capital. Some examples of these sources of local match include

- State or local appropriations;
- Dedicated tax revenues;
- Private donations;
- Revenue from service contracts;
- Transportation development credits (TDCs)<sup>1</sup>;
- Net income generated from advertising and concessions.

Non-cash share, such as donations, volunteered services, or in-kind contributions, is eligible to be counted toward the local match as long as the value of each is documented and supported, represents a cost which

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<sup>1</sup> Toll or transportation development credits are a federal transportation funding tool used to meet federal funding matching requirements. State credits are accrued when capital investments are made in federally approved tolled facilities including toll roads and bridges. TDCs are subject to the review and approval of the Texas Department of Transportation (TxDOT). If TDCs for the subrecipient project(s) are not approved, the subrecipient is responsible for providing the local match through another approved method.

would otherwise be eligible under the program, and is included in the net project costs in the project budget. The source(s) of local funding must be identified in the initial 5310 grant application. Use of in-kind sources to meet the local matching share is subject to approval of VIA in the application process.

## **Funding Distribution and Project Selection Criteria**

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### **Application Cycle**

Federal requirements state that the Program of Projects must provide for a fair and equitable distribution of Section 5310 funding within the urbanized area. VIA must ensure, in its evaluation and approval of projects, that this requirement is met.

FTA provides some flexibility with the application and selection process. The selection process may be held annually or at intervals up to three years, as determined by VIA and based on local needs. VIA will select projects as needed to avoid the lapsing of any funds that are not obligated in a timely manner.

Section 5310 funds need to be obligated within two federal fiscal years following the fiscal year in which the funds were appropriated by Congress. In this regard, the federal fiscal year starts on October 1 and ends on September 30 of the following year. Accordingly, Section 5310 funds from up to three consecutive fiscal years could be made available to applicants. VIA will select projects and programs at intervals not to exceed this time frame. This approach will allow for the development of more viable and longer-term projects, reduce the administrative cost of the programs, and allow for other efficiencies. In the event project selections are based on estimated future funding, VIA will determine the appropriate distribution of any variance in estimated to actual apportionment amounts based on the proportionate share of awards or as otherwise deemed appropriate to meet the needs of the program.

The process for selecting projects will be widely publicized and disseminated directly to the agencies providing or needing specialized transportation services in the San Antonio urbanized area. This may include current or previous subrecipients and previous, unsuccessful applicants of VIA's Section 5310 program. Information relevant to the selection process, application guidelines and forms will be made available at VIA's website at <http://viainfo.net/>. As part of the application process, VIA may provide technical assistance to agencies that may not be experienced in the preparation of transportation project proposals, including human service agencies providing or funding client transportation.

### **Application, Evaluation and Scoring**

VIA is responsible for the selection of projects and could, but is not required to, include a competitive selection process. In any case, VIA will select projects to ensure a fair and equitable distribution of funds.

If VIA decides to conduct a competitive selection for projects, VIA will conduct the solicitation but retains the option of outsourcing the selection process. If VIA opts to conduct a competitive selection for projects by outsourcing a selection/evaluation committee from a mix of organizations outside of VIA, applicants

may be required to create and present a brief presentation to the selection committee on their respective proposed project(s).

VIA will score proposed projects based on the following criteria:

- Project Statement of Need
- Project Planning and Implementation
- Project Budget and Financial Capacity
- Program Effectiveness and Evaluation
- Organizational Preparedness and Technical Capacity

The Call For Projects solicitation will include the evaluation criteria above, with a description of each category as well as its weight in the total scoring. See the most recent Call For Projects solicitation for more information on the evaluation criteria.

### **Project Approval and Award**

Proposals may be selected based on, but not limited to, project mobility, effectiveness, and benefit to the San Antonio region, program reach, and population served. Once the selection of projects and awarding of funds is finalized, VIA staff will submit the list of recommended projects to the VIA Board of Trustees for approval.

### **Timeline**

Award notification for the Section 5310 projects selected will be transmitted to those agencies. Subrecipients recommended for funding will be sent an award notification letter and a Subrecipient Funding Agreement (Agreement) between VIA and the subrecipient. The Subrecipient Funding Agreement will indicate the date of the grant approval by the FTA and the effective date for project implementation, as well as all other data required by 2 CFR § 200.332(b). If VIA elects to use pre-award authority prior to obtaining FTA grant approval, all required data elements will be included in the Agreement through an amendment. Agencies that were not recommended for funding will be sent letters to inform them of the results of the evaluation process.

Overall, the application and approval process may take up to 12 months from the announcement date of the Call For Projects to the execution of the Subrecipient Funding Agreement. This would depend on funding availability, the number of applications received, and the type of selection process. The following is a tentative schedule using a competitive solicitation:

Event	Timeframe	Description
<b>Solicitation for Proposals</b>	Start of application process	Posted on the VIA website, deliver letters to the list of agencies on file, and conduct additional outreach through local media. It is the responsibility of eligible applicants to keep track of the information posted on VIA's website and to provide their contact information to VIA.
<b>Proposals Due</b>	45 days after the release of the Call For Projects solicitation	Subrecipients complete the application and submit it to VIA.
<b>Evaluation of Applications</b>	2 months after proposals are due	VIA may contact the applicant to inquire about the contents of the proposal and may request additional information or clarification. The applicant may also be required to provide an oral presentation of its proposal to the evaluation team.
<b>Award Notification</b>	1 month after application review	A letter will be sent to successful applicants with information on the amount and source of the federal award. It will also include a request to confirm the acceptance of the award and the availability and source of the local match in writing.
<b>FTA Grant Application and Approval</b>	3-5 months after Award Notification	VIA staff will prepare and submit the grant application to the FTA for approval. It may take up to two months for FTA's approval. VIA may elect to use pre-award authority and enter into subrecipient agreements prior to obtaining FTA grant approval.
<b>Subrecipient Funding Agreement</b>	3 months after FTA grant approval (unless VIA utilizes pre-award authority)	This includes the time required for the execution of the Agreement between the subrecipient and VIA, which will depend on the availability of supporting documentation from the subrecipient (such as a clear scope of work, timeline for project implementation, project item line budget, and cash flow) and its readiness to accept its terms and conditions.

Event	Timeframe	Description
<b>Effective Date of Reimbursable Activities</b>	Until the end of the Agreement	The Agreement specifies the effective date of its terms and conditions, including the period of reimbursable activities. In this regard, VIA will reimburse the subrecipient for eligible federal expenditures incurred since the effective date of the Agreement. Any expenditure incurred by the subrecipient prior to the execution of the Subrecipient Funding Agreement with VIA is the subrecipient’s responsibility.

VIA is not committed to reimburse any expenditure if the Agreement between the agencies is ultimately not executed, the project is cancelled, the federal funding is not available, or the FTA does not approve the grant application, among other possible scenarios.

## **Program of Projects Development and Approval Process**

The Program of Projects (POP) is developed by VIA as part of the Call For Projects process described in the Funding Distribution and Project Selection Criteria section above and is completed once all subrecipient projects are selected and approved by the Board of Trustees.

### **Categories of Approval**

To expedite the award, FTA allows recipients to separate projects and funds included in its POP into two different categories, depending on whether all Federal requirements have been met.

Category A. Projects in Category A include those projects that VIA has certified as having met all the Federal statutory and administrative requirements for approval applicable to both the project activities and subrecipients that will carry out those activities. FTA’s approval of Category A projects is unconditional upon award. When FTA executes the award with VIA, funds become available for drawdown for Category A projects. FTA expects most, if not all, projects included in the recipient’s POP to be in this category.

Category B. Projects in Category B are those projects that VIA anticipates approving during the current year, but which have not met all the Federal statutory or administrative requirements.

As VIA considers project planning and implementation factors in the evaluation of projects, projects that meet all statutory and regulatory requirements may enjoy a higher ranking in VIA’s evaluation.

Projects approved for funding will be provided to the Alamo Area MPO for inclusion in the Transportation Improvement Program (TIP) before sending the program to FTA for approval. VIA then submits its POP as part of its application to FTA for the Section 5310 funds apportioned to VIA.

# Administration of 5310 Programs

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## VIA Use of the Administrative Set-Aside

VIA can use up to 10% of the funding for administration of the Section 5310 program. VIA will use these funds to advertise Call For Projects, technical assistance (as needed), and for the salary of staff to fulfill VIA's responsibilities as the Designated Recipient.

One of the primary means of assistance is VIA's conduct of pre-proposal seminars prior to the Call For Projects. VIA may host an introductory seminar for all new subrecipients after each selection process to discuss pre- and post-award requirements. Such meetings allow VIA the opportunity to discuss the general and specific performance goals to be achieved, reporting, administrative responsibilities, and VIA's standardized invoicing practices with all of the new subrecipients.

In order to clarify the goals of each project and assist the subrecipients in the development of good progress reporting and accounting practices, VIA will also meet individually with each of the subrecipients before the beginning of grant expenditures. The meetings will include, but are not limited to, the following actions:

- Ensure that subrecipients adhere to the terms of the agreement with VIA, and other federal and state requirements, as applicable, to ensure federal funds are used according to the established contractual requirements. This activity will be accomplished with site visits and a review of subrecipient records.
- Obtain an annual signed certification from each subrecipient that affirms the agency's compliance with the standard terms and conditions governing the administration of projects funded with federal dollars awarded by the FTA through VIA, as described in the Agreement.
- Prepare a summary of the funds available for distribution upon approval of the federal budget for the federal year that starts October 1.
- Coordinate regular workshops or meetings with subrecipients to ensure agencies have the technical capabilities to assist their customers with transportation needs and to manage their projects.
- Organize an annual workshop for the internal group or committee of VIA staff to review project results, evaluate overall program accomplishments, and discuss opportunities for improvements. Unsuccessful applicants from previous Call For Projects cycles will also be contacted and invited to the workshop to familiarize themselves with the grant programs, the development of a successful application, and the implementation of projects and programs funded by the 5310 programs. Unsuccessful applicants will also have the opportunity to meet with VIA staff.
- Assure subrecipients' development of performance measures for each 5310-funded project to monitor and report the benefits of the federal investment.
- Analyze federal, state, and local legislation and policies relevant to the 5310 program.
- Make recommendations to the VIA Board of Trustees for improvements in managing and administering the 5310 programs.

- Serve as the point of contact for any activities related to the 5310 programs, such as coordinating the reviews and audits performed by the FTA.

### Subrecipient Monitoring Process

Consistent with 2 CFR 200.332, VIA will evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the Subrecipient Funding Agreement for purposes of determining the appropriate subrecipient monitoring. Risk Assessments may include the subrecipient's prior experience with the same or similar awards, the results of previous audits, whether the subrecipient has new personnel or new or substantially changed systems, and the extent and results of federal awarding agency monitoring. Risk Assessments are completed prior to or concurrent with the Call For Projects application review process.

VIA may coordinate a subrecipient orientation workshop after the funding award to provide technical assistance on the process that would need to be followed and the federal requirements that would have to be met to receive the federal funds. VIA will also schedule regular meetings with the subrecipients to discuss issues or concerns regarding their projects and to provide assistance during implementation to ensure projects are consistent with the funding agreement. Subrecipients will also be required to provide various reports during the period in which they invoice for eligible activities until grant close-out. In this regard, subrecipients need to keep track of the performance measures identified for their projects in the Agreement.

VIA also monitors subrecipients through the invoicing process. VIA requires that all claims for reimbursement be supported by adequate documentation meeting the requirements of 2 CFR § 200; VIA provides payment of expenses on a cost reimbursement basis only. In reviewing requests for payment and supporting documentation, VIA will evaluate for cost allowability consistent with 2 CFR § 200.420 through §200.475. VIA will monitor all activities by the subrecipient and take corrective actions to resolve any non-compliance issues, including informing the subrecipients if they are at risk of losing any of the funding that was awarded. VIA will review each submitted invoice and ensure that all required backup material is attached and correct in order to validate funds spent, work to resolve any potential ineligibility issues with any subrecipient, and obtain the return of any funds paid out that have been found to have been ineligible. In addition, VIA will review all quarterly and annual reports to ensure consistency with the terms of the federal grant and the Subrecipient Funding Agreements.

VIA, consistent with the requirements of 2 CFR § 200.332(g), will verify that if it meets audit thresholds, the subrecipient is audited in accordance with 2 CFR § 200, Subpart F.

Finally, VIA will make annual site visits to each subrecipient to ensure purchased items and vehicles are being maintained in accordance with the manufacturer's recommendations and are being used to meet the performance measures set in the Subrecipient Funding Agreement and in federal guidelines.

## Transfer of Funds

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VIA will not transfer any Section 5310 funds between other FTA programs or to other areas (small urbanized or rural areas).

## Private Sector Participation

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VIA disseminates information and solicits input consistent with its adopted Public Participation Plan. VIA provides maximum feasible participation to private providers of public transportation, including maintaining a Section 5310 Program page on our website ([www.viainfo.net/grant-5310/](http://www.viainfo.net/grant-5310/)) that includes publishing notices of grant opportunities, access to the Regionally Coordinated Transportation Plan, this document, applications/templates, federal circulars, and public notice for all Board meetings.

## Civil Rights

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### Title VI

VIA requires subrecipients to document that they manage and operate their Section 5310 program services without regard to race, color, or national origin.

VIA complies with FTA's Title VI requirements in the following manner:

- Provision of an annual Title VI certification and assurance
- Ensuring that subrecipients provide proper notification to beneficiaries of protection under Title VI
- Development of Title VI complaint procedures and forms
- Record keeping of all Title VI investigations, complaints, and lawsuits
- Solicitation, on an annual cycle at minimum, but at least once every three years, subrecipient Title VI programs, including:
  - Provision of meaningful access to persons with Limited English Proficiency
  - Development of a Public Participation Plan
  - Listing of the minority makeup of any transit-related, non-elected boards, committees, or similar bodies where the membership is determined by the agency
  - Development and implementation of all fixed-route provider service policies and standards (as applicable for 5310 subrecipients as well)

### Equal Employment Opportunity (EEO)

VIA requires each subrecipient to comply with FTA's EEO requirements by reviewing the subrecipient's transit-related workforce and requests/receipts of FTA funding in excess of \$1,000,000 in capital or operating assistance and/or \$250,000 in planning assistance. If a subrecipient exceeds these thresholds, VIA will require the subrecipient to prepare an EEO program consistent with FTA Circular 4704.1A.

## Americans with Disabilities Act (ADA)

As part of VIA's oversight responsibilities, VIA will monitor service policies, vehicle acquisition, and mode(s) of service operated to ensure compliance with the Americans with Disabilities Act.

In order to fulfill Section 504 and ADA obligations, VIA will work closely with its subrecipients to ensure transit services meet ADA requirements. VIA will evaluate all projects receiving grant funds for compliance with all relevant ADA laws, regulations, and policies. In particular, vehicles used in demand-response service by subrecipients must be accessible unless equivalent service is provided. Equivalency is evaluated based on the following factors:

1. Response time
2. Fares
3. Geographic area of service
4. Hours and days of service
5. Restrictions or priorities based on trip purpose
6. Availability of information and reservations capability
7. Any constraints on capacity or service availability

These requirements extend to vehicles used in fixed-route service by any subrecipient operated under contract or other arrangement or relationship. VIA will monitor equivalent service requirements as part of the subrecipient monitoring process. Additionally, each subrecipient must meet the minimum provision of service requirements outlined in 49 CFR Parts 27, 37, and 38 as well as FTA's ADA Circular 4710.1.

## Disadvantaged Business Enterprise (DBE)

If a State or Designated Recipient receives planning, capital, and/or operating assistance and awards prime contracts exceeding \$670,000 in FTA funds in a Federal fiscal year, DOT regulations require the State or Designated Recipient to have a Tier I DBE program and establish a DBE goal methodology that applies to all direct and subrecipient contracting activity resulting from those funds. This DBE goal must be submitted to FTA for review by August 1 at three-year intervals, based on a schedule established by FTA. If the recipient is under this threshold, the recipient must develop a Tier II DBE Program. Subrecipients must follow the recipient's established DBE program. Tier I recipients must also submit the Uniform Report of DBE Awards/Commitments on June 1 and December 1 of each year, while Tier II recipients must submit this report annually by December 1 of each year. Each report must include the third-party contracting opportunities from the agency's subrecipients. VIA will complete the DBE goal and reports as appropriate and submit them to FTA via TrAMS at the required intervals.

Recipients must ensure that each Transit Vehicle Manufacturer (TVM), as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, certifies that it has complied with the requirements of 49 CFR Part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." The recipient is obligated to determine, by checking the TVM listing on FTA's website or by checking with FTA's Office of Civil Rights at the time of bid opening, that the manufacturer likely to receive the contract complies with Part 26. TVMs must establish and

submit to the FTA Office of Civil Rights for approval an annual overall percentage goal. In setting this overall goal, manufacturers should be guided, to the extent applicable, by the principles underlying 49 CFR 26.45. TVMs that are certified to bid on federally funded transit agency contracts are listed on FTA's website. For further guidance, contact the FTA Office of Civil Rights. VIA will conduct this reporting on behalf of its subrecipients.

### **Monitoring Civil Rights Compliance**

VIA examines the following as part of its subrecipient monitoring process:

- Collecting and reviewing subrecipient Title VI programs
- Documenting and providing technical assistance, as necessary, in subrecipient resolution of Title VI complaints
- Collecting and reviewing EEO programs, if applicable
- Documenting and providing technical assistance, as necessary, in subrecipient resolution of EEO complaints arising from the transit program
- Ensuring current EEO posters are visible in subrecipient facilities
- Documenting and providing technical assistance, as necessary, in subrecipient resolution of ADA complaints arising from the transit program
- Monitoring service delivery and service policies to assure compliance with the ADA

VIA's promotion, administration, and distribution of information and funding relevant to the 5310 programs is consistent with VIA's Title VI Policy, which is made part of this document by reference.

VIA will provide subrecipients with technical assistance to meet the various requirements under each civil rights area.

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

Section 5335(c) requires all FTA recipients, including recipients under Section 5310, to report an asset inventory or condition assessment conducted by the recipient to the NTD. VIA will include the applicable transit assets owned/operated by its 5310 program subrecipients in its regular NTD reporting.

### **Program Management of 5310 Programs**

The following describes the activities to be performed by VIA to ensure federal funds are not lost (lapsed) to the region. The activities described below are part of the oversight and project management activities necessary to ensure that projects funded with 5310 funds are implemented in accordance with the FTA program guidelines and funding agreements.

- Monitor expenses and reimbursements to subrecipients to ensure compliance with the federal grant award and the Subrecipient Funding Agreement.

- Work with VIA's Finance Department to include project-related information in VIA's financial system, such as project identification number, grant number, amount, and funding sources. This information is needed for accounting and monitoring of project funding and expenses.
- Review subrecipient invoices for accuracy and eligibility, ensure that the required documentation is on file, and that payments are made as approved.
- Compile and distribute FTA procurement guidelines to all subrecipients. Work with all subrecipients to analyze, evaluate, and answer any particular procurement questions they may have relevant to their project(s). Review procurements before solicitation and award. See the most recent [Subrecipient Procurement Guidelines](#) document produced by VIA to support and guide subrecipient procurement actions.
- Prepare quarterly status progress reports, financial reports, and reports to FTA's Transit Award Management System (TrAMS) prior to the deadlines.
- Monitor, through annual (or more often) site visits, project implementation activities, and ensure compliance with federal and contractual requirements.
- Monitor subrecipients with FTA-funded capital assets, such as vehicles, to ensure that they are maintaining the assets in accordance with the original equipment manufacturer's (OEM) recommended schedules. For FTA-funded vehicles, a comprehensive maintenance plan is required after receiving notification of award. This plan should include documented vehicle maintenance/accident repairs and ensure oversight for routine scheduled or non-scheduled maintenance activities.
- Analyze project activities and determine if any changes to the budget, scope, or schedule are required. Accordingly, initiate and prepare any needed grant and Subrecipient Funding Agreement amendments prior to requesting FTA's approval to grant revisions.
- Analyze monthly or quarterly project expenses and reimbursements from the FTA and reconcile with FTA's TrAMS system for accuracy.
- Prepare and file grant budget revisions.
- Evaluate, prepare, and file grant and Subrecipient Funding Agreement closeout documents. Work with subrecipients to set performance measures through the life of the project to track its effectiveness and progress as described in the Subrecipient Funding Agreement.

## Performance Measures

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Consistent with federal guidelines, subrecipients are required to report on the performance measures below on a monthly and annual basis as a result of the grant-funded project(s).

### Traditional Projects:

- Actual or estimated annual number of rides (as measured by one-way trips) as a result of the implementation of the Section 5310 program.
- Provision of transportation options that would not otherwise be available for seniors and individuals with disabilities, measured in the number of seniors and people with disabilities

afforded mobility they would not have without support, because of traditional Section 5310 projects implemented in the current reporting year.

#### Non-Traditional Projects:

- Annual increases or enhancements related to geographic coverage, service quality, and/or service times that impact the availability of transportation services for individuals with disabilities.
- Additions or changes to physical infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact the availability of transportation services for seniors and individuals with disabilities because of other Section 5310 projects implemented in the current reporting year

The subrecipients will also work jointly with VIA to establish other performance indicators that are more specific to their projects to measure relevant outputs, service levels, and outcomes.

## **Other Provisions**

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Subrecipients must adhere to FTA guidelines and comply with Federal requirements. VIA will ensure subrecipients are:

- Following all federal procurement guidelines, such as environmental protection, Buy America, and pre-award and post-award reviews. Subrecipients will have to submit a Request for Proposal for VIA to review all small and large purchases before releasing them to the public, as well as a Request for Award to allow VIA to review the awards of FTA-funded projects.
- Complying with the restrictions on lobbying. Subrecipients must disclose participation in any lobbying activities. Lobbying-related expenses are non-reimbursable.
- Complying with exclusive school transportation services prohibitions, including the prohibition of utilizing FTA-funded vehicles or funds for school bus service.
- Following drug and alcohol testing requirements, if the subrecipient receives Section 5307 and/or 5311 funds in addition to its 5310 funds, or if the agency is required to comply with testing requirements of the Federal Motor Carrier Safety Administration (FMCSA) for CDL vehicles.

## **Program Management Plan Updates**

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As stated earlier, the PMP is a living document. It will be updated regularly to incorporate any expansions and enhancements of the 5310 programs, as well as any revisions to the programs' management, requirements, or guidelines. It will also be updated per the request of the FTA or based on significant input submitted from subrecipients, eligible applicants, and the general public. All significant changes to the PMP will require FTA approval. At a minimum, the PMP will be updated every three to four years.