Pennsylvania State Management Plan

Federal Programs: 5310, 5311, 5316 & 5317

Bureau of Public Transportation
March 2011
# Table of Contents

**Introduction** ........................................................................................................................................ 4

A. Program Goals and Objectives ............................................................................................................. 4
   5310 ................................................................................................................................................ 4
   5311 ................................................................................................................................................ 5
   5316 and 5317 ................................................................................................................................. 5

B. Roles and Responsibilities .................................................................................................................... 6
   The role of Organizations participating in the Section 5316 and 5317 Programs ................................. 6

C. Coordination ....................................................................................................................................... 6

D. Eligible Sub-Recipients ....................................................................................................................... 7
   5310 ................................................................................................................................................ 7
   5311 ................................................................................................................................................ 8
   5316 and 5317 ................................................................................................................................. 8

E. Eligible Services and Service Areas (only applicable to 5311) ........................................................... 8

F. Eligible Assistance Categories (only applicable to 5311) ................................................................... 9

G. Local Share and Local Funding Requirements .................................................................................. 9
   5310 ................................................................................................................................................ 9
   5311 ................................................................................................................................................ 9
   5316 and 5317 ................................................................................................................................. 9

H. Project Selection Criteria and Method of Distributing Funds ............................................................... 10
   5310 ................................................................................................................................................ 10
   5311 ................................................................................................................................................ 12
   5316 and 5317 ................................................................................................................................. 14

I. Intercity Bus Transportation – Section 5311 ....................................................................................... 15

J. Annual Program of Projects Development and Approval Process ...................................................... 16
   5310 ................................................................................................................................................ 16
   5311 ................................................................................................................................................ 16
   5316 and 5317 ................................................................................................................................. 17

K. Funds Transfers ................................................................................................................................... 17

L. State Administration and Technical Assistance ..................................................................................... 17

M. State RTAP ......................................................................................................................................... 18

N. Private Sector Participation .................................................................................................................. 18

O. Civil Rights .......................................................................................................................................... 18

P. Maintenance (only applicable to 5311-Maintenance for other programs is covered under U. State Program Management) ................................................................................. 19

Q. Charter Rule ....................................................................................................................................... 20
   5310, 5316 & 5317 ........................................................................................................................... 20
   5311 ................................................................................................................................................ 20

R. Section 504 and ADA Reporting ....................................................................................................... 20
S. Program Measures ................................................................................................................................. 20
  5310 .......................................................................................................................................................... 20
  5316 & 5317 ............................................................................................................................................... 21

T. NTD Reporting (only applicable to 5311) .......................................................................................... 21

U. State Program Management .................................................................................................................. 22
  Procurement/Construction Management ................................................................................................. 22
  Financial Management/Accounting System/Audit and Closeouts .......................................................... 22
  Vehicle Use .............................................................................................................................................. 23
  Maintenance and Disposition .................................................................................................................... 23
  Sub-Recipient Monitoring ......................................................................................................................... 23
  State Reporting Requirements .................................................................................................................. 25

V. Other Provisions ..................................................................................................................................... 25
  Section 5333 B ........................................................................................................................................ 25
  Environmental Protection ......................................................................................................................... 25
  Buy America Provisions .......................................................................................................................... 25
  Pre-Award and Post Delivery Reviews .................................................................................................... 25
  Prohibition of Exclusive school transportation ....................................................................................... 26
  Drug and Alcohol Testing ......................................................................................................................... 26
  State’s procedures for monitoring Compliance by sub-recipients ............................................................ 26

Appendix A-1 – BPT Procurement Procedures
Appendix A-2 – BPT Disposition Procedures
Appendix A-3 – Useful Service Life Policy
Appendix A-4 – Procurement Checklist
Appendix B – 5316 and 5317 Agency Program Guidance Transmittal Letter
Appendix C – Bureau of Public Transportation Organizational Chart
Introduction

The United States Department of Transportation Federal Transit Administration (FTA) requires that each state adopt policies and procedures to be used in administering the FTA Sections 5310, 5311, 5316 and 5317 grant programs. The Pennsylvania Department of Transportation (PENNDOT) has been designated by the Governor of the Commonwealth of Pennsylvania as the applicant for, and primary recipient of Sections 5310, 5311 funds apportioned to Pennsylvania. PENNDOT is also the designated recipient of Section 5316 and 5317 funding for small and non-urbanized areas of Pennsylvania. Within PENNDOT, the Bureau of Public Transportation (BPT) is directly responsible for administering the Section 5310, 5311, 5316 and 5317 Programs. The BPT has adopted this combined state management plan as the policies and procedures for administering the FTA programs.

The BPT has primary responsibility for the development, improvement and promotion of public transportation in Pennsylvania. In meeting its responsibilities, BPT provides technical and financial assistance in support of urban public transit systems, rural public transportation services, intercity bus and rail passenger operations, and private nonprofit operators who provide mobility services for senior citizens and persons with disabilities. In addition to administering existing programs, the Bureau formulates recommendations for new or revised public transportation policies, programs, and legislation necessary to respond to the changing needs of the users and providers of these services. In the conduct of its responsibilities, the Bureau is involved in all aspects of grant and program administration including planning, programming, auditing, legal, statistical functions and oversight.

A. Program Goals and Objectives

5310

The goal of the Section 5310 Program is to provide assistance in meeting the special transportation needs of elderly persons and persons with disabilities. The Section 5310 Program is designed to supplement the Federal Transit Administration's other capital assistance programs by funding transportation projects for elderly persons and persons with disabilities in all areas - urbanized, small urban, and rural. The Program seeks to enhance coordination of federally assisted programs and services in order to encourage the most efficient use of Federal resources and achieve the national goal of improved mobility for elderly persons and persons with disabilities.

To be eligible for funding, Section 5310 projects in urbanized areas are to be included in the Metropolitan Transportation Plan (MTP) prepared and approved by the Metropolitan Planning Organization (MPO), the Transportation Improvement Program (TIP) approved jointly by the MPO and the Governor, and the Statewide Transportation Improvement Program (STIP) developed by the State and jointly approved by FTA and the Federal Highway Administration (FHWA). Projects outside urbanized areas are to be included in or be consistent with the Statewide Long-Range Transportation Plan, as developed by the State, and must be included in the STIP.
With respect to rural public transportation, it is the goal of BPT to support the continuation of existing services and the development of new services which are essential for a coordinated, efficient and environmentally acceptable system of public transportation services throughout rural Pennsylvania.

Some specific objectives established to achieve this goal are:

1. Focus on meeting the rural public transportation needs by planning for capacity and frequency of rural transit services through more efficient utilization of existing resources and commitment of additional resources where appropriate.
2. Improve service quality (reliability, comfort, public information, etc.)
3. Implement service improvements and public information programs designed to increase ridership and revenue.
4. Facilitate the development of cooperative working relationships among private transit companies, community organizations, local project sponsors, and funding agencies.
5. Promote the improvement of operating and financial performance of the transit systems through monitoring of transit systems, providing on-site technical assistance, and sponsoring technical studies.
6. Coordinate existing services in rural areas.

The JARC Program provides financial assistance for projects benefiting low-income individuals to access work and work-related opportunities and to transport residents of urbanized areas and non-urbanized areas, regardless of income, to suburban employment opportunities.

Objectives of the Job Access Reverse Commute program are:

- Provide connectivity for low-income persons to jobs and other support services such as day care and continuing education.
- Target existing or expanded transportation services such as shuttles, vanpools, new bus routes, connector services to public transit, and guaranteed ride home programs for welfare recipients and low-income persons.

The New Freedom Program provides new public transportation services to overcome existing barriers facing Americans with disabilities seeking integration into the workforce and full participation into society.

Objectives of the New Freedom program are:

- Ensure that a lack of adequate transportation is not a primary barrier to work for individuals with disabilities.
- Expand the transportation mobility options available to persons with disabilities beyond requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101, et seq.).
In addition to developing program goals and objectives for JARC and New Freedom, Pennsylvania has for many years identified and addressed the long-term transportation needs of low-income individuals and persons with disabilities. When Pennsylvania initiated its Welfare Reform activities in 1997, transportation was identified as the one of the major barriers to employment for low-income residents. In order to connect recipients of Temporary Assistance for Needy Families (TANF) and other low-income persons with jobs that are often located in suburban areas with minimal public transportation from urban and rural areas, the Departments of Public Welfare and Transportation (PENNDOT) established the welfare to work (w2w) Transportation Program to increase transportation availability and access to jobs. This program is currently funded through the Bureau of Public Transportation. Also, in 2001 BPT began a pilot program to provide advance reservation door-to-door transportation for persons with disabilities at a reduced cost. The Rural Transportation Program for Persons with Disabilities (PwD) has been expanded statewide and is currently available in 65 of Pennsylvania’s 67 counties.

B. Roles and Responsibilities

The Urban Transit Division performs the Section 5310 program management functions, the Rural and Intercity Division performs the Section 5311 programs management functions and the Specialized Transportation Division performs the Section 5316 and 5317 management functions. See Appendix C for BPT Organizational chart.

The role of Organizations participating in the Section 5316 and 5317 Programs

For urbanized areas of 50,000 to 200,000 population and non-urbanized areas, BPT will provide program guidance and selection criteria (see Appendix B - Agency Program Guidance transmittal letter) to each respective Metropolitan Planning Organization (MPO) and Regional Planning Organization (RPO), which will conduct the application and selection process, rank the projects, and submit the selected applications to BPT for review and concurrence. BPT will then make the necessary transfer of funds to the sub-recipients for the respective small urban and non-urbanized areas. Each designated sub-recipient will be responsible for executing contracts, monitoring grants, project audits and close-out. BPT will provide technical assistance to these small urban and non-urban areas as appropriate. It is the responsibility of each participating organization to fully comply with all application requirements. Each organization must utilize all awarded equipment as intended and stated in their original application. Awarded proposals must be used for the promotion of and participation in the coordinated efforts of other organizations, and to ensure full compliance with regulations set forth by both FTA and BPT.

C. Coordination

BPT works closely with a number of other State and local agencies to develop specific projects and provide for general coordination.

Examples of coordination efforts to date are:

1. Continuous work with the Department of Aging to enhance the mobility of the elderly
through Pennsylvania's free and reduced fare programs for senior citizen transportation

2. Ongoing work with Transportation Coordination Demonstration Pilot Projects to explore opportunities for regionalization of transportation services.

3. Establishment of the Section 5310 Interdepartmental Task Force which reviews applications submitted for Section 5310 funding

4. Requirement of a single agency, within a county, to coordinate transportation services being provided under the State's Senior Citizens Shared-Ride program

5. Human Service Transportation Coordination Study with the Departments of Aging, Public Welfare and the Office of the Budget.

6. The Section 5310 application evaluation process prioritizes applicants demonstrating transportation coordination within their service areas.

SAFETEA-LU requires that Section 5310, 5316 and 5317 projects selected for funding must be derived from a locally developed, coordinated public transit-human services transportation plan. These plans have been developed throughout Pennsylvania in the urbanized and non-urbanized areas. Locally developed coordinated plans can identify both the transportation needs and issues of a particular area and the transportation services available to meet these needs. The plan can help reduce or eliminate many of the problems and issues identified, such as duplication of services and underutilization of resources, and actually help extend or expand service to meet unmet transportation needs.

The local planning organization is responsible for developing the plans which require the involvement of public, private, non-profit and human services transportation providers, as well as the general public.

In addition, BPT is in continuous contact with its Section 5310, 5311, 5316 and 5317 projects through the efforts of staff Program Coordinators. The Program Coordinator is the initial point of contact for questions, problems, updates or information regarding the full scope of a project's activities. The annual PPTA/BPT transit conference provides opportunities to speak not only to sub-recipients, but also to other State and Federal officials regarding a broad range of issues, including Section 5310, 5311, 5316 and 5317 funding.

D. Eligible Sub-Recipients

5310

Private non-profit organizations that provide transportation service to elderly persons and persons with disabilities are eligible to apply to the Commonwealth for funding under the Section 5310 Program.

In addition to private non-profit organizations, a public body may apply directly for Section 5310 funds when approved by the State to coordinate services for elderly persons and persons with disabilities. In Pennsylvania, only those public bodies designated as County Coordinators under the state lottery-funded senior citizens Shared-Ride Program may receive Section 5310 funds.

BPT has not established a procedure that allows public bodies to certify to the Governor
that no non-profit corporations or associations are readily available in an area to provide the service since only those public bodies designated as described above may receive these funds. State eligibility is not more restrictive than Federal eligibility and BPT does not conduct itself as the primary recipient for any projects.

5311

Only public agencies are eligible as direct recipients of funds. Applicants typically are either political subdivisions of the Commonwealth (i.e., county, city, borough, township, etc.) or public transit authorities incorporated under the Pennsylvania Municipal Authorities Act of 1945. Private for-profit and private non-profit agencies participate in the program through subcontracts with public agencies or with public sponsorship for capital projects.

In addition, under Section 5311(f), the state directly provides to intercity bus carriers, both operating assistance grants, and capital assistance grants to pay for lifts and mobile seating devices, in order to assist carriers with meeting their ADA obligations.

5316 and 5317

There are three categories of eligible sub-recipients of JARC and New Freedom funds:

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

Section 5316 and 5317 funds are made available through BPT to agencies deemed eligible and who demonstrate a project plan that meets FTA and BPT qualifying standards and favorably serves welfare recipients, low income families and individuals with disabilities. Interested private non-profit agencies and private operators of public transportation services are encouraged to partner as appropriate with a public agency sponsor.

E. Eligible Services and Service Areas (only applicable to 5311)

In Pennsylvania the Section 5311 Program was established to provide “public transportation” in rural areas, and the funds were not made available to subsidize human service transportation by replacing those funding sources with Section 5311 funding. The guidelines that are in place maintain the general public element of services that are funded. To be eligible for Section 5311/Act 44 assistance, the service must be offered to the general public and advertised as such, and no more than 50% of the total system ridership can be affiliated with any one agency. The intent of this definition is to ensure that the systems are designed and function as a public service rather than for the benefit of any one group. In addition, consistent with Federal directives, this standard is intended to discourage the substitution of Section 5311 funding for social service/human service program funding. Services which do not meet the standard are generally handled on a contract basis with a sponsoring agency paying the full cost (usually through other Federal and State funding sources) of transporting its clients. Service areas are generally determined by the geographic boundaries of the municipality applying for
funding. Similarly, transit authorities have clearly delineated service areas.

F. Eligible Assistance Categories (only applicable to 5311)

The Department has funded and will continue to fund operating, capital, and technical assistance for eligible grantees contingent upon apportionment levels. BPT funds sub-recipients’ administrative expenses as part of their operations budget, i.e., at up to 50% of the project deficit.

G. Local Share and Local Funding Requirements

5310

The Federal share of eligible capital expenses cannot exceed eighty (80%) percent. The local share can be no less than twenty (20%) percent of the expenses. All of the local share must be provided from sources other than Federal funds except where specific legislative language of a Federal program permits its funds to be used to match other Federal funds. The State does not provide local matching funds specifically for the Section 5310 Program, although approximately half the 5310 grantees receive Community Transportation Capital (CTC) State funds which do provide the 20% local share for those eligible grantees. In all other cases the grantee is responsible for providing the local match.

5311

State matching funds for the Section 5311 Operating Assistance Program come from Act 44 Section 1513 Operating Assistance.

Pennsylvania State law requires a 15% match from local sources for the Act 44 operating assistance program. Since the local matching requirement is minimal, it must be in cash.

Funding ratios typically used for capital projects and technical studies when Federal Section 5311 funds are used are:

Capital

<table>
<thead>
<tr>
<th></th>
<th>Federal</th>
<th>State</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital</td>
<td>80%</td>
<td>16.67%</td>
<td>3.33%</td>
</tr>
<tr>
<td>Or</td>
<td>Federal</td>
<td>State</td>
<td>Local</td>
</tr>
<tr>
<td></td>
<td>80%</td>
<td>19.355%</td>
<td>0.645%</td>
</tr>
</tbody>
</table>

Technical Studies

<table>
<thead>
<tr>
<th></th>
<th>Federal</th>
<th>State</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>80%</td>
<td>19.355%</td>
<td>0.645%</td>
</tr>
</tbody>
</table>

5316 and 5317
JARC and New Freedom programs provide funds for capital, planning, and operating assistance to support all eligible activities. The Federal share of eligible operating expenses cannot exceed fifty (50%) percent. The Federal share of eligible capital expenses will not exceed eighty (80%) percent. Through Act 44 of 2007, Section 1516, BPT is authorized to give high priority to providing state financial assistance as match for federal funding to support JARC and New Freedom programs. The state matches up to 50 percent for operating expenses and up to 20 percent for capital and planning activities. In addition, required local match is one of the options the Department is considering for JARC and New Freedom projects to make sure that there is local project oversight and ownership.

H. Project Selection Criteria and Method of Distributing Funds

5310

The availability of funding is advertised through various Department and statewide newsletters and publications describing government assistance programs, including the Pennsylvania Bulletin. In addition, detailed program guidelines and application forms and instructions are annually updated and mailed directly to potential applicants. Funds are not apportioned to specific geographic areas. Rather, the Department responds to locally initiated requests for assistance. Grants are awarded on a discretionary basis. Factors considered in determining grant awards include:

- demonstrated need in addition to existing services
- evidence of support (including commitment of local matching funds)
- evidence of coordination of transportation programs
- availability of funds under other programs
- evidence of adequate technical, administrative, and managerial personnel and skills to properly administer the program
- ability to comply with applicable state and federal regulations

BPT divides organizations eligible for Section 5310 funding into two categories for project selection purposes:

Category 1: Organizations eligible for state Community Transportation Capital Equipment (CTC) funds. CTC provides state funds for capital assistance to organizations participating in the Senior Citizens Shared-Ride Program. The Shared-Ride Program provides reduced rates for senior citizens 65 and older throughout Pennsylvania. Senior citizens or an approved third-party sponsor pay 15% of the fare and the State Lottery fund pays the remaining 85% on local shared-ride door-to-door advance reservation transportation service. Eligible participants are private non-profit organizations, municipalities, and municipal organizations.

Category 2: Organizations not eligible for CTC funds. This category includes any other private non-profit organizations that transport senior citizens and/or persons with disabilities on a
The reason for this process is to allow Senior Citizen Shared-Ride Program agencies to submit one application for both CTC funds and Section 5310 funds, rather than two applications. It is important to note that while the criteria for determining whether an applicant falls under Category 1 or Category 2 are different, the eligibility requirements for participation in the Section 5310 Program are the same.

Funds are distributed via a procedure where approximately 60% of total 5310 funds allocated to Pennsylvania by FTA are allocated to CTC-eligible Senior Citizen Shared-Ride Program providers (Category 1 applicants). This percentage is based upon the average funding split between Shared-Ride and non-Shared-Ride 5310 applicants during the five year period from FY 1999-00 thru FY 2003-04.

Evaluation of Category 1 Section 5310 applications is done by BPT staff and evaluation of Category 2 Section 5310 applications is done by an Interdepartmental Task Force consisting of representatives from the Pennsylvania Departments of Aging, Community and Economic Development, Labor and Industry, Public Welfare, and Transportation. The evaluation of Category 1 and Category 2 Section 5310 applications is based on the following criteria. Those applicants who show the greatest justification on these points are funded.

1. The extent to which the transportation service to be provided will be coordinated and integrated with existing services. Unique circumstances where coordination is not feasible will be considered if adequate justification is provided.
2. The justification for the number of vehicles and communication equipment requested that would provide the proposed service.
3. The applicant's financial and operational ability to sustain the transportation service.
4. Application accuracy and completeness.

In addition, BPT requires each Transportation Planning Organization (TPO) within Pennsylvania to develop and adopt a local coordinated public transit-human services transportation plan which is forwarded to BPT. BPT then assures that all plans are consistent with FTA guidance, including (1) determining that all projects can be derived from a locally developed coordinated plan, and (2) determining that there is evidence that the local coordinated plan was developed in cooperation with all appropriate stakeholders, including persons with disabilities and older adults utilizing transportation services.

Funds for the Section 5310 Program are available for capital expenses to support the provision of transportation services to meet the special needs of the elderly and persons with disabilities. Eligible capital expenses include:

1. small buses (seating capacity ranging approximately from 10 to 25)
2. vans or other paratransit vehicles
3. mobile radios, radio base stations, and other communications equipment
4. wheelchair lifts, restraints, and ramps
5. initial installation costs
6. vehicle testing, inspection and acceptance costs  
7. lease of equipment when a lease is more cost effective than a purchase

Although a federally allowable expense, BPT excludes the following:

1. vehicle shelters  
2. vehicle rehabilitation  
3. microcomputer hardware/software  
4. acquisition of transportation services under a contract, lease or other arrangement  
5. vehicle overhaul  
6. associated capital maintenance  
7. preventive maintenance

5311

On an annual basis, the Bureau distributes instructions via email, detailing how to access applications for funding through Penn Dot’s electronic Grants Management System, DotGrants. The email is sent to all prospective applicants and details any changes to the application from the previous year. This information can also be found on the Bureau’s website.

The Bureau does not apportion 5311 funds based on geographic areas. Rather, the Bureau uses two separate methods of project selection:

The first method involves responding to locally initiated requests for financial assistance. This includes operating assistance for demonstration or service expansion projects, capital grants and technical studies which are all awarded on a discretionary basis.

The second method is to continue funding projects for those sub-recipients that receive state operating assistance as a result of State Act 44 of 2007. Each method is described below.

Factors determining grant awards for operating, capital and technical assistance include:

1. The demonstrated need for services,  
2. Evidence of support (including commitment of local matching funds) by local elected officials,  
3. Evidence of coordination of existing transportation programs,  
4. Availability of funds under other programs,  
5. Evidence that the organization possesses adequate technical, administrative and managerial personnel and skills to properly administer the program, sustain the operation, or maintain the capital investment,  
6. Ability to comply with applicable State and Federal regulations, and  
7. Social and economic benefits to residents of the non-urbanized area.

Number five (5) specifically is accomplished by several progressive steps: (a) documentation presented, (b) our experience with the sub-recipient (either through rural or other Bureau programs) relative to timeliness and accuracy of reporting, etc., (c) results of compliance reviews and follow-up, and (d) technical assistance including on-site technical assistance visits.

Any prospective rural project that meets the general public and local sponsorship program
criteria will be considered for funding. In such cases, State Act 44 funds are used to supplement Federal funding during the demonstration period.

**Operating Assistance**

All project applications and grant administration, both State-wide and on a sub grant basis, follow the State fiscal year (July 1 - June 30). The following schedule is presented to illustrate the sequence of events that would occur for one funding cycle:

- **September** – BPT budget request is submitted to the Governor’s Budget Office
- **December 31** – each prospective applicant submits to BPT a signed 5333(b) Labor Warranty Certification. Submitted through the application
- **March 31** – BPT submission of program of projects to FTA,
- **April 30** – BPT anticipates FTA approval and grant award notification,
- **April 30** – Sub-recipients submit detailed project applications to BPT, and
- **July 1** – Funding eligibility becomes effective for the new state fiscal year.

Following (a) FTA approval of the program of projects, (b) BPT approval of a project application, and (c) approval of the State budget, grant agreements are executed between BPT and each sub-recipient. The grant agreements include all applicable terms and conditions as required by U.S. DOT.

Each project submits a quarterly financial statement and report of operations that form the basis for release of Federal and State funds.

At the completion of each project, sub-recipients are required to obtain a certified financial statement prepared by an independent public accountant. The independent accountant’s report is reviewed by the Commonwealth to assure compliance with Federal and State requirements. A final reconciliation of payments vs. justified funding is completed and the project is then closed out.

**Capital Assistance**

Capital project funding is awarded and administered in accordance with FTA Circular 4220.1F and the Department’s competitive procurement procedures (see Appendix A-1). Project justification, specifications, bidding and procurement will be handled at the State level.

FTA will receive periodic progress reports submitted for all active capital projects under the Section 5311 Program not less than annually through the milestones reporting process. The Department will continue to monitor capital projects in the following manner:

1. require detailed application and Department approval prior to grant agreement execution,
2. provide to all projects written guidance regarding procurement, maintenance and disposition procedures and related requirements,
3. project coordinators and a staff engineer conduct reviews of specifications, bids and quotes prior to acceptance,
4. sub-recipients complete and submit to the Bureau vehicle inspection and acceptance
forms prior to payment initiation,
5. project coordinators compare invoices/reports of progress to project schedule,
6. project coordinators conduct site visits,
7. staff engineers conduct interim inspections of major projects, and final inspections of major construction projects,
8. continue to include as a major component of our annual rural workshop a review and update of the capital program, and
9. The Department will attempt to resolve any appeals or disputes which arise as a result of Department-approved procurement activities.
10. Require all projects to be on the approved state transit TIP.

5316 and 5317

Project Selection Criteria

Before receiving funding approval, applicants must meet the following criteria:

- The proposed service effectively addresses a demonstrated community need.
- The applicant has the fiscal and technical capacity and adequate budget to operate its service.
- The applicant has successful experience in providing transportation services.
- The application shows coordination with other transportation providers in the service area: public, nonprofit, and for-profit.
- The applicant demonstrates involvement in and support for the project, financial and otherwise, on the part of citizens and local government.
- The applicant demonstrates effort to involve the private sector in the delivery of transportation services.
- Elderly and disabled citizens have full access to the applicant's services.
- The applicant successfully demonstrates service efficiency and effectiveness, measured in ridership, service miles and hours, costs, and fare recovery.

JARC and New Freedom funds are available to eligible applicants on a fiscal year basis. JARC and New Freedom applications are forwarded to the local Metropolitan and Regional Planning Organizations (MPOs and RPOs) Executive Directors in January (see Appendix B - Agency Program Guidance transmittal letter). It is then the MPOs/RPOs responsibility to distribute JARC and New Freedom applications to all public transportation providers as well as any other eligible applicants in their area. The applications need to be collected by the MPO/RPO’s no later than Mid-March. The MPOs/RPOs will then evaluate and rank the applications that they receive. The ranked projects are then due to the Department by mid-April. The Department will undertake a review and evaluation process to determine selection based on established priorities and funding limitations. We will then identify projects that are consistent with both BPT and FTA priorities. Projects are then submitted to the FTA. After concurrence/approval by the FTA, BPT directs authorized agencies to submit projects for funding through the Departments electronic dotGrant system. Projects are to begin the following July 1.
In general, the grant application will include the following items:

1. Project description and budget: The applicant must describe existing transportation services, service area, number of passengers served, existing vehicle inventory, type of service provided, capital needs, proposed operating and capital budgets, procurement system, and system operation and performance.

2. Coordination Plans: All projects must have been derived from a local Coordinated Plan. Applicants will be asked to provide a description of the applicant’s participation in the plan, and the priority or recommendation documented in the plan that this project addresses.

3. Grant justification: The applicant must provide evidence of how the JARC funds requested will be used for capital and/or operating projects that support access to jobs for low-income persons. The applicant must provide evidence of how the New Freedom funds requested will be used for capital and/or operating projects that support new public transportation services beyond those required by the ADA and new public transportation alternatives beyond those required by the ADA.

Evaluation and Award

Projects that will be funded under the JARC and New Freedom Programs for the applicable fiscal year will be based upon an evaluation of each proposed transportation service. Each organization’s application/proposal will be evaluated as to how the organization fulfills the transportation priorities as stated in the application evaluation and ranking process.

Each organization will also be evaluated on the following criteria:

1. Transportation needs of the clientele to be served as stated in the organization’s application/proposal
2. Organization’s use of existing transportation providers
3. Coordination efforts with other nonprofit and public transportation services
4. Proposed utilization of requested funding and/or related equipment
5. Fiscal and management capabilities.

Distribution of Funds

Funding is distributed based on the extent to which the proposed service meets the goals and eligibility criteria of these programs, and on the priority given the proposed project in the locally developed human services coordination plan for the region. Available funds in Pennsylvania are distributed according to the results of the evaluation process. Projects are funded until combined State and Federal allocations are exhausted.

I. Intercity Bus Transportation – Section 5311

Intercity Bus operating assistance is needed to maintain intercity connections on many routes in the state, both to serve rural areas and to provide links for more direct travel.
The program is discretionary and awards are made on the basis of the service’s importance in maintaining an essential network of intercity public transportation services throughout the Commonwealth, and on the basis of financial and non-financial performance factors for the service(s). Factors include adherence to program requirements.

The continuation of existing services that would otherwise be threatened with discontinuance or a major reduction in frequency, especially in areas with no other intercity bus service alternatives are priorities of the intercity bus program.

Proposals for new services would include increasing the level of service in a corridor or to test new markets.

Federal and state funding is disbursed based on the deficit with 50% federal funding and 25% state funding and the intercity bus company providing a 25% local match.

Available capital funding may also be provided for intercity bus/intermodal terminals, vehicles and equipment (including accessibility equipment). Capital funding is 80% federal, 10% state and 10% local.

J. Annual Program of Projects Development and Approval Process

5310

Applications for Section 5310 assistance are due from potential sub-recipients early in the calendar year for funding in the following State fiscal year, which begins on July 1. BPT completes its review of applications by August. The State's Section 5310 Program of Projects for the current State fiscal year is submitted to U.S. DOT by September. This submission is based on the recommendations of the Interdepartmental Task Force. Approval from U.S. DOT is generally received, along with contracts for Departmental execution, by the end of September.

5311

The State’s Section 5311 Program of Projects for each State fiscal year is submitted to FTA by March 31. This submission is based on Department estimates of funding needed for known or projected applicants and reflects appropriate adjustments of previous funding levels. Also included are requests for State administration, Rural Transit Assistance Program (RTAP), and miscellaneous item funding. Approval from FTA is generally received, along with contracts for Department execution, by April 30.

Applications for Section 5311 operating assistance are due from prospective grantees on or about April 30th for funding in the following State fiscal year, which begins on July 1. It is BPT’s goal to have applications approved and grant agreements in place by the start of each fiscal year. Applications for Section 5311 Capital Assistance are normally due July 1st. The Bureau distributes instructions via email, detailing how to access applications for funding through BPT’s electronic Grants Management System, dotGrants. The email is sent to all prospective applicants and details any changes to the application from the previous year. A Rural Management Assistance (RMA) workshop is conducted during April in conjunction with
the Pennsylvania Public Transportation Association’s annual meeting. During this workshop, all active and prospective recipients are invited to discuss the application, changes to state or federal guidelines and any other aspects of the program.

Once a funding application is received by the department, it is reviewed for completeness and accuracy. If any documentation is missing or if any information needs amplification, applicants are contacted and the application is sent back to them for modifications. Once the application is complete and meets the approval if the division chief and bureau director, an approval letter and grant agreement are prepared and sent to the applicant for signature.

BPT uses an electronic signature in conjunction with its dot Grants system. All of the required signatures are obtained using this process. Once all signatures are obtained, the grant agreement is awarded. Monthly payments are made in conjunction with the submittal of quarterly progress reports.

5316 and 5317

BPT develops an annual calendar for accepting JARC and New Freedom applications and for developing a Program of Projects that corresponds with the Federal funding cycle. Department staff reviews the local selection process for each application for content and compliance with all requirements, and awards are based on the criteria and distribution method listed above. The program of projects is then submitted to the FTA regional office. Each planning, capital, and operating request is listed as a separate line item and the funding amounts are identified. The program of projects also contains a brief description of the projects, total project costs and Federal share for each project, and the amount of funds required for planning and program administration. The total Federal funding level for the program of projects cannot exceed the total amount of JARC and New Freedom funds available.

Upon receiving FTA approval of the statewide application, BPT will execute a grant contract with each small urban and non-urbanized grantee. Contracts will describe the responsibilities of each party and must be signed by the appropriate authorized official. BPT returns a copy of the fully executed contract to the grantee with a notice to proceed. Contracts for JARC and New Freedom projects in urbanized areas will be executed between FTA and the designated recipient.

K. Funds Transfers

Since all available Section 5310, 5311, 5316 and 5317 funds are fully committed on an annual basis; no formal procedures now exist to effect transfers of funds among other FTA program areas. When the opportunity arises, transfers will be made in accordance with FTA regulations.

L. State Administration and Technical Assistance

BPT does not use Section 5310, 5311, 5316 or 5317 funds for administration. However, BPT supports training to develop knowledgeable transit management staff and improve the effectiveness of transit operations in a variety of areas including funding, vehicle and equipment
procurement, vehicle maintenance, and training programs. Technical assistance offered directly by BPT includes consultation with sub-recipients on their regulatory obligations, both state and federal, on financial management of their programs, and on other issues as needed.

M. State RTAP

The Pennsylvania Rural Transportation Assistance Program (RTAP) is administered by BPT through a grant awarded to the Pennsylvania Public Transportation Association (PPTA).

The Pennsylvania Transportation Resource and Information Network (PennTRAIN) was established in 1989 as part of the Pennsylvania Rural Technical Assistance Program (RTAP) and is administered by the Pennsylvania Public Transportation Association (PPTA). The PennTRAIN program enables BPT to provide technical assistance, high quality training, and other support activities to transit operations and services in Pennsylvania’s rural areas.

Intercity Bus grantees are also eligible to receive training under RTAP.

N. Private Sector Participation

By Federal statute, the public is required to be involved in the transportation planning process. Specifically, private providers must be consulted in developing transportation plans and programs in both urbanized and rural areas. To this end, Metropolitan and Regional Planning Organizations are strongly encouraged to establish a local Transportation Advisory Committee (TAC) with private provider participation that would afford an opportunity to these providers for input into plan and project development. Planning organizations must encourage every possible transportation provider, including private-for-profit providers, to participate in the project. It is the goal of the Section 5310, 5316 and 5317 Programs to promote greater reliance on the private sector in the provision of transportation services where those services can be provided more efficiently by the private sector.

As a basic requirement of every 5311 application, prospective sub-recipients must address how private enterprise has been involved in the grant application process. This information must include such items as private operators who are subcontracted to the grantee as service providers, public meetings during which input from private entities and individuals was solicited as part of the planning process for the service, and methods of review concerning whether the service could be more efficiently provided by the private sector.

O. Civil Rights

BPT details how it meets Federal Civil Rights requirements in the approved Title VI, EEO and DBE plans. As part of annual grant applications, BPT requires that each prospective sub-recipient assure its compliance to Civil Rights requirements. The Bureau ensures sub-recipient compliance with Civil Rights through the compliance review process. Title VI, DBE and EEO are reviewed at least once every three years.

Title VI
Title VI of the Civil Rights Act of 1964 requires that the direct grant recipients and sub-recipients provide all services and benefits without regard to race, color or national origin. The Pennsylvania Department of Transportation has a current Title VI Nondiscrimination Plan on file with the Federal Transit Administration (FTA). This document outlines and describes efforts taken and adhered to by BPT to be in compliance with the requirements of the federal nondiscrimination legislation. A copy of the PENNDOT Title VI Policy for BPT is maintained by the Bureau of Equal Opportunity of the Pennsylvania Department of Transportation.

Equal Employment Opportunity

It is the policy of the Pennsylvania Department of Transportation to ensure that all sub-recipients and their subcontractors conducting business with the Department do not discriminate against applicants and employees on the basis of race, color, religious creed, ancestry, national origin, age, sex, sexual orientation or persons with disabilities.

Disadvantaged Business Enterprise

The Pennsylvania Department of Transportation has established a Disadvantaged Business Enterprise Program in accordance with the regulations of the U.S. DDOT, 49 CFR Part 26. The Department receives Federal financial assistance from DOT, and as a condition of receiving this assistance, the Department has signed an assurance that it will comply with Part 26. This assurance is included in the Departments DBE Program document, submitted to US DOT in December of 1999. The Department’s DBE program is maintained by the Bureau of Equal Opportunity (BEO).

Every year the Bureau submits to BEO an estimate of how much federal funding should be expended in order for BEO to determine the Department’s overall goal for contracting opportunities with DBEs during the upcoming fiscal year. At the time each grantee receives an approved grant of Federal funds that meets or exceeds the thresholds, the grantee is notified that a formal DBE plan with an annual goal must be prepared and submitted to the FTA for review and approval. BPT annually establishes an overall goal for DBE participation. The BPT makes every effort to meet this goal and requires sub-recipients to do likewise or demonstrate a good faith effort to do so. To encourage the use of DBEs, each grantee is provided with the Pennsylvania Unified Certification Program (PAUCP) website address that identifies the Commonwealth-certified DBE’s and their various products and services.

P. Maintenance (only applicable to 5311-Maintenance for other programs is covered under U. State Program Management)

Each Section 5311 grantee is required to establish and adhere to a preventive maintenance program covering all assets financed with federal funds. Preventive maintenance schedules, along with a detailed vehicle inventory, are submitted in the application and monitored for adherence during the annual compliance review. As part of BPT’s monitoring process, review area #6 is dedicated to ensuring sub-recipient’s compliance with preventative maintenance policies.

BPT will review grantee vehicle preventative maintenance records for the preceding 12
months from a random sample. The records are compared to the grantee’s approved maintenance plan and held to an on-time performance of no later than 10% or 500 miles, whichever is greater. ADA accessible vehicles and equipment are reviewed using the same procedure as vehicle preventative maintenance.

BPT will examine the grantee maintenance plan to ensure that all other federally funded assets are identified and maintenance is performed as described in grantee’s approved maintenance plan.

Grantees found not in compliance, are required to submit a corrective action plan to BPT addressing resolution and prevention of future maintenance deficiencies. When BPT has determined the corrective action has rectified the finding, it is closed. If the grantee continues to be non-compliant, BPT may impose actions to restrict future funding.

Q. Charter Rule

5310, 5316 and 5317

BPT has adopted a policy that strictly disallows charter service using vehicles funded with Section 5310, 5316, and 5317 funding. To further insure compliance with this policy, the 5310 oversight program has been expanded to include charter bus compliance during site visits.

5311

FTA’s charter regulations, as outlined in CFR 49 Part 604, are the governing regulations for establishing a sub-recipient’s ability to provide charter service. The Department requires all 5311 sub-recipients to assure its compliance to this regulation through the annual FTA Certifications and Assurances. The Department insures sub-recipient’s compliance to this regulation through its compliance review process (#15). Additionally, the Department requires sub-recipients to submit the “FTA Charter Service Quarterly Exceptions Report”. Any charter service provided under one of the FTA defined exceptions is reviewed by the 5311 Program Coordinator to ensure the service qualifies as an exception. When charter service is provided under one or more of the exceptions under this regulation, the sub-recipient is required to maintain notices and records in an electronic format for a period of at least three years from the date of service. This documentation is reviewed during annual compliance reviews.

R. Section 504 and ADA Reporting

Sub-recipients are monitored for compliance with Section 504 and ADA requirements through review of reports and information submitted as part of the application and BPT conducted compliance reviews. BPT reviews and approves all specifications used by sub-recipients to procure vehicles to insure compliance with all ADA-mandated accessibility specifications. In addition, all sub-recipients that receive Section 5311 funds and provide fixed route service are required to have an approved and implemented ADA plan.

S. Program Measures

5310
1. **Gaps in Service Filled.** The annual Vehicle Report, which is completed by each sub-recipient, now requires the sub-recipient to provide to BPT the annual number of clients who were eligible to receive transportation services. An aggregate number can then be reported to FTA.

2. **Ridership.** The estimated annual total of one-way passenger trips provided by all Section 5310 funded vehicles is now provided by each sub-recipient on their annual Vehicle Report which is submitted to BPT. An aggregate number can then be reported to FTA.

5316 & 5317

The Bureau of Public Transportation will establish performance indicators to be used in measuring relevant out-puts, service levels, and outcomes” for both the JARC and New Freedom programs. Performance measures are reported annually through the FTA JARC/New Freedom Report.

The two measures established for the JARC program are:

1. Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of JARC projects implemented in the current reporting year.
2. Actual or estimated number of rides (as measured by one-way trips) provided as a result of the JARC projects implemented in the current reporting year.

Three measures have been established for the New Freedom Program:

1. Increases or enhancements related to geographic coverage, service quality and/or service times that impact availability of transportation services for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.
2. Additions or changes to environmental infrastructure (e.g., transportation facilities, sidewalks, etc), technology, and vehicles that impact availability of transportation services as a result of the New Freedom projects implemented in the current reporting year.
3. Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.

T. **NTD Reporting (only applicable to 5311)**

As mandated by 49 U.S.C. 5335 (b), BPT is obligated to collect and report data elements specified in the annual NTD reporting mandate. In the fourth quarter of each state fiscal year, BPT sends NTD form RU-20 to all 5311 sub-recipients. This form is provided by NTD and contains all data elements specified by the annual reporting mandate. Along with the RU-20, a link is provided for the most recent version of the NTD Rural Reporting Manual. BPT asks 5311 sub-recipients to return completed RU-20 forms no later than November 15th in order to ensure accuracy of the reported information. Once all RU-20’s have been collected, BPT inputs the data on NTD’s reporting website. After all information has been input, NTD form RU-30 is generated. NTD form RU-30 summarizes key information statewide. Once all information is
reviewed, the report is submitted to NTD via their reporting website, www.ntdprogram.gov.

**U. State Program Management**

**Procurement/Construction Management**

All procurements which are undertaken by Section 5310, 5311, 5316 and 5317 sub-recipients are reviewed by program management personnel and BPT engineering staff for compliance with applicable Federal and State regulations. This review includes adherence to competitive bid requirements, specification content and bid solicitation procedures, bid evaluation and award process, DBE requirements, and Buy America requirements. Appendix A-1 contains the Mandatory Competitive Sealed Bidding Procedure that is used by Section 5310, 5311, 5316 and 5317 sub-recipients in all procurements. Also, if a vehicle is purchased off of PENNDOT’s DGS state vehicle contract, it must follow specific procurement procedures outlined in the DGS Contract Procurement Checklist (See Appendix A-4).

Before proposing capital projects for fixed facilities, the sub-recipient must justify the need for the project in a Facility Planning Study, and the proposed project cannot entail significant impacts on the environment. Either BPT or the sub-recipient will arrange a Class III Environmental Assessment to determine the appropriate environmental document required in accordance with FTA/FHWA environmental regulations (23 CFR, Part 771). In addition, an independent appraisal must be performed to determine the fair market value of any land to be purchased as part of the project. All approved projects seeking to construct or renovate facilities are required to prepare and submit for approval to BPT a Request for Proposal (RFP) for the required Engineering and Architectural services in accordance with “Procedures for Acquiring Professional Services” (See Appendix A-1). This document provides detailed procedures for acquiring contractual services, beginning with RFP preparation and continuing through proposal evaluation and selection. Projects are required to follow a standard procedure for evaluating proposals and must submit their recommendation for contract or selection to the Bureau for approval.

Final design concepts, drawings, specifications, and bidding results are reviewed and approved by the BPT’s engineering staff. For construction projects, sub-recipients are required to provide professional oversight of the project through such means as hiring a construction manager to oversee and certify that all work is being done according to specifications and contracts. In addition, BPT program and engineering staff monitor construction activities by attending project meetings and making site visits.

Projects are required to submit program invoices with all necessary backup vendor/contractor billing data in support of payments of project expenses as they are incurred.

**Financial Management/Accounting System/Audit and Closeouts**

BPT has procedures in place to ensure that sub-recipients have the fiscal capability to carry out the Section 5310, 5311, 5316 and 5317 Programs and receive and disburse federal funds. BPT also requires applicants for federal funding to indicate the sources and amounts of their local match.

BPT also has appropriate procedures in place for requesting and disbursing Section 5310,
5311, 5316 and 5317 funds. Sub-recipients send payment requests to BPT. BPT reviews the payment requests and sends them to the Comptroller’s Office. The Comptroller’s Office enters the payment requests into the SAP accounting system and, within a few weeks, pays the payment requests with state funds. Approximately twice a month the Comptroller’s Office prints a report of accumulated costs, and prepares an ECHO request for federal funds.

PENNDOT’S financial management system, SAP, enables BPT to track grant balances accurately. BPT reconciles SAP before and after each ECHO drawdown, so there are no discrepancies in BPT’s records.

Concerning audits and closeouts, sub-recipients are responsible for ensuring that audits are performed pursuant to the requirements as implemented in OMB Circular A-133, revised, Audits of States, Local Governments, Non-Profit Organizations, @ 62 Fed. Reg. 35278 et seq., and resolving audit findings. BPT also initiates program of projects closeouts with FTA within 90 days after all work activities for a particular program of projects have been completed.

Vehicle Use

To the extent that sub-recipients purchase vehicles using Section 5310, 5311, 5316 and 5317 programs, vehicles must be maintained and used for the intended purpose under which they are purchased. Method for compliance is our on-site compliance review. Maximum use of vehicles is encouraged, first for program related purposes, then other federal programs and project purposes. BPT is responsible for ensuring that the sub-recipient is maintaining continuing control over vehicles and that the vehicles are being utilized for eligible public transit purposes. If any vehicles are to be removed from service prior to the end of their useful life, the sub-recipient must notify BPT prior to doing so. BPT will maintain an inventory list of all vehicles purchased under federal programs. BPT will require all 5310, 5316 and 5317 sub-recipients to submit annual vehicle use reports to ensure that vehicles are used in accordance with program requirements.

Maintenance and Disposition

The Bureau requires all sub-recipients to have preventative maintenance plans for all state and federally funded assets. As part of the monitoring process, BPT is dedicated to ensuring sub-recipient’s compliance with preventative maintenance policies. Sub-recipients are required to follow BPT’s disposition procedures when disposing of any state or federally funded vehicles. The Bureau’s disposition procedures can be found in Appendix A-2.

Sub-Recipient Monitoring

5310

Section 5310 sub-recipients must annually perform an inventory on all Federal Section 5310 non-expendable property and report to BPT on their findings. The report to BPT must certify the existence, current use, and continued need for all equipment purchased with Section 5310 funds. Information must also be given on the number of one-way passenger trips provided and the number of clients that were eligible to receive transportation services. Additionally, BPT requires Section 5310 sub-recipients to annually submit a Civil Rights Report, which documents
any civil rights complaints, lawsuits, or compliance review activities, and an Equal Employment Opportunity Certification. Finally, another annual submission required by the Bureau is the Preventative Maintenance (PM) Report. The PM Report contains information on recent preventative maintenance performed on all 5310 vehicles currently in our sub-recipients’ fleets. This information will be analyzed by the Bureau for soundness and used as a factor in prioritizing site visits.

5311

It is BPT’s goal to conduct compliance reviews of 5311 sub-recipients on an annual basis. The compliance review process consists of three focus areas and is completed over a three year period. The focus areas are broken down into multiple review areas. The design of the compliance review process insures that sub-recipients will be visited on an annual basis and proper attention and detail can be paid to each review area. The compliance review form serves as a guide to insure all of the important facets of each project are addressed during on-site visits. BPT’s 5311 compliance review form is modeled after the FTA’s Triennial review form. Completed review forms are kept on file for three years. If a sub-recipient is deficient or non-compliant in any review area, the agency is notified through a follow-up letter and corrective action is required.

5316 and 5317

Section 5316 and 5317 sub-recipients are required to report performance and project information on a yearly basis. Below is a list of items that each JARC 5316 and New Freedom 5317 grantee needs to report on annually if applicable to their project.

JARC -5316

- Service description, project evaluation, accomplishments, lessons learned, the number and type (fixed-route, demand response, etc.) of rides (as measured by one-way trips) provided as a result of the JARC project, the actual or estimated number of jobs accessed as a result of geographic coverage of the JARC project, route length one way in miles and number of vehicles added (applicable to vehicle purchases)

New Freedom – 5317

- Service description, project evaluation, accomplishments, lessons learned, the number and type (fixed-route, demand response, etc.) of rides (as measured by one-way trips) provided as a result of the New Freedom project (beyond service required by the ADA), number of vehicles added (Beyond service required by the ADA), numbers of persons trained (applicable to Travel Training), report any increases or enhancements related to service quality and/or service times that impact availability of transportation services for individuals with disabilities as a result of the New Freedom project and report any changes to infrastructure (transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for individuals with disabilities as a result of the New Freedom project.
Also, BPT will conduct on-site reviews and/or monitor projects to assure that JARC and New Freedom recipients enhance coordination of federally assisted programs and services in order to encourage the most efficient use of Federal resources and achieve the national goal of improved mobility for elderly persons and persons with disabilities. If a sub-recipient is deficient or non-compliant in any review area, the agency is notified through a follow-up letter and corrective action is required. Also, throughout the project’s progress, BPT shall offer sub-recipients program guidance and provide or arrange for technical assistance, should this be needed.

State Reporting Requirements

The Bureau requires that recipients of State Act 44 operating funding report statistical and financial data quarterly through the “BPT Consolidated Operating Application Progress Report”. This report covers all financial and operating data and serves as a snapshot of the system’s performance for that segment of the fiscal year.

The Bureau also requires that State Act 44 operating recipients submit annual “Consolidated Operating Legacy Budgets”. The legacy budget report covers all relevant operating and financial data from the previous fiscal year. Sub-recipients are required to update this report to reflect audited information as it becomes available.

In addition to annual legacy budgets and quarterly progress reports, the Bureau is also conducting performance reviews of all fixed route transit agencies in Pennsylvania. The purpose of the review is to assess performance and make transit agencies aware of improvement opportunities. The transit review process is an intense, short-duration effort intended to assess a transit system’s efficiency, effectiveness, and best practices. Performance targets are established as part of the review and then reevaluated five years after the initial review.

V. Other Provisions

Section 5333 B

Section 5311 sub-recipients certify to the Bureau every fiscal year that they will adhere to the requirements of the Section 5333(b) Warranty. The Bureau keeps this information on file for at least the life of the grant.

Environmental Protection

Each capital project receiving Federal 5311 funding must comply with the joint FHWA/FTA guidelines on protection of the environment titled “Environmental Impact and Related Procedures” (23 CFR § 771). Most capital projects funded under Section 5311 will be classified as categorical exclusions (CE’s). Larger construction projects or projects in sensitive areas may require the preparation of an environmental assessment (EA).

Buy America Provisions

As a part of any applicable capital purchase, grantees using the competitive bid packages provided by Bureau staff certify their adherence to the required provisions through a signed
Pre-Award and Post Delivery Reviews

As a part of acquiring any capital purchase, grantees using the competitive bid packages provided by Bureau engineering staff certify their performance of the reviews through signed certificates included in the package. The signed certificate is returned to the Bureau through dot-grants.

Prohibition of Exclusive school transportation

The Bureau insures 5311 sub-recipients do not provide exclusive school bus transportation through its annual compliance review. Sub-recipients are also advised to contact the 5311 program coordinator before beginning any service that may conflict with school bus regulations.

Drug and Alcohol Testing

All 5311 sub-recipients are required to have a Drug and Alcohol Policy as required by 49 CFR 655 and are required to randomly test safety sensitive employees for Drugs and Alcohol. The Bureau reviews each sub-recipient through the annual compliance review process. Section 5310, 5316 and 5317 are exempt from FTA Drug and Alcohol regulations.

State’s procedures for monitoring Compliance by sub-recipients

It is BPT’s goal to conduct onsite compliance reviews for federal sub-recipients on a consistent basis. More information on the monitoring process can be found in this document in Section U, State Program Management.
Appendix A-1 – BPT Procurement Procedures
# TABLE OF CONTENTS

1. APPLICABILITY OF PROCEDURES .............................................................. 1
   1.1 APPLICABILITY OF PROCEDURES ............................................................ 1
   1.2 EXCEPTIONS TO APPLICABILITY OF PROCEDURES ............................... 1
   1.3 OTHER REQUIREMENTS ............................................................................ 1
   1.4 EVASION OF REQUIREMENTS ................................................................. 1

2. DEFINITIONS .................................................................................................. 1

3. GENERAL PROCUREMENT STANDARDS ...................................................... 2
   3.1 CONTRACT ADMINISTRATION SYSTEM .................................................... 2
   3.2 FEDERAL REQUIREMENTS AFFECTING ACQUISITIONS ......................... 2
   3.3 WRITTEN STANDARDS OF CONDUCT .................................................... 2
   3.4 CONFLICT OF INTEREST ......................................................................... 2
   3.5 ENSURING MOST EFFICIENT AND ECONOMIC PURCHASE .................... 3
   3.6 JOINT PROCUREMENTS .......................................................................... 3
   3.7 STATE OR LOCAL GOVERNMENT PURCHASING SCHEDULES/CONTRACTS 3
   3.8 USE OF GSA SCHEDULES AND EXCESS OR SURPLUS FEDERAL PROPERTY 3
   3.9 WRITTEN RECORD OF PROCUREMENT HISTORY .................................. 3
   3.10 RESPONSIBILITY FOR SETTLEMENT OF CONTRACT ISSUED/DISPUTES 4
   3.11 WRITTEN PROTEST PROCEDURES .......................................................... 4
   3.12 CONTRACT PERIOD OF PERFORMANCE LIMITATION ............................. 4

4. COMPETITION .................................................................................................. 4
   4.1 COMPETITION REQUIRED ..................................................................... 4
   4.2 PREQUALIFICATION .................................................................................. 4
   4.3 SOLICITATION REQUIREMENTS .............................................................. 4
   4.4 SOLICITATION RESTRICTIONS ............................................................... 5
   4.5 FEDERAL REQUIREMENTS AFFECTING PROPERTY/SERVICES ACQUIRED 6
   4.6 FEDERAL REQUIREMENTS AFFECTING BIDDER/OFFEROR/CONTRACTOR 6
   4.7 AWARD TO OTHER THAN LOW BIDDER .................................................. 6
   4.8 REJECTION OF ALL BIDS OR OFFERS .................................................. 6
   4.9 AWARD ONLY TO RESPONSIBLE BIDDERS/OFFERORS .......................... 6

5. PROCUREMENT BY MICRO-PURCHASES .................................................... 6
   5.1 MICRO-PURCHASE PROCEDURES .......................................................... 6

6. PROCUREMENT BY SMALL PURCHASE PROCEDURES ............................. 7
   6.1 SMALL PURCHASE PROCEDURES .......................................................... 7

7. PROCUREMENT BY SEALED BIDS/INVITATION FOR BIDS (IFB) ............... 7
   7.1 GENERAL ............................................................................................... 7
   7.2 INVITATION FOR BIDS (IFB) ................................................................. 8
   7.3 PUBLIC NOTICE ..................................................................................... 8
   7.4 REVIEW OF REQUESTS FOR CLARIFICATIONS, EXCEPTIONS AND APPROVED EQUALS 8
   7.5 PRE-BID CONFERENCE ......................................................................... 8
   7.6 NOTICE OF DECISION REGARDING REQUESTS FOR CLARIFICATIONS, EXCEPTIONS AND APPROVED EQUALS 8
   7.7 BID OPENING ....................................................................................... 8
# BPT PROCUREMENT PROCEDURES – MAY 2009

## TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.8 BID ACCEPTANCE AND EVALUATION</td>
<td>8</td>
</tr>
<tr>
<td>7.9 MODIFICATION OR WITHDRAWAL OF BIDS PRIOR TO BID OPENING</td>
<td>9</td>
</tr>
<tr>
<td>7.10 WITHDRAWAL OF BIDS AFTER BID OPENING</td>
<td>9</td>
</tr>
<tr>
<td>7.11 PRE-AWARD CONCURRENCE FROM BPT</td>
<td>9</td>
</tr>
<tr>
<td>7.12 AWARD</td>
<td>10</td>
</tr>
<tr>
<td>7.13 CHANGE ORDER AFTER CONTRACT AWARD</td>
<td>10</td>
</tr>
<tr>
<td>7.14 POST-DELIVERY CERTIFICATIONS</td>
<td>10</td>
</tr>
<tr>
<td>8. PROCUREMENT BY COMPETITIVE PROPOSAL/REQUEST FOR PROPOSALS (RFP)</td>
<td>10</td>
</tr>
<tr>
<td>8.1 GENERAL</td>
<td>10</td>
</tr>
<tr>
<td>8.2 CONDITIONS FOR USE</td>
<td>10</td>
</tr>
<tr>
<td>8.3 REQUEST FOR PROPOSALS (RFP)</td>
<td>11</td>
</tr>
<tr>
<td>8.4 PUBLIC NOTICE</td>
<td>11</td>
</tr>
<tr>
<td>8.5 RECEIPT OF PROPOSALS</td>
<td>11</td>
</tr>
<tr>
<td>8.6 EVALUATION</td>
<td>11</td>
</tr>
<tr>
<td>8.7 DISCUSSION WITH RESPONSIBLE OFFERORS &amp; REVISION OF PROPOSALS</td>
<td>11</td>
</tr>
<tr>
<td>8.8 AWARD OF CONTRACT</td>
<td>11</td>
</tr>
<tr>
<td>8.9 CONTRACT NEGOTIATION</td>
<td>11</td>
</tr>
<tr>
<td>9. PROCUREMENT BY NONCOMPETITIVE PROPOSAL (SOLE SOURCE)</td>
<td>12</td>
</tr>
<tr>
<td>9.1 GENERAL</td>
<td>12</td>
</tr>
<tr>
<td>10. OPTIONS</td>
<td>13</td>
</tr>
<tr>
<td>10.1 GENERAL</td>
<td>13</td>
</tr>
<tr>
<td>10.2 IMPROPER CONTRACT EXPANSION</td>
<td>13</td>
</tr>
<tr>
<td>11. CONTRACT COST AND PRICE ANALYSIS FOR EVERY PROCUREMENT ACTION</td>
<td>13</td>
</tr>
<tr>
<td>11.1 GENERAL</td>
<td>13</td>
</tr>
<tr>
<td>11.2 COST ANALYSIS</td>
<td>13</td>
</tr>
<tr>
<td>11.3 PRICE ANALYSIS</td>
<td>13</td>
</tr>
<tr>
<td>11.4 PROFIT</td>
<td>13</td>
</tr>
<tr>
<td>11.5 FEDERAL COST PRINCIPLES</td>
<td>14</td>
</tr>
<tr>
<td>12. ARCHITECTURAL &amp; ENGINEERING (A&amp;E) SERVICES - SPECIAL REQUIREMENTS</td>
<td>14</td>
</tr>
<tr>
<td>12.1 GENERAL</td>
<td>14</td>
</tr>
<tr>
<td>13. CONSTRUCTION - SPECIAL REQUIREMENTS</td>
<td>14</td>
</tr>
<tr>
<td>13.1 GENERAL</td>
<td>14</td>
</tr>
<tr>
<td>14. RESEARCH-TYPE SERVICES - SPECIAL REQUIREMENTS</td>
<td>14</td>
</tr>
<tr>
<td>14.1 GENERAL</td>
<td>14</td>
</tr>
<tr>
<td>15. PAYMENT PROVISIONS</td>
<td>14</td>
</tr>
<tr>
<td>15.1 ADVANCE PAYMENTS</td>
<td>14</td>
</tr>
<tr>
<td>15.2 PROGRESS PAYMENTS</td>
<td>14</td>
</tr>
<tr>
<td>16. LIQUIDATED DAMAGES PROVISIONS</td>
<td>14</td>
</tr>
<tr>
<td>16.1 GENERAL</td>
<td>14</td>
</tr>
<tr>
<td>17. CONTRACT PROVISIONS</td>
<td>15</td>
</tr>
<tr>
<td>17.1 GENERAL</td>
<td>15</td>
</tr>
</tbody>
</table>

## LIST OF EXHIBITS

- Pre-Award Bid Specification Certification (Exhibit “A”)
- Pre-Award Buy America Certification (Exhibit “B”)
- Pre-Award Federal Motor Vehicle Safety Standards (FMVSS) Certification (Exhibit “C”)
- Post-Delivery Bid Specification Certification (Exhibit “D”)
- Post-Delivery Buy America Certification (Exhibit “E”)
- Post-Delivery FMVSS Certification (Exhibit “F”)
- Sample Bid Advertisement (Exhibit “G”)

---

**BPT PROCUREMENT PROCEDURES – MAY 2009**

**TABLE OF CONTENTS**
1. APPLICABILITY OF PROCEDURES

1.1 APPLICABILITY OF PROCEDURES – These procurement procedures apply to the expenditure of certain grant funds by entities (herein referred to as “grantees”) for the purchase of supplies, services or construction. The applicable grant funds are as follows:

(a) State Community Transportation Capital (CTC) grant funds
(b) FTA Section 5310 (Elderly Individuals and Individuals with Disabilities Program) grants funds
(c) FTA Section 5311 (Nonurbanized Area Formula Program) grant funds
(d) FTA Section 5307 (Urbanized Area Formula Program), FTA Section 5309 (Capital Investment Program), FTA rural/small urban Section 5316 (Job Access and Reverse Commute (JARC) Program), FTA rural/small urban Section 5317 (New Freedom Program), or any other FTA grant funds, if said funds have been passed through BPT to the grantee.

1.2 EXCEPTIONS TO APPLICABILITY OF PROCEDURES – These procurement procedures shall apply to all grantees as described in Section 1.1 above except those grantees that have been waived from these procurement procedures by BPT. Grantees seeking a waiver must submit a description of its procurement procedures to BPT for review and approval. If approved, grantees must keep all records related to applicable procurements on file and available for inspection by BPT.

1.3 OTHER REQUIREMENTS – In addition to these procurement procedures, grantees must comply with any requirements imposed by the laws under which they are created or by other law, regulations, or applicable government policies. If more than one set of requirements exist, the stricter requirement governs. Examples of laws that may be applicable include the Municipal Authorities Act and the County Code.

1.4 EVASION OF REQUIREMENTS – A grantee shall not evade any of these procurement procedures by making piecemeal purchases for the purpose of obtaining prices below any of the dollar thresholds contained in these procedures. Evasion of these procurement procedures could result in the loss of grant funds by the grantee.

2. DEFINITIONS

BPT – The Bureau of Public Transportation of the Pennsylvania Department of Transportation.

FTA – The Federal Transit Administration of the United States Department of Transportation.

INVITATION FOR BIDS (IFB) – All documents, including those either attached or incorporated by reference, used by a grantee to solicit bids.

MASTER AGREEMENT – FTA document incorporated by reference and made part of FTA’s standard grant agreements and cooperative agreements that contains the standard terms and conditions governing the administration of a project supported with Federal assistance awarded by FTA.
REQUEST FOR PROPOSALS (RFP) – All documents, including those either attached or incorporated by reference, used by a grantee to solicit proposals.

3. GENERAL PROCUREMENT STANDARDS

3.1 CONTRACT ADMINISTRATION SYSTEM – Grantees shall maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

3.2 FEDERAL REQUIREMENTS AFFECTING ACQUISITIONS – Grantees may not use FTA assistance to support acquisitions that do not comply with all applicable Federal requirements. The latest edition of FTA Circular 4220 (Third Party Contracting Guidance) contains Federal requirement checklists in Appendix C and a list of clauses and provisions required by Federal laws and regulations in Appendix D. The grantee may also refer to Model Clauses in FTA’s “Best Practices Procurement Manual” but cautions the grantee to also check the latest edition of FTA’s Master Agreement to determine which provisions have been added, changed, or rescinded.

3.3 WRITTEN STANDARDS OF CONDUCT – Grantees shall maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer, agent, immediate family member, or Board member of the grantee shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:

(a) The employee, officer, agent, or Board member,
(b) Any member of his/her immediate family,
(c) His or her partner, or
(d) An organization that employs, or is about to employ, any of the above.

The grantee’s officers, employees, agents, or Board members will neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements. Grantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by state or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary action for violation of such standards by the grantee’s officers, employees, or agents, or by contractors or their agents.

3.4 CONFLICT OF INTEREST – Grantees are required to be aware of conflict of interest issues a prospective contractor might have, including lack of impartiality, impaired objectivity, or unfair competitive advantage. Engaging in practices that result in organizational conflicts of interest is prohibited. Grantees are expected to analyze each planned acquisition in order to identify and evaluate potential organizational conflicts of interest as early in the acquisition process as possible, and avoid, neutralize, or mitigate potential conflicts before contract award. An organizational conflict of interest occurs when any of the following circumstances arise:

(a) When the contractor is unable, or potentially unable, to provide impartial and objective assistance or advice to the grantee due to other activities, relationships, contracts, or circumstances.
(b) The contractor has an unfair competitive advantage through obtaining access to nonpublic information during the performance of an earlier contract.
(c) During the conduct of an earlier procurement, the contractor has established the ground rules for a future procurement by developing specifications, evaluation factors, or similar documents.

3.5 ENSURING MOST EFFICIENT AND ECONOMIC PURCHASE – Grantee procedures shall provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. However, piecemeal purchases for the purpose of evading these procurement procedures are prohibited (see section 1.4). Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.

3.6 JOINT PROCUREMENTS – Joint procurement refers to a method of contracting in which two or more purchasers agree from the outset to use a single solicitation document and enter into a single contract with a vendor for delivery of property or services in a fixed quantity, even if expressed as a total minimum and total maximum. Unlike a State or local government purchasing schedule, a joint procurement is not drafted for the purpose of accommodating the needs of other parties that may later want to participate in the benefits of that contract. Grantees are encouraged to procure goods and services jointly with other grantees to obtain better pricing through larger purchases. When obtaining goods or services in this manner, grantees participating in FTA assisted joint procurements must ensure compliance with all applicable FTA and Federal requirements and include all required clauses and certifications in the joint solicitation and contract documents.

3.7 STATE OR LOCAL GOVERNMENT PURCHASING SCHEDULES/CONTRACTS – State or local government purchasing schedules or contracts refers to an arrangement that a State or local government has established with several vendors in which those vendors agree to provide essentially an option to the State or local government, and its subordinate government entities, to acquire specific goods or services in the future at established prices. Grantees are encouraged to utilize such schedules or contracts for procurement of goods and services. When obtaining goods or services in this manner with FTA funds, grantees must ensure compliance with all applicable FTA and Federal requirements and ensure that all required Federal clauses and certifications have been included in the State or local government solicitation and contract documents. One way of achieving compliance with FTA requirements is for all parties to agree to append the required Federal clauses in the purchase order or other document that effects the grantee’s procurement. When buying from these schedules, the grantee should obtain an FTA Buy America certification before entering into the purchase order.

3.8 USE OF GSA SCHEDULES AND EXCESS OR SURPLUS FEDERAL PROPERTY – Grantees are encouraged to use Federal excess and surplus property managed by the U.S. General Services Administration (GSA) when feasible and economical rather than procuring new property. The GSA Federal Property Management Regulations, 41 CFR Parts 101-42 through 101-46, 101-48, and 101-49 govern the eligibility of grantees, as well as others, to acquire supplies and services through GSA's personal property utilization and disposal programs.

3.9 WRITTEN RECORD OF PROCUREMENT HISTORY – Grantees shall maintain readily accessible written records detailing the history of a procurement for three years after the grantee has made final payment and all other pending matters are closed. At a minimum, these records shall include:

(a) Procurement Method – A grantee must provide its rationale for the method of procurement it used for each contract.
(b) Contract Type – A grantee must state the reasons for selecting the contract type it used (fixed price, cost reimbursement, and so forth).
(c) Contractor Selection – A grantee must state its reasons for contractor selection or rejection.
(d) Cost or Price – A grantee must evaluate and state its justification for the contract cost or price.
(e) Reasonable Documentation – The extent of the documentation maintained by a grantee shall be reasonable and commensurate with the size and complexity of the procurement itself.

3.10 RESPONSIBILITY FOR SETTLEMENT OF CONTRACT ISSUES/DISPUTES – Grantees alone will be responsible in accordance with good administrative practice and sound business judgement for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the grantee of any contractual responsibility under its contracts. Violations of law will be referred to the local, State, or Federal authority having proper jurisdiction. BPT will not substitute its judgement for that of the grantee unless the matter concerns the failure of the grantee to follow its protest procedure or its failure to review a complaint or protest.

3.11 WRITTEN PROTEST PROCEDURES – Grantees shall have written protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to BPT. All protest decisions must be in writing. A protester must exhaust all administrative remedies with the grantee before pursuing a protest with BPT. Reviews of protests by BPT will be limited to the grantee’s failure to have or follow its protest procedure, or its failure to review a complaint or protest.

3.12 CONTRACT PERIOD OF PERFORMANCE LIMITATION – A grantee may enter into a multi-year contract to buy rolling stock with an option not exceeding five years to buy additional rolling stock or replacement parts. The grantee may not exercise that option later than five years after the date of the original contract. While other procurement contracts for non-rolling stock are not limited to five years, the duration of such contracts must be reasonable.

4. COMPETITION

4.1 COMPETITION REQUIRED – Grantees are required to use third party procurement procedures that provide full and open competition.

4.2 PREQUALIFICATION – Grantees are permitted to prequalify people, firms, and property for procurement purposes if the grantee ensures that all prequalification lists it uses are current and include enough qualified sources to maximize full and open competition, and the grantee permits potential bidders or offerors to qualify during the solicitation period (from the issuance of the solicitation to its closing date).

4.3 SOLICITATION REQUIREMENTS - Each solicitation is required to provide the following information:

(a) Description of Property or Services - The solicitation and the contract awarded thereunder must include a clear and accurate description of the grantee’s technical requirements for the property or services to be acquired in a manner that provides for full and open competition. The description may include a statement of the qualitative nature of the property or services to be acquired. When practicable, the recipient should describe its requirements in terms of functions to be performed or level of performance required, including the range of acceptable characteristics or minimum acceptable standards.

(b) Quantities Limited to the Recipient’s Actual Needs – Grantees shall limit quantities to the amount necessary to support the quantity of property or extent of services the recipient actually needs at the time of acquisition. The recipient may not add quantities or options to contracts solely to allow them to assign these quantities or options at a later date.
(c) Brand Name or Equal - When it is impractical or uneconomical to provide a clear and accurate
description of the technical requirements of the property to be acquired, a “brand name or equal”
description may be used to define the performance or other salient characteristics of a specific type of
property. The recipient must identify the salient characteristics of the named brand that offerors must
provide. When using a “brand name” specification, the recipient does not need to reverse-engineer a
complicated part to identify precise measurements or specifications in order to describe its salient
characteristics. FTA’s “Best Practices Procurement Manual,” (BPPM) contains additional information on
preparation of specifications including examples with specific language.

(d) Evaluation Factors - The solicitation must identify all factors to be used in evaluating bids or
proposals.

(e) Contract Type Specified - The recipient’s specifications should state the type of contract that will be
awarded. Contract types may include, but are not limited to, a firm fixed price contract or a cost
reimbursement contract. A firm fixed price contract includes a price that remains fixed irrespective of
the contractor’s cost experience in performing the contract. A firm fixed price contract may include an
economic price adjustment provisions, incentives, or both. A cost reimbursement contract provides for
payment of the contractor’s allowable incurred costs, to the extent prescribed in the contract. Allowable
costs may include incentives if the grantee believes they can prove helpful. Cost reimbursement
contracts are suitable for use only when uncertainties involved in contract performance do not permit
costs to be estimated with sufficient accuracy to use any type of fixed price contract.

(f) Prohibited or Restricted Contract Types – The cost plus a percentage of cost and cost plus a
percentage of construction cost methods of contracting is prohibited. Time and material contracts are
only permitted after determining that no other contract type is suitable, and if the contract specifies a
ceiling price that the contractor may not exceed except at its own risk.

4.4 SOLICITATION RESTRICTIONS - Solicitation requirements that contain features that unduly restrict
competition are prohibited. Some situations considered to be restrictive of competition include, but not limited
to, the following:

(a) Excessive Qualifications – Imposing unreasonable business requirements for bidders or offerors.

(b) Unnecessary Experience – Imposing unnecessary experience requirements for bidders and
offerors.

(c) Improper Prequalification – Using prequalification procedures that conflict with the
prequalifications standards described above.

(d) Retainer Contracts – Making a noncompetitive award to any person or firm on a retainer contract
with the grantee if that award is not for the property or services specified for delivery under the
retainer contract.

(e) Excessive Bonding – Unnecessary bonding is discouraged because it increases the cost of the
contract and restricts competition, particularly by disadvantaged business enterprises.

(f) Brand Name Only – Specifying only a “brand name” product without allowing offers of “an equal”
product, or allowing “an equal” product without listing the salient characteristics that the “equal”
product must meet to be acceptable for award.
(g) In-State or Local Geographic Restrictions – Specifying for FTA assisted procurements in-State or local geographic preferences, or evaluating bids or proposals in light of in-State or local geographic preferences, even if those preferences are imposed by State or local laws or regulations. In particular, FTA recipients are prohibited from limiting its bus purchases to in-State dealers.

(h) Organizational Conflict of Interest – Engaging in practices that result in organizational conflicts of interest as described above.

(i) Restraint of Trade – Supporting or acquiescing in noncompetitive pricing practices between firms or between affiliated companies. Questionable practices would include, but not be limited to submissions of identical bid prices for the same products by the same group of firms, or an unnatural pattern of awards that had the cumulative effect of apportioning work among a fixed group of bidders or offerors.

(j) Arbitrary Action - Taking any arbitrary action in the procurement process.

4.5 FEDERAL REQUIREMENTS AFFECTING PROPERTY/SERVICES ACQUIRED - Solicitations and resulting FTA assisted contracts must identify those Federal requirements that will affect contract scope and performance. See chapter IV, subsection 2.b of FTA Circular 4220.1F (Third Party Contracting Guidance), and FTA’s latest Master Agreement for references to Federal requirements established following publication of Circular 4220.1F.

4.6 FEDERAL REQUIREMENTS AFFECTING BIDDER/OFFEROR/CONTRACTOR - Solicitations and resulting FTA assisted contracts must identify those Federal requirements that a bidder or offeror must fulfill before and during contract performance. See chapter IV, subsection 2.a of FTA Circular 4220.1F (Third Party Contracting Guidance), and FTA’s latest Master Agreement for references to Federal requirements established following publication of Circular 4220.1F.

4.7 AWARD TO OTHER THAN THE LOW BIDDER - If the grantee intends to reserve its right to award to other than the low bidder or offeror, that information should be stated in the solicitation document.

4.8 REJECTION OF ALL BIDS OR OFFERS - If the grantee intends to reserve its right to award or reject all bids or offers, that information should be stated in the solicitation document.

4.9 AWARD ONLY TO RESPONSIBLE BIDDERS/OFFERORS – Contracts awards must be made only to “responsible” contractors possessing the ability, willingness, and integrity to perform successfully under the terms and conditions of the contract. Responsibility is a procurement issue that is determined by the grantee after receiving bids or proposals and before making contract award. Consideration shall be given to such matters as integrity, ethics, debarment, suspension, affirmative action, DBE, public policy, administrative and technical capacity, licensing, taxes, financial resources, production capability, timeliness, and performance record.

5. PROCUREMENT BY MICRO-PURCHASES

5.1 MICRO-PURCHASE PROCEDURES – Procurement by micro-purchases are those purchases of $3,000 or less (unless stricter laws apply). Purchases below that threshold may be made without obtaining competitive quotations if the grantee determines that the price is fair and reasonable. Such purchases are exempt from FTA’s Buy America requirements. There should be equitable distribution among qualified suppliers (in the local area) and no splitting of procurements to avoid competition. The Davis-Bacon Act applies to construction contracts (involving Federal funds) between $2,000 and $3,000. Minimum
6. PROCUREMENT BY SMALL PURCHASE PROCEDURES

6.1 SMALL PURCHASE PROCEDURES – Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that cost more than $3,000 but do not cost more than $100,000 (unless stricter laws apply). Such purchases are exempt from FTA’s Buy America requirements. Grantees may not divide or reduce the size of its procurement to avoid additional procurement requirements applicable to larger acquisitions. If small purchase procedures are used, price or rate quotations shall be obtained from three qualified sources. The grantee may award a contract to the offeror that submitted the lowest quotation after obtaining BPT concurrence. The grantee must submit its request for concurrence to BPT accompanied by the following:

(a) The description of the item or service being purchased that was used to obtain quotes.
(b) The name and address of each offeror (indicate which offeror has been selected for award).
(c) The monetary amount of each quotation.
(d) If the selected offeror did not submit the lowest quote, justification for the selection must also be submitted.

7. PROCUREMENT BY SEALED BIDS/INVITATION FOR BIDS (IFB)

7.1 GENERAL – Bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.

(a) In order for sealed bidding to be feasible, the following conditions should be present:

(1) A complete, adequate, precise, and realistic specification or purchase description is available.
(2) Two or more responsible bidders are willing and able to compete effectively for the business.
(3) The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.
(4) Discussion with bidders after bids have been submitted are expected to be unnecessary as contract award is based on price and price-related factors alone.

(b) If this procurement method is used, the following requirements apply:

(1) The invitation for bids will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time to prepare bids prior to the date set for opening the bids.
(2) The invitation for bids, which will include any specification and pertinent attachments, shall describe the items or services sought in sufficient detail so prospective bidders may submit a proper bid.
(3) All bids will be publicly opened at the time and place prescribed in the invitation for bids.
(4) A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. When specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is
lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are typically taken.

(5) Any or all bids may be rejected if there is a sound, documented business reason.

7.2 INVITATION FOR BIDS (IFB) – The grantee must obtain the written approval of its IFB from BPT prior to the issuance of the IFB.

7.3 PUBLIC NOTICE – Adequate public notice (sample attached, see Exhibit “G”) of the IFB in a newspaper of general circulation shall be given a minimum of thirty (30) calendar days prior to the bid opening. BPT concurrence is required if the grantee desires to give public notice less than thirty (30) calendar days prior to the bid opening. BPT may require the grantee to give public notice forty-five (45) calendar days prior to the bid opening for purchases of construction and custom built supplies. BPT may require that special procurements be nationally advertised or locally advertised in more than one publication. Copies of the IFB shall be made available to any interested person upon request to the grantee. Grantees may establish procedures for the distribution of the IFB including the imposition of a fee to reimburse the agency for the costs of photocopying and mailing (as long as the same amount is charged to all parties). All copies of the IFB must be distributed via certified mail (return receipt requested).

7.4 REVIEW OF REQUESTS FOR CLARIFICATIONS, EXCEPTIONS AND APPROVED EQUALS – If the grantee receives any requests for clarifications, exceptions or approved equals to the IFB a minimum of fifteen (15) calendar days before the bid opening, the grantee shall review each request and determine whether to accept or reject it. The grantee is not required to review requests for clarifications, exceptions or approved equals received fewer than fifteen (15) calendar days before the bid opening.

7.5 PRE-BID CONFERENCE – At the time the grantee is reviewing requests for clarifications, exceptions and approved equals, the grantee has the option of holding a pre-bid conference with potential bidders in order to clarify various aspects of the IFB. A pre-bid conference may minimize the possibility of confusion, ambiguity, bid protest or delays. If the IFB is of sufficient complexity, the grantee may stipulate in the IFB that a pre-bid conference will be held.

7.6 NOTICE OF DECISION REGARDING REQUESTS FOR CLARIFICATIONS, EXCEPTIONS AND APPROVED EQUALS – Before issuing written notice of its decision whether to accept or reject any requests for clarifications, exceptions or approved equals to the IFB, the grantee must obtain verbal approval (via telephone) of its decision from BPT. BPT will follow-up with a written confirmation of the verbal approval. The notice must be mailed (postmarked) or faxed to all parties that received the IFB at least seven (7) calendar days before the bid opening. If notice is mailed, it must be done so via certified mail (return receipt requested). If the notice is faxed, the party receiving the faxed notice must then fax acknowledgment of receipt of the notice to the grantee. The notice must list all requests for clarifications, exceptions or approved equals received and state whether the grantee has accepted or rejected the request.

7.7 BID OPENING – Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The grantee shall record the amount of each bid together with the name of each bidder. The record shall be open to public inspection.

7.8 BID ACCEPTANCE AND EVALUATION – Bids shall be unconditional and shall be offered without alteration or modification except as authorized in the IFB. Bids shall be evaluated based on the requirements set forth in the IFB, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs
and total or life cycle costs. The IFB shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluation that are not set forth in the IFB.

7.9 MODIFICATION OR WITHDRAWAL OF BIDS PRIOR TO BID OPENING – Bids may be modified or withdrawn by written notice or in person by a bidder or its authorized representative if its identity is made known and a receipt of the bid is signed prior to the exact hour and date set for the opening of bids.

7.10 WITHDRAWAL OF BIDS AFTER BID OPENING – Withdrawal of erroneous bids after bid opening but before award based on bid mistakes shall be permitted by the written determination of the grantee. This may be done when the bidder requests relief and presents credible evidence that the reason for the lower bid price was a clerical mistake as opposed to judgment mistake and was actually due to an unintentional arithmetical error or an unintentional omission of a substantial quantity of work, labor, material or services made directly in the compilation of the bid. The request for relief and the supporting evidence must be received by the grantee within five (5) calendar days after bid opening.

7.11 PRE-AWARD CONCURRENCE FROM BPT – Immediately after the grantee has completed its evaluation of the bids and before awarding the contract, the grantee shall request BPT to concur with its selection of the lowest responsive and responsible bidder. The grantee must submit its request to BPT accompanied by the following:

(a) The name and address of each bidder.
(b) The amount of each bid.
(c) Reference to the specific project number and/or contract number to which the procurement will be charged.
(d) Statement of which bidder the grantee has selected as the lowest responsive and responsible bidder or a statement that the grantee has decided to reject all bids. If applicable, the statement must document a sound business reason for rejecting all bids.
(e) A complete copy of the selected bid (including a copy of the bid security bond, if required by the IFB).
(f) A list of all potential bidders to which the IFB was mailed.
(g) A statement by the grantee that the price is fair and reasonable and the basis for that determination.
(h) If the amount of the selected bid exceeds available funding, a request from the grantee to BPT for an increase in funding if so desired (Not applicable to Community Transportation Capital grants).
(i) If purchasing one or more vehicles with FTA funds, the grantee shall submit the following certifications:

(1) Pre-Award Bid Specification Certification (Exhibit “A”)
(2) Pre-Award Buy America Certification (Exhibit “B”) (Applicable only if total bid price exceeded $100,000)
(3) Pre-Award Federal Motor Vehicle Safety Standards (FMVSS) Certification (Exhibit “C”)

If other than the apparent low bidder is selected by the grantee as the lowest responsive and responsible bidder, the following additional information must accompany the grantee’s request for BPT pre-award concurrence:

(j) A complete copy of each bid that is lower than the bid selected as the lowest responsive and responsible bidder.
(k) An explanation of the basis for the selection of the lowest responsive and responsible bidder including the evaluation criteria and the technical evaluation.
If the grantee has not selected the apparent low bidder because it finds said bidder to be non-responsible, the grantee must submit to BPT documentation to support such finding.

7.12 AWARD – Within sixty (60) calendar days of the bid opening, but only after obtaining pre-award concurrence from BPT, the grantee shall award the contract by written notice to the lowest responsible and responsive bidder, or all bids shall be rejected. Any or all bids may be rejected if there is a sound documented business reason. Extensions of the date for the award may be made by mutual written consent of the grantee and the lowest responsible and responsive bidder.

7.13 CHANGE ORDER AFTER CONTRACT AWARD – No change orders to the contract may occur without the approval of BPT. If the change order involves a price change, the grantee’s request for BPT approval shall be accompanied by a statement signed by an officer of the grantee that the price change is fair and reasonable, along with the basis for that determination. A change order cannot expand the scope of the contract.

7.14 POST-DELIVERY CERTIFICATIONS – If purchasing one or more vehicles with FTA funds, the grantee shall submit to BPT after delivery of the vehicle and prior to final acceptance of the vehicle the following certifications:

(a) Post-Delivery Bid Specification Certification (Exhibit “D”)
(b) Post-Delivery Buy America Certification (Exhibit “E”) (Applicable only if total bid price exceeded $100,000)
(c) Post-Delivery FMVSS Certification (Exhibit “F”)

8. PROCUREMENT BY COMPETITIVE PROPOSAL/REQUEST FOR PROPOSALS (RFP)

8.1 GENERAL – The use of competitive proposals is an accepted procurement method when the nature of the procurement does not lend itself to sealed bidding and the grantee expects more than one source is willing and able to submit a proposal. If this procurement method is used the following requirements apply:

(a) Requests for proposals must be publicly advertised. All evaluation factors and their relative importance must be specified in the solicitation; but numerical or percentage ratings or weights need not be disclosed.
(b) Proposals must be solicited from at least three qualified sources.
(c) Grantees must have a method in place for conducting technical evaluations of the proposals received to determine the most qualified offeror. A minimum of three individuals with knowledge of the product/services being procured must participate in the technical evaluation.
(d) Awards will be made to the responsible offeror whose proposal is most advantageous to the grantee’s program with price and other factors considered.

8.2 CONDITIONS FOR USE – Competitive proposals may be used (subject to BPT approval) when any of the following circumstances are present:

(a) The property or services to be acquired are described in performance or functional specification; or if described in detailed technical specifications, other circumstances such as the need for discussions or the importance of basing contract award on factors other than price alone are present.
(b) Due to the nature of the procurement, contract award need not be based exclusively on price or price-related factors.
Separate discussions with individual offerors are expected to be necessary after proposal submittal.

8.3 REQUEST FOR PROPOSALS (RFP) – Proposals shall be solicited through a RFP. The RFP will identify all evaluation factors along with their relative importance. The grantee must obtain the written approval of its RFP from BPT prior to the issuance of the RFP.

8.4 PUBLIC NOTICE – Adequate public notice of the RFP in a newspaper of general circulation and at least one publication with national circulation shall be given a reasonable time prior to the date set for receipt of the proposals. Copies of the RFP shall be made available to any interested person upon request to the grantee. Grantees may establish procedures for the distribution of the RFP including the imposition of a fee to reimburse the agency for the costs of photocopying and mailing (as long as the same amount is charged to all parties).

8.5 RECEIPT OF PROPOSALS – Offerors shall submit their sealed proposals to ensure that their proposals are received prior to the time and date established for receipt of the proposals. Proposals shall be submitted in the format required by the RFP. Cost proposals shall be submitted separate from the technical proposals so as to avoid disclosure of their contents until the technical review is completed.

8.6 EVALUATION – The grantee will have a method in place for conducting technical evaluations of the proposals received and for selecting contractors. The relative importance of the evaluation factors shall be established prior to opening the proposals. BPT requires that the grantee perform a technical evaluation of the proposals without consideration of cost, in which case the cost portions of the proposals are retained by the grantee, sealed, until the technical rating is determined. A combined technical and cost rating for each proposal is then determined.

8.7 DISCUSSION WITH RESPONSIBLE OFFERORS AND REVISION OF PROPOSALS – As provided in the RFP, oral interviews may be conducted with responsible offerors who submit proposals determined to be reasonably suitable of being selected for award. Oral interviews shall be conducted for the purpose of clarification to assure full understanding of and responsiveness to the solicitation requirements and for the purpose of obtaining best and final offers. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. In conducting oral interviews, there shall be no disclosure of any information derived from proposals submitted by competing offerors.

8.8 AWARD OF CONTRACT – The responsible offeror whose proposal is selected in writing, taking into consideration price and all evaluation factors, shall enter into contract negotiation. Prior to awarding the contract the grantee shall request BPT to concur with its selection. The grantee must submit its request to BPT accompanied by the following:

(a) The name and address of each offeror.
(b) The monetary amount of each proposal received.
(c) The score assignment resulting from the grantee’s evaluation of proposals.
(d) A complete copy of the selected proposal.

8.9 CONTRACT NEGOTIATION – After obtaining BPT concurrence with the selected proposal, the grantee shall proceed to negotiate a contract with the selected offeror staying within the scope set forth within the RFP.
9. PROCUREMENT BY NONCOMPETITIVE PROPOSAL (SOLE SOURCE)

9.1 GENERAL – Sole source procurements are accomplished through solicitation or acceptance of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. A contract amendment or change order that is not within the scope of the original contract is considered a sole source procurement that must comply with this subparagraph.

(a) Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed, bids, or competitive proposals and at least one of the following circumstances applies:

(1) The item is available only from a single source and it can be documented that it is the only item that can meet the unique needs of the grantee;
(2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
(3) FTA authorizes noncompetitive negotiations (only if Federal funds are involved);
(4) After solicitation of a number of sources, competition is determined inadequate.

(b) A cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profit, is required.

The grantee shall submit a written request for BPT concurrence with the use of sole source procurement procedures. Sole source procurements require specific justification which could stand the test of an audit or legal challenge and should not be taken lightly. Sole source justification should include, but not be limited to, the following:

- Timing
- Efforts to locate potential contractors
- Lack of Response to a former competitive effort
- Other factors (Applicable to Vehicles Only):
  - Analysis of ridership characteristics, and how they mandate the need for the size and specific passenger capacity of the sole source vehicle(s) requested (Average number of riders per trip, peak loading per trip, number of passengers in wheelchairs and walkers per trip, etc.).
  - Analysis of the physical characteristics of the service routes or service area, and how they mandate the need for the sole source vehicle(s) requested (Geographical characteristics, road conditions, weather conditions, etc.).
  - Analysis of existing equipment now serving the routes (or similar routes if expansion is proposed), and describe why similar replacement vehicles or other vehicles available on the market would not be suitable to provide this service. Include details on accidents, road calls and missed trips or cancellation of service caused by vehicle characteristics.
  - A summary of the information above which clearly identifies the sole source vehicle(s) as the only vehicle capable of providing the proposed service.
After BPT has provided written concurrence with the request, the grantee may award a contract for a purchase through solicitation or acceptance of a proposal from only one source.

10. OPTIONS

10.1 GENERAL – Grantees may include options in contracts so long as the grantee is able to justify them as needed for its public transportation or project purposes. An option is a unilateral right in a contract by which, for a specified time, a procuring agency may acquire additional equipment, supplies, or services than originally procured, or may elect to extend the term of the contract. If a grantee chooses to use options, the requirements below apply:

(a) EVALUATION OF OPTIONS: The option quantities or periods contained in the contractor’s bid or offer must be evaluated in order to determine contract award. When options have not been evaluated as part of the award, the exercise of such options will be considered a sole source procurement.

(b) EXERCISE OF OPTIONS:
   (1) A grantee must ensure that the exercise of an option is in accordance with the terms and conditions of the option stated in the initial contract awarded.
   (2) An option may not be exercised unless the grantee has determined that the option price is better than prices available in the market or that the option is the more advantageous offer at the time the option is exercised.

10.2 IMPROPER CONTRACT EXPANSION – A contract has been improperly expanded when the expansion includes a larger scope, greater quantities, or options beyond the grantee’s reasonably anticipated needs.

11. CONTRACT COST AND PRICE ANALYSIS FOR EVERY PROCUREMENT ACTION

11.1 GENERAL – Grantees must perform a cost or price analysis in connection with every procurement action, including contract modifications. The method and degree of analysis is dependent on the facts and circumstances surrounding each procurement, but as a starting point, grantees must make independent estimates before receiving bids or proposals.

11.2 COST ANALYSIS – The grantee must obtain a cost analysis when a price analysis will not provide sufficient information to determine the reasonableness of the contract cost. A cost analysis must be performed when the offeror is required to submit the elements (i.e., Labor Hours, Overhead, Materials, etc.) of the estimated cost, e.g., under professional consulting and architectural and engineering services contracts. A cost analysis will be necessary when adequate price competition is lacking and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or on the basis of prices set by law or regulation.

11.3 PRICE ANALYSIS – If the grantee determines that competition was adequate, a price analysis rather than a cost analysis is required to determine the reasonableness of the proposed contract price.

11.4 PROFIT – Grantees will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk to be borne
by the contractor, the contractor’s investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

11.5 FEDERAL COST PRINCIPLES – If federal funds are involved, costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles. Grantees may reference their own cost principles that comply with Federal cost principles.

12. ARCHITECTURAL AND ENGINEERING (A&E) SERVICES – SPECIAL REQUIREMENTS

12.1 GENERAL – Federal laws and regulations impose special requirements on FTA assisted architectural engineering (A&E) and related procurements. For guidance on these special requirements grantees should refer to FTA Circular 4220.1F (or the latest version of that circular), Chapter IV, subparagraph 2.g.

13. CONSTRUCTION – SPECIAL REQUIREMENTS

13.1 GENERAL – Federal laws and regulations impose special requirements on FTA assisted construction projects. For guidance on these special requirements grantees should refer to FTA Circular 4220.1F (or the latest version of that circular), Chapter IV, subparagraph 2.h.

14. RESEARCH-TYPE SERVICES – SPECIAL REQUIREMENTS

14.1 GENERAL – Federal laws and regulations impose special requirements on FTA assisted research-type (research, development, demonstration, deployment, and special studies) services. For guidance on these special requirements grantees should refer to FTA Circular 4220.1F (or the latest version of that circular), Chapter IV, subparagraph 2.i.

15. PAYMENT PROVISIONS

15.1 ADVANCE PAYMENTS – When Federal funds are involved, FTA does not authorize and will not participate in funding payments to a contractor prior to the incurrence of costs by the contractor unless prior written concurrence is obtained from FTA.

15.2 PROGRESS PAYMENTS – Grantees may use progress payments under certain conditions. Progress payments are only made to the contractor for costs incurred in the performance of the contract after the grantee obtains adequate security for those payments and has sufficient written documentation to substantiate the work for which payment is requested.

16. LIQUIDATED DAMAGES PROVISIONS

16.1 GENERAL – A grantee may use liquidated damages if it may reasonably expect to suffer damages (increased costs on project involved) from late completion and the extent or amount of such damages would be difficult or impossible to determine. The assessment for damages shall be at a specific rate per day for each day of overrun in contract time; and the rate must be specified in the third party contract. Any liquidated damages recovered shall be credited to the project account involved unless FTA (if Federal funds are involved) or BPT permits otherwise.
17. CONTRACT PROVISIONS

17.1 GENERAL – All contracts shall include provisions to define a sound and complete agreement. In addition, contracts and subcontracts shall contain contractual provisions or conditions that allow for:

(a) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, including sanctions and penalties as may be appropriate. (All contracts in excess of the small purchase threshold.)

(b) Termination for cause and for convenience by the procuring agency including the manner by which it will be effected and the basis for settlement (All contracts in excess of $10,000).
EXHIBIT “A”  5/1/2009

PRE-AWARD BID SPECIFICATION CERTIFICATION

Upon review of the information provided by the bidder, I hereby certify the following in regard to the vehicle(s) listed below which will be purchased under this contract (IFB Number and/or Purchase Order Number ________________):

(a) The rolling stock being contracted for is the same product described in the purchaser’s solicitation specifications and;

(b) The proposed manufacturer is a responsible manufacturer with the capability to produce a vehicle that meets the purchaser’s specification set forth in the purchaser’s solicitation.

__________________________________
Signature of Authorized Official

__________________________________
Title of Authorized Official

__________________________________
Purchaser (Agency) Name

__________________________________
Date

VEHICLES TO BE PURCHASED:

<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Number of Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BIDDER:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City, State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

MANUFACTURER:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City, State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Upon review of the information* provided by the bidder, I hereby certify the following in regard to the vehicle(s) listed below which will be purchased under this contract (IFB Number and/or Purchase Order Number __________________________):

CHECK ONE

________ The vehicle(s) listed below are in compliance with the requirements of Section 165(a) or (b)(3) of the Surface Transportation Assistance Act of 1982, as amended.

________ There is a letter from the Federal Transit Administration which grants a waiver to the vehicle(s) listed below from the Buy America requirements under Section 165(b)(1), (b)(2), or (b)(4) of the Surface Transportation Act of 1982, as amended.

Signature of Authorized Official

Title of Authorized Official

Purchaser (Agency) Name

Date

VEHICLES TO BE PURCHASED:

<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Number of Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BIDDER:

Name | Street Address | City, State | Zip Code
-----|----------------|-------------|-------
      |                |             |       

MANUFACTURER:

Name | Street Address | City, State | Zip Code
-----|----------------|-------------|-------
      |                |             |       

* Information provided by the bidder included a list of the following:

(1) Component and subcomponent parts of the vehicle(s) to be purchased identified by manufacturer of the parts, their country or origin and costs; and

(2) The location of the final assembly point for the vehicle(s), including a description of the activities that will take place at the final assembly point and the cost of final assembly.
The apparent low bidder, as an agent for the manufacturer, has supplied a copy of the manufacturer’s self-certification information concerning compliance with Federal Motor Vehicle Safety Standards. Based upon review of that information, I hereby certify that the vehicle(s) listed below, which will purchased under this contract (IFB Number and/or Purchase Order Number _________________________), complies with all applicable Federal Motor Vehicle Safety Standards.

__________________________
Signature of Authorized Official

__________________________
Title of Authorized Official

__________________________
Purchaser (Agency) Name

__________________________
Date

VEHICLES TO BE PURCHASED:

<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Number of Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BIDDER:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City, State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

MANUFACTURER:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City, State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
I hereby certify that I have visually inspected and road tested the vehicle(s) listed below which were purchased under this contract (IFB Number and/or Purchase Order Number ________________) and these vehicles meet the contract specifications.

CHECK ONE:

_____ An on-site inspector’s report is not attached because fewer than eleven vehicles (for areas greater than 200,000 in population) or fewer than twenty-one vehicles (for areas less than 200,000 in population) were procured under this solicitation.

_____ An on-site inspector’s report is attached because more than ten vehicles (for areas greater than 200,000 in population) or more than twenty vehicles (for areas less than 200,000 in population) were procured under this solicitation.

_____________________________
Signature of Authorized Official

_____________________________
Title of Authorized Official

_____________________________
Purchaser (Agency) Name

_____________________________
Date

VEHICLES PURCHASED:

<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Number of Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BIDDER:

Name       Street Address       City, State       Zip Code

MANUFACTURER:

Name       Street Address       City, State       Zip Code
Upon review of the information* provided by the bidder upon delivery of the vehicle(s), I hereby certify the following in regard to the vehicle(s) listed below which have been purchased under this contract (IFB Number and/or Purchase Order Number ____________________________):

CHECK ONE:

_______ The vehicle(s) listed below are in compliance with the requirements of Section 165(a) or (b)(3) of the Surface Transportation Assistance Act of 1982, as amended.

_______ There is a letter from the Federal Transit Administration which grants a waiver to the vehicle(s) listed below from the Buy America requirements under Section 165(b)(1), (b)(2), or (b)(4) of the Surface Transportation Assistance Act of 1982, as amended.

____________________
Signature of Authorized Official

____________________
Title of Authorized Official

____________________
Purchaser (Agency) Name

____________________
Date

VEHICLES PURCHASED:

<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Number of Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BIDDER:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City, State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

MANUFACTURER:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City, State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Information provided by the bidder included a list of the following:

1. Component and subcomponent parts of the vehicle(s) purchased identified by manufacturer of the parts, their country of origin and costs; and
2. The actual location of the final assembly point for the vehicle(s), including a description of the activities that took place at the final assembly point and the cost of final assembly.
EXHIBIT “F”  5/1/2009
POST-DELIVERY
FMVSS CERTIFICATION

The apparent low bidder, as an agent for the manufacturer, has supplied a copy of the manufacturer’s self-certification information concerning compliance with Federal Motor Vehicle Safety Standards. Based upon review of that information I hereby certify that the vehicle(s) listed below, which have been purchased under this contract (IFB Number and/or Purchase Order Number __________________________) complies with all applicable Federal Motor Vehicle Safety Standards.

________________________________
Signature of Authorized Official

________________________________
Title of Authorized Official

________________________________
Purchaser (Agency) Name

________________________________
Date

VEHICLES PURCHASED:

<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Year</th>
<th>Number of Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

|      |       |       |                    |

BIDDER:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City, State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

MANUFACTURER:

<table>
<thead>
<tr>
<th>Name</th>
<th>Street Address</th>
<th>City, State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(Enter Agency Name and Address) is announcing its intention to receive sealed bids for the purchase of (Enter Vehicle Type and Quantity of Vehicle Type Being Purchased). A complete bid package that includes technical specifications, special provisions, bid forms, and directions can be obtained by contacting (Enter Agency Name and Address) at (Enter Agency Telephone Number). Bids will be received at (Enter Address) up to but no later than (Enter Date and Time of Deadline for Bid Submission). Bids will be publicly opened on (Enter Bid Opening Date) at (Enter Time of Bid Opening) at (Enter Location and Address of the Location). All bids must be submitted in duplicate and remain valid for 60 days from the bid opening date. (Enter Agency Name) reserves the right to accept or reject any or all bids on such basis as purchaser deems to be in its best interest, subject to the approval of the Pennsylvania Department of Transportation, which requires the purchaser to award to the lowest responsive and responsible bidder.
Appendix A-2 – BPT Disposition Procedures
Disposition Procedure - Prior to Expiration of Estimated Useful Life

Any disposition of a Federal Transit Administration funded Section 5310 Program, Section 5311 Program, or state funded Community Transportation Program capital asset before the end of its estimated useful life must receive Department concurrence prior to the disposition action. If an asset is removed from service before the end of its estimated useful life, the amount refunded by the grantee to the state and federal government is the state and federal share of the unamortized value of the asset’s remaining service life, based on straight line depreciation of the original purchase price of the asset. Straight line depreciation shall be based on the age of the asset at the time of disposition in comparison to total number of years of estimated useful life designated for that asset. The refund can be waived under the conditions explained below:

Transfer Disposition - If, due to operational changes, the asset is no longer needed by the grantee but could be used in transit service, the grantee shall request in writing that the Department transfer the asset to another program grantee. If the Department is able to transfer the asset, no refund of state and federal funds will be required of the grantee.

Substitution Disposition - If the grantee wishes to substitute another asset for an asset prior to the end of estimated useful life of the asset being retired, the grantee shall make a written request to the Department for approval of the substitution. Examples for allowing the substitution might be premature equipment failure or obsolescence of the asset to be retired. If the Department approves the request, no refund of state and federal funds is required (if the funds are used to purchase the replacement property), unless the fair market value of the replacement property is less than the fair market value of the asset being replaced. In that case, the Department requires the grantee to refund the difference between the two values.

Extenuating Circumstances Disposition - Grantees wishing to dispose of a capital asset prior to the end of its estimated useful life due to extenuating circumstances may make a written request to the Department to do so. Examples of extenuating circumstances are premature equipment failure or obsolescence of the asset. If the request is approved by the Department, the grantee may dispose of the asset (in a manner in which the fair market value of the asset is obtained) and retain the proceeds from the sale of the asset (if the proceeds are used in accordance with the Retained Sale Proceeds Usage Criteria described below), or use the asset for spare parts (if the Spare Parts Criteria described below is met).
Disposition Procedure - After Expiration of Estimated Useful Life

After the estimated useful life of a Section 5310, Section 5311 or Community Transportation Program capital asset has expired, the grantee may, without prior approval by the Department, use the asset for spare parts (if the Spare Parts Criteria described below is met), or dispose of the asset and retain the proceeds from the sale of the asset (if the proceeds are used in accordance with the Retained Sale Proceeds Criteria described below). If the asset is to be sold, Section 5310, Section 5311, and Community Transportation Program grantees are required to establish and follow written procedures for determining the fair market value of the asset so that the proceeds from the sale of the asset are equivalent to the fair market value of the asset. Section 5310, Section 5311, and Community Transportation Program grantees are required to provide the Department written notification of the spare parts usage or disposition within thirty (30) days after its occurrence.

Suggested Methods for Obtaining Fair Market Value

The following are suggested methods that Section 5310, Section 5311, and Community Transportation Program grantees may use for obtaining fair market value:

(1) Solicit bids for the acquisition of the asset by advertising in at least one newspaper of general circulation and sending a description of the asset to at least three potential bidders. Both the ad and the description should include instructions for deadlines and submission of bids; or

(2) In an Invitation For Bids for the purchase of a new capital asset, include the asset to be disposed of as a trade-in; or

(3) Have the asset appraised by at least two qualified appraisers and offer the asset for sale at the average appraised value or take the asset to auction and require a minimum offer equal to the average appraised value.

Spare Parts Criteria

If it is determined that the value of the parts of an asset are of greater value than the asset as a whole, the asset may be retained by the grantee and used for spare parts. In this event, the grantee must document the estimated value of the spare parts as compared to an appraised value of the asset.
**Retained Sale Proceeds Usage Criteria**

In situations where grantees are allowed to retain the proceeds from the sale of assets, the proceeds shall be used as follows:

1. Sale proceeds from Section 5310 funded assets must be used for elderly and disabled transportation program purposes.

2. Sale proceeds from Section 5311 funded assets must be used for the furtherance of rural public transportation purposes.

3. Sale proceeds from Community Transportation Program funded assets must be used for Community Transportation capital purposes.
Appendix A-3 – Useful Service Life Policy
Attachment III
Useful Service Life FOR CAPITAL ITEMS
(As of May 23, 2001)

Pennsylvania Department of Transportation
Bureau of Public Transportation

Urban, Community Transit, Section 16, and Rural
Capital Grant Programs

<table>
<thead>
<tr>
<th>Item</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Conditioning/Heating/Ventilation Systems for Buildings</td>
<td>15</td>
</tr>
<tr>
<td>Asphalt paving, parking lot</td>
<td>10</td>
</tr>
<tr>
<td>Automobiles</td>
<td>4 or 100,000 miles</td>
</tr>
<tr>
<td>Automobile/bus washing and vacuum cleaner systems</td>
<td>10</td>
</tr>
<tr>
<td>Backhoe</td>
<td>10</td>
</tr>
<tr>
<td>Buildings and stations</td>
<td>30</td>
</tr>
<tr>
<td>Bus lift</td>
<td>15</td>
</tr>
<tr>
<td>Bus shelter cleaner</td>
<td>10</td>
</tr>
<tr>
<td>Bus stop signs</td>
<td>10</td>
</tr>
<tr>
<td>Communications equipment</td>
<td>10</td>
</tr>
<tr>
<td>Computer equipment (Mainframe/Microprocessor controller)</td>
<td>7</td>
</tr>
<tr>
<td>Computer equipment (Personal Computer)</td>
<td>4</td>
</tr>
<tr>
<td>Computer software</td>
<td>4</td>
</tr>
<tr>
<td>Electric garage door opener</td>
<td>12</td>
</tr>
<tr>
<td>Electrification systems</td>
<td>30</td>
</tr>
<tr>
<td>Elevators/Escalators</td>
<td>15</td>
</tr>
<tr>
<td>Fareboxes/ticket machines</td>
<td>12</td>
</tr>
<tr>
<td>Ferry Boats</td>
<td>15</td>
</tr>
<tr>
<td>Forklift truck</td>
<td>10</td>
</tr>
<tr>
<td>Front-end loader</td>
<td>7</td>
</tr>
<tr>
<td>Fuel Storage Tanks/Dispensing Systems</td>
<td>30</td>
</tr>
<tr>
<td>Heavy trucks</td>
<td>7</td>
</tr>
<tr>
<td>Incline plane equipment</td>
<td>7</td>
</tr>
<tr>
<td>Incline plane overhaul</td>
<td>7</td>
</tr>
<tr>
<td>Light trucks (GVWR less than 15,000 lbs.)</td>
<td>5</td>
</tr>
<tr>
<td>Office equipment</td>
<td>7</td>
</tr>
<tr>
<td>Office furniture</td>
<td>10</td>
</tr>
<tr>
<td>Passenger shelters</td>
<td>15</td>
</tr>
<tr>
<td>Rail/Fixed Guideway Rolling Stock</td>
<td>25</td>
</tr>
<tr>
<td>Railroad machinery and equipment</td>
<td>15</td>
</tr>
<tr>
<td>Right-of-Way</td>
<td>30</td>
</tr>
</tbody>
</table>
Roller 10
New Roof for Buildings 15
Signal systems 10
Estimated Useful Life for Capital Items
May 23, 2001

<table>
<thead>
<tr>
<th>Item</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spare parts inventory</td>
<td>12</td>
</tr>
<tr>
<td>Structures</td>
<td>30</td>
</tr>
<tr>
<td>Surveillance equipment</td>
<td>10</td>
</tr>
<tr>
<td>Tools and shop equipment</td>
<td>12</td>
</tr>
<tr>
<td>Track inspection vehicles</td>
<td>10</td>
</tr>
<tr>
<td>Track and roadbeds</td>
<td>30</td>
</tr>
<tr>
<td>Traffic signals</td>
<td>15</td>
</tr>
<tr>
<td>Trailers</td>
<td>7</td>
</tr>
</tbody>
</table>

Transit Buses

A) PaDOT Specification Code Vehicles

| C, D, E, F-G, G, or H                     | 4 or 100,000 miles |
| F-D                                      | 4 or 150,000 miles |
| A/C-G, A/U-G, or A/Y-G                   | 4 or 100,000 miles |
| A/C-D, A/U-D, or A/Y-D                   | 4 or 150,000 miles |
| A/Z or A/Z-1                             | 4 or 100,000 miles |
| J-G, K-G, or L-G                         | 5 or 150,000 miles |
| J-D, K-D, or L-D                         | 5 or 200,000 miles |
| A/J-G, A/K-G, or A/L-G                   | 5 or 150,000 miles |
| A/J-D, A/K-D, or A/L-D                   | 5 or 200,000 miles |
| K-HD, L-HD, M-HD, or T-HD                | 8 or 300,000 miles |
| A/K-HD, A/L-HD, A/M-HD, or A/T-HD        | 8 or 300,000 miles |
| A/V-21, or A/V-25                        | 8 or 300,000 miles |
| W-HD-5, W-HD-6, W-HD-7, or W-HD-8        | 8 or 300,000 miles |
| A/W-HD-5, A/W-HD-6, A/W-HD-7, or A/W-HD-8| 8 or 300,000 miles |
| A/X-HD-30FTL                             | 10 or 350,000 miles |
| A/X-HD-24FT, A/X-HD-27FT, A/X-HD-30FT,   | 10 or 350,000 miles |
| or A/X-HD-32FT                           |                   |
| A/X-HD-35FT                              | 12 or 500,000 miles |

B) If not using PaDOT Specification Code Vehicles, use the following:

1) Light Duty Bus-gas engine               5 or 150,000 miles  (GVWR-15,000 lbs. or less)
2) Light Duty Bus-diesel engine            5 or 200,000 miles  (GVWR-15,000 lbs. or less)
3) Medium Duty Bus-gas engine              7 or 200,000 miles  (GVWR-above 15,000 lbs.)
4) Medium Duty Bus-diesel engine and under 35 feet (GVWR-above 15,000 lbs. and less than 20,000 lbs.)
   8 or 300,000 miles
5) Heavy Duty Bus-diesel engine (under 35 feet) (GVWR-20,000 lbs. and above)
   10 or 350,000 miles
6) Heavy Duty Bus-diesel engine (over 35 feet) (GVWR-20,000 lbs. and above)
   12 or 500,000 miles

Estimated Useful Life for Capital Items
May 23, 2001

Tunnels 30
Used Vehicles 4
Van 4 or 100,000 miles
Vehicle Overhaul
   Bus 4
   Rail 5
Water Heater 15
Appendix A-4 – Procurement Checklist
DGS CONTRACT PROCUREMENT CHECKLIST FOR
SECTION 5310, 5311, and ACT 26 COMMUNITY TRANSPORTATION PROGRAMS

This checklist summarizes PENNDOT’s DGS contract procurement procedures. Please check each item as it is accomplished:

_____ PROCURING AGENCY REGISTERS IN CO-STARS (IF NOT ALREADY REGISTERED).

_____ PROCURING AGENCY SELECTS THE PENNSYLVANIA COMMERCIAL ITEM DESCRIPTION (PCID) NUMBER BASED ON THE APPROVED SPEC CODE (REFER TO THE ATTACHED VEHICLE SPECIFICATION LISTING ACCORDING TO THE PCID NUMBER-ATTACHMENT 1).

_____ PROCURING AGENCY DETERMINES DESIRED OPTIONAL EQUIPMENT TO BE ADDED ON TO EACH VEHICLE.

_____ PROCURING AGENCY, IN CONJUNCTION WITH THE CONTRACTOR, PREPARES EACH PURCHASE ORDER, CHANGE ORDER, AND DETERMINES THE SEATING CAPACITY CONFIGURATION DIAGRAM DESIRED. BE SURE TO ASSIGN A UNIQUE PURCHASE ORDER NUMBER FOR EACH PURCHASE ORDER. COMPLETE ONE PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM FOR EACH VEHICLE!!!

_____ PROCURING AGENCY AND THE CONTRACTOR SIGN EACH PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM.

_____ THE CONTRACTOR MUST EMAIL OR FAX EACH SIGNED PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM TO BPT (ROBERT ZOLYAK) FOR REVIEW, APPROVAL, AND SIGNATURE. THIS INCLUDES ANY ADDITIONAL CHANGE ORDERS ISSUED BY THE CONTRACTOR AND THE PURCHASER FOR EACH VEHICLE. BPT WILL NOT AUTHORIZE PAYMENT FOR ANY VEHICLE IF EACH PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM IS NOT SIGNED BY BPT (ROBERT ZOLYAK).

_____ ONCE BPT SIGNS EACH PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM, BPT WILL EMAIL A SIGNED COPY OF EACH PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM TO THE PROCURING AGENCY, THE CONTRACTOR, AND DGS (ALFONZO ROBINSON).

_____ THE CONTRACTOR ACKNOWLEDGES RECEIPT OF A PURCHASE ORDER TO THE PROCURING AGENCY (LETTER OR EMAIL) WITHIN TEN (10) CALENDAR DAYS FROM THE DAY THE PURCHASE ORDER IS ISSUED TO THE CONTRACTOR (SEE ATTACHED SAMPLE LETTER-ATTACHMENT 2). THE CONTRACTOR IS RESPONSIBLE TO PROVIDE AN ANTICIPATED DELIVERY DATE OF EACH VEHICLE ON THE ACKNOWLEDGEMENT. THE CONTRACTOR SENDS A COPY OF THE ACKNOWLEDGEMENT OF RECEIPT OF A PURCHASE ORDER...
TO BPT (ROBERT ZOLYAK) AND DGS (ALFONZO ROBINSON).

THE PROCUREMENT AGENCY FOLLOWS UP ON ORDERS IF WRITTEN ACKNOWLEDGEMENT IS NOT RECEIVED WITHIN TEN (10) CALENDAR DAYS FROM THE CONTRACTOR (IF NECESSARY). THE PROCUREMENT AGENCY ALSO NOTIFIES BPT (ROBERT ZOLYAK).

THE CONTRACTOR MUST MAKE DELIVERY NO LATER THAN 150 CALENDAR DAYS AFTER ACKNOWLEDGEMENT OF THE PURCHASE ORDER. FAILURE TO DELIVER WITHIN THESE TIME PERIODS MAY RESULT IN THE CONTRACTOR'S PAYMENT OF LIQUIDATED DAMAGES (SEE ATTACHMENT 3 DESCRIBING THE LIQUIDATED DAMAGE GUIDELINES).

THE CONTRACTOR MUST NOTIFY THE PROCUREMENT AGENCY IF THE DELIVERY DEADLINE CANNOT BE MET. THE PROCUREMENT AGENCY MUST NOTIFY BPT AND DGS IF THIS DEADLINE CANNOT BE MET BY THE CONTRACTOR.

THE CONTRACTOR SHALL CONTACT THE PROCUREMENT AGENCY AND BPT FOR A DELIVERY SCHEDULE AT LEAST 48 HOURS IN ADVANCE OF ACTUAL DELIVERY.

THE VEHICLE VENDOR WILL PROVIDE THE PROCUREMENT AGENCY A SIGNED CONTRACTOR'S REQUEST FOR PROGRESS PAYMENT (CRPP) FORM (ATTACHED), WHICH CERTIFIES THAT THE VEHICLE IS READY FOR DELIVERY, ALONG WITH THE VENDOR'S INVOICE.

THE PROCUREMENT AGENCY MUST SIGN THE BOTTOM PORTION OF THE CRPP FORM. USING DOTGRANTS, IMMEDIATELY UPLOAD THE COMPLETED CRPP AND VENDOR'S INVOICE AND SUBMIT YOUR PAYMENT REQUEST. PENNDOT WILL PROCESS YOUR PAYMENT JUST PRIOR TO VEHICLE DELIVERY INSTEAD OF AFTER VEHICLE ACCEPTANCE. CONTACT MR. BEN BROSIOUS AT (717)-787-1211 FOR FURTHER DETAILS ON HOW TO SUBMIT YOUR PAYMENT REQUESTS FOR SECTION 5310 FUNDS ONLY THROUGH DOTGRANTS. CONTACT MR. JOHN LEVITSKY AT (717)-787-1206 FOR FURTHER DETAILS ON HOW TO SUBMIT ALL OTHER PAYMENT REQUESTS THROUGH DOTGRANTS.

IMPORTANT NOTE: IF YOU RECEIVE YOUR PAYMENT FROM PENNDOT AFTER THE VEHICLE(S) HAVE BEEN DELIVERED AND ACCEPTED, YOU ARE EXPECTED TO IMMEDIATELY PAY THE VENDOR IN FULL. HOWEVER, IF YOU RECEIVE THE PENNDOT PAYMENT BEFORE VEHICLE ACCEPTANCE, DO NOT RELEASE ANY FUNDS TO THE VENDOR UNTIL THE VEHICLE(S) HAVE BEEN INSPECTED AND FULLY ACCEPTED. EACH VEHICLE MUST MEET ALL PCID SPECIFICATIONS. ANY VEHICLE THAT DOES NOT MEET ALL PCID SPECIFICATIONS CANNOT BE DETERMINED “ACCEPTABLE”, CANNOT BE PLACED INTO SERVICE, AND PAYMENT CANNOT BE MADE TO THE CONTRACTOR!!

IF THE VEHICLE PROCUREMENT INVOLVES FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDS, THE PROCUREMENT AGENCY MUST COMPLETE AND UPLOAD INTO DOTGRANTS THE POST-DELIVERY REVIEW CERTIFICATIONS. THE PROCUREMENT AGENCY MUST CONDUCT A POST-
DELIVERY REVIEW TO ENSURE THAT THE DELIVERED VEHICLE(S) MEET (1) BUY AMERICA REGULATIONS (IF APPLICABLE), (2) THE PURCHASER’S REQUIREMENTS, AND (3) THE FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) REGULATIONS. THE POST-DELIVERY REVIEW MUST BE COMPLETED BEFORE FINAL ACCEPTANCE OF THE VEHICLE(S) OCCURS. PLEASE READ THE POST-DELIVERY REVIEW CERTIFICATIONS CAREFULLY AND MAKE SURE THAT YOUR CONTRACTOR HAS SUBMITTED ALL THE REQUIRED INFORMATION TO ENABLE YOU TO SIGN THE CERTIFICATIONS. AFTER WE HAVE PROCESSED YOUR VEHICLE PAYMENT, WE WILL CHANGE THE STATUS OF YOUR DOTGRANTS INVOICE FROM “PAYMENT MADE” TO “FTA POST-DELIVERY DOCUMENTS REQUIRED”. AT THAT POINT, YOU MUST UPLOAD YOUR COMPLETED POST-DELIVERY REVIEW CERTIFICATIONS INTO THE DOTGRANTS INVOICE AND CHANGE ITS STATUS TO “FTA POST-DELIVERY DOCUMENTS SUBMITTED” FOR PENNDOT REVIEW AND APPROVAL.

___

THE PROCURING AGENCY PICKS UP ORDERED VEHICLE(S) AT THE CONTRACTORS DESIGNATED PICK UP SITE WITHIN THE CONFINES OF THE COMMONWEALTH OF PENNSYLVANIA, OR HAS THE VEHICLE(S) DELIVERED BY THE CONTRACTOR TO THE PROCURING AGENCY FOR AN ADDITIONAL CHARGE PER VEHICLE OF $300.

___

EACH VEHICLE SHALL NOT BE DRIVEN MORE THAN A TOTAL OF 800 MILES FROM THE CONTRACTOR'S PLACE OF BUSINESS TO THE PROCURING AGENCY'S PLACE OF BUSINESS. IF DELIVERY OF EACH VEHICLE IS MORE THAN A TOTAL OF 800 MILES, A CREDIT of $5.00 PER MILE WILL BE APPLIED AGAINST THE AWARDED CONTRACTOR’S PURCHASE ORDER AS DAMAGES AND DEDUCTED AT THE TIME OF PAYMENT.

___

EACH VEHICLE MUST BE DELIVERED WITH THE FOLLOWING:

A) STATE INSPECTION STICKER  
B) EMISSIONS STICKER  
C) CONTRACTOR MUST APPLY FOR VEHICLE TITLE (AND PROVIDE COPY OF EXECUTED MV-1 APPLICATION FOR TITLE UPON DELIVERY).  
D) CONTRACTOR MUST DELIVER EACH VEHICLE WITH TEMPORARY OR PERMANENT REGISTRATION DOCUMENTATION AND PLATE.  
E) ALL COSTS ASSOCIATED WITH THE VEHICLE TITLE, REGISTRATION AND PLATE ARE BORNE BY THE CONTRACTOR.  
F) COPY OF MANUFACTURER’S WARRANTY AND SERVICE POLICY.  
G) CONTRACTOR’S INVOICE (ORIGINAL PLUS 3 COPIES).  
H) FULL FUEL TANK

___

THE PROCURING AGENCY WILL PERFORM INSPECTION OF EACH VEHICLE USING THE CURRENT NEW DGS VEHICLE OPERATION INSPECTION CHECKLIST DEVELOPED BY BPT FOR THE SPECIFIC VEHICLE PCID. DGS AND BPT
RESERVES THE RIGHT TO INSPECT EACH VEHICLE AS THEY ARE DELIVERED. EACH VEHICLE MUST MEET ALL PCID SPECIFICATIONS. ANY VEHICLE THAT DOES NOT MEET ALL PCID SPECIFICATIONS CAN NOT BE DETERMINED "ACCEPTABLE", CAN NOT BE PLACED INTO SERVICE, AND PAYMENT CAN NOT BE MADE TO THE CONTRACTOR!!!

IT IS THE CONTRACTOR’S RESPONSIBILITY TO REMOVE ANY VEHICLE REJECTED BY THE PROCURING AGENCY WITHIN TWO (2) WORKING DAYS AFTER NOTIFICATION, AND RETURN EACH VEHICLE TO THE PROCURING AGENCY UPON CORRECTION OF DEFICIENCIES. DATE IN SERVICE WILL BE THE DATE EACH VEHICLE IS ACCEPTED BY THE PROCUREMENT AGENCY, NOT THE DATE OF DELIVERY.

ONCE EACH VEHICLE IS DETERMINED ACCEPTABLE, THE PROCUREMENT AGENCY WILL IMMEDIATELY MAIL THE COMPLETED NEW DGS VEHICLE OPERATION INSPECTION CHECKLIST AND THIS COMPLETED DGS PROCUREMENT CHECKLIST FOR EACH VEHICLE TO BPT (ROBERT ZOLYAK) AT THE BELOW MENTIONED ADDRESS.

ONCE THE PROCUREMENT AGENCY RECEIVES PAYMENT FROM PENNDOT, THE PROCUREMENT AGENCY WILL IMMEDIATELY MAKE FULL PAYMENT TO THE CONTRACTOR AFTER EACH VEHICLE IS DETERMINED ACCEPTABLE (MEETING ALL PCID SPECIFICATIONS).

ANY PROBLEMS WITH THE CONTRACTOR, PLEASE CONTACT ALFONZO ROBINSON AT DGS AT (717)-346-8181 AND BPT (ROBERT ZOLYAK). ALL CORRESPONDENCE BETWEEN THE PURCHASING AGENCY AND THE CONTRACTOR MUST BE COPIED TO DGS (ALFONZO ROBINSON) AND BPT (ROBERT ZOLYAK).

AGENCY NAME:_______________________________________________________________
COMPLETED BY:____________________________________________________________
PURCHASE ORDER NUMBER:___________________________________________________
DESCRIPTION OF ITEMS(S) PROCURED:___
COSTARS REGISTRATION NUMBER:______________________________________________

WITHIN 30 DAYS OF COMPLETION, SEND A COPY OF CHECKLIST TO:
Mr. Robert Zolyak, Project Engineer
Pennsylvania Department of Transportation (PENNDOT)
Bureau of Public Transportation
P. O. Box 3151
Harrisburg, Pennsylvania 17105-3151
Types of Vehicle Specifications listed by Pennsylvania Commercial Item Description (PCID) Number:

A. PCID Number 1108: Paratransit 9,000 Pound GVWR Raised Roof Van (Converted Van Type Passenger Vehicle -Ford Chassis).

B. PCID Number 1113: 23 Foot Transit Bus, 14,500 Pound GVWR Vehicle (Ford Chassis).

C. PCID Number 1114: 25 Foot Transit Bus, GVWR 14,500 Pound Vehicle (Ford Chassis).

D. PCID Number 1116: Paratransit Cutaway Cab and Chassis Bus-10,000 Pound GVWR Vehicle (Ford Chassis).

E. PCID Number 1122: Paratransit Narrow Body Dual Rear Wheel Bus, 11,500 Pound GVWR Vehicle (Ford Chassis).

F. PCID Number 1123: Fiberglass Body, 23 Foot Transit Bus, 14,500 Pound GVWR Vehicle (Ford Chassis).
G. PCID Number 1130: 23 and 25 Foot Transit Bus, 14,200 Pound GVWR Vehicle (Chevy Chassis).

H. PCID Number 1132: 29 and 31 Foot Transit Bus, 25,500 Pound GVWR Vehicle (Freightliner Chassis).


J. PCID Number 1141: 27 Foot Transit Bus, 19,500 Pound GVWR Vehicle (Freightliner Chassis).

K. PCID Number 1143: Grand Accessible Mini Van With Rear Entry

L. PCID Number 1144: Grand Accessible Mini Van With Side Entry
Attachment 2

SAMPLE LETTER OF CONTRACTOR ACKNOWLEDGEMENT OF RECEIPT OF A PURCHASE ORDER

[DATE]

[ADDRESSEE]

DEAR [NAME]

We are in receipt of your order as contained in the attached Purchase Order(s), Change Order(s), and seating diagram(s) for the following vehicle(s):

1.) PCID Number _______ (Purchase Order Number _____)
2.) PCID Number _______ (Purchase Order Number _____)
3.) PCID Number _______ (Purchase Order Number _____)
4.) PCID Number _______ (Purchase Order Number _____)
5.) PCID Number _______ (Purchase Order Number _____)

We confirm acceptance of each order. We anticipate delivery of each vehicle by _________. If you have any questions about your order, or if we can be of further assistance, please contact
Thank you for your patronage. We appreciate the opportunity to serve you.

Sincerely,

[NAME]
[TITLE]

CC: Robert Zolyak, PENNDOT-Bureau of Public Transit
    Alfonzo Robinson, Department of General Services
CONTRACTOR’S REQUEST FOR PROGRESS PAYMENT

SECTION I – IDENTIFICATION INFORMATION

Contractor Name: _____________________________________________________

Purchasing Agency Name: ______________________________________________

Purchase Order Number: _________________

Purchase Order Date: ____________________

Purchase Order Total Price (includes all change orders): ____________________

Progress Payment Request Number: _________

Progress Payment Request Date: ___________

SECTION II – STATEMENT OF COSTS UNDER THIS CONTRACT THROUGH REQUEST DATE

Milestone Benchmark Completed: Vehicle Ready for Delivery

Costs Incurred to Obtain Milestone Benchmark: $ __________

Amount of Current Invoice for Progress Payment (invoice attached): $ __________
CONTRACTOR CERTIFICATION

I certify that the above statement (with attachments) has been prepared from the books and records of the above named contractor in accordance with the contract, and to the best of my knowledge and belief, that it is correct, that all the costs of contract performance have been paid to the extent shown herein, and that the work reflected above has been performed consistent with the requirements of the contract.

NAME AND TITLE OF CONTRACTOR REPRESENTATIVE SIGNING THIS FORM:
________________________________________________________

SIGNATURE: ____________________________________________

CONCURRENCE OF PURCHASING AGENCY

NAME AND TITLE OF PURCHASING AGENCY REPRESENTATIVE SIGNING THIS FORM:
________________________________________________________

SIGNATURE: ____________________________________________

Form BPT-CRPP (04-09)
Appendix B – 5316 and 5317 Agency Program Guidance Transmittal Letter
DATE: January 24, 2011

SUBJECT: Applications for JARC and New Freedom Programs

TO: Metropolitan and Regional Planning Organization Executive Directors

FROM: Eileen Ogan, Chief
Specialized Transportation Division
Bureau of Public Transportation

Attached are FY 2011-2012 guidelines and applications for Job Access Reverse Commute (Federal Section 5316) and New Freedom (Federal Section 5317) Programs. As detailed in the Program Center’s Actions and Procedures for the Development of the Fiscal Year (FY) 2011-12 Unified Planning Work Program (UPWP), Project Delivery, Section II.I - planning organizations should monitor and advance, in conjunction with the Department, the non-traditional projects identified by the MPO/RPO and the Department.

PennDOT has been designated by the Governor of the Commonwealth of Pennsylvania as the applicant for, and primary recipient of, Section 5316 (Job Access Reverse Commute) and 5317 (New Freedom) funds apportioned to Pennsylvania for small urban and non-urbanized areas. \(^1\) Within PennDOT, the Bureau of Public Transportation (BPT) is directly responsible for administering the Section 5316 and 5317 Programs. According to FTA guidelines, the designated recipient must conduct the competitive selection process in cooperation with the Metropolitan Planning Organization (MPO) and Regional Planning Organization (RPO). Part of the selection process is ensuring that applications/projects are consistent with the region’s Coordinated Public Transit-Human Services Transportation Plan.

For urbanized areas of 50,000 to 200,000 population and non-urbanized areas, PennDOT is providing program guidance and selection criteria to each respective MPO and RPO. Planning organizations will conduct the application and selection process, rank the projects, and submit the selected applications to PennDOT for review and concurrence. PennDOT will then make the necessary transfer of funds to the sub recipients for the respective small urban and non-urbanized areas. PennDOT will provide technical assistance to these urbanized areas as appropriate.

Planning organizations have the following responsibilities with regard to JARC and New Freedom Programs:

\(^1\) Designated recipients in large urban areas (Philadelphia, Pittsburgh, Allentown, Harrisburg, Lancaster, Reading, Scranton and Mercer) will be responsible for executing contracts and monitoring grants for federal funding.
1. Confirm that your Coordinated Public Transit-Human Services Transportation Plan has been formally adopted and is fully compliant with FTA final guidance. Following is guidance on the coordinated plans from the Federal Transit Administration’s JARC and New Freedom Circulars – FTA C 9050.1 and FTA C 9045.1:

   At a minimum, the coordinated plan should follow the update cycles for metropolitan transportation plans (MTPs) (i.e., four years in air quality nonattainment and maintenance areas and five years in air quality attainment areas). However, communities and States may update the coordinated plan to align with the competitive selection process that is required for JARC and New Freedom projects based on needs identified at the local levels. States, MPOs, designated recipients, and public agencies that administer or operate major modes of transportation should set up a cycle that is conducive to and coordinated with the metropolitan and statewide planning processes, to ensure that selected projects are included in the TIP and STIP, to receive funds in a timely manner.

2. Distribute JARC and New Freedom applications, along with a copy of your formally adopted coordinated plan. Include all public transportation providers as well as any other eligible applicants in your area, particularly agencies that have welfare to work projects (Attachment #1). For contact information on the public transportation providers in your area, you may access PennDOT’s website at www.dot.state.pa.us. Choose Public Transportation, and then click on Public Transportation Map. Agencies are listed by county and by type of service provided.

3. Establish an evaluation team which must include local transportation agencies.


5. Ensure that the transit agency(ies) within your region have reviewed the projects and support them as being aligned with the coordinated plan. Projects lacking the endorsement of the local transit agency(ies) will not be considered for funding.

6. Evaluate and rank completed applications according to the following criteria:
   a. Category A - Recommended for funding
   b. Category B – Recommended with reservations
   c. Category C – Not recommended

7. Forward the ranked JARC and New Freedom projects to the Department by April 15, 2011.

8. Document the process for soliciting projects using the attached guideline (Attachment #2), and submit with your project funding request.

   In prior years, the Department has distributed the welfare 2 work transportation application in conjunction with the JARC application. For fiscal year 2011-12, the Department will be making significant changes to the state-funded welfare 2 work Program. Those changes have not been finalized, nor have revised policies and guidelines been distributed to eligible grantees. Therefore, we are not asking MPOs/RPOs to review and forward welfare to work applications as
part of the JARC/New Freedom call for projects. Applications for the welfare 2 work Program will be solicited through the Bureau of public Transportation’s electronic grant process.

When all JARC and New Freedom projects for small urban and non-urbanized areas have been submitted, the Department will undertake a review and evaluation process to determine selection based on established priorities and funding limitations. We identify projects that are consistent with both PennDOT and FTA priorities. Projects are then submitted to the FTA. After concurrence/approval by the FTA, PennDOT directs authorized agencies to submit projects for funding through the electronic dotGrant system.

The Department is committed to funding sustainable projects. We will give the highest priority to:
- capital projects which provide the infrastructure for service
- IT technology to improve the delivery of passenger service
- vanpools.

A more detailed description of JARC and New Freedom projects is included in Attachment #3.

Because funding is limited, there will be no consideration of operating projects unless the applicant includes an identified funding source to continue operations beyond the funding year. Consideration may be given to operating projects which demonstrate that the applicant has the institutional and fiscal capacity to sustain the project beyond the initial source of funding. Required local match is one of the options the Department is considering for JARC and New Freedom projects to make sure that there is local project oversight and ownership. Another option for operating projects is PennDOT’s technical assistance application, available through the Bureau of Public Transportation’s dotGrant website. If you have a specific project that you would like to submit to the Department, please contact John Levitsky at (717) 787-1206 for discussion prior to submission.
## Attachment #1 - Current Welfare to Work Projects

<table>
<thead>
<tr>
<th>GRANTEE</th>
<th>CONTACT</th>
<th>TITLE</th>
<th>ADDRESS</th>
<th>PHONE #</th>
<th>FAX #</th>
<th>E-MAIL ADDRESS</th>
</tr>
</thead>
</table>
| Allied Coordinated Transportation Services, Inc.  | Angels Elias     | Director of Transportation Programs | 241 West Grant Street  
P.O. Box 189  
New Castle, PA 16103 | 724-658-7258    | 724-658-7664 | angels@lccap.org                  |
| Mid-County Transit Authority                      | Scott Kloes      | General Manager                | 220 North Grant Avenue  
Kittanning, PA 16201 | 724-548-8696    | 724-543-3585 | sdkloes@redrosetransit.com       |
| Berks Area Reading Transportation Authority       | Dennis Louverse  | Executive Director/CEO         | 1700 North 11th Street  
Reading, PA 19604 | 610-921-0805    | 610-921-9420 | dloverse@bertabus.com            |
| County of Butler                                  | Janine Kennedy   | Community Action Director      | Butler County Community Action & Development  
P.O. Box 1208  
Butler, PA 16003-1208 | 724-284-5125    | 724-284-1063 | jkennedy@co.butler.pa.us        |
| Cumberland-Dauphin-Harrisburg Transit Authority   | Jim Hoffer       | Executive Director             | 901 North Cameron Street  
Harrisburg, PA 17105 | 717-233-5657    | 717-236-8307 | jhoffer@cattransit.com          |
| Columbia County                                   | Donald Pegg      | Director of Human Services     | 26 W. First Street  
Blacksburg, PA 18715 | 570-389-5687    | 570-389-5703 | dpagg@columbiapi.org           |
| County of Lackawanna Transit System               | Debbie Schrader  | Deputy Director of Development | 800 North South Road  
Scranton, PA 18504 | 570-346-2061(1264) | 570-343-3819 | dschrader@lackawannacounty.org |
| Crawford Area Transportation Authority            | Timothy Geibel   | Executive Director             | 231 Chestnut Street  
Meadville, PA 16335 | 814-336-5600    | 814-336-5406 | tgeibel@catabus.org            |
| Endless Mountains Transportation Authority         | Karen Melasecca  | General Manager                | 27824 Route 220  
Athens, PA 18810 | 570-888-7330    | 570-888-3666 | kmelasecca@emtatransit.com     |
| Erie Metropolitan Transit Authority                | Lorene McGuire   | Grants Coordinator             | 127 East 14th Street  
Erie, PA 16512 | 570-445-4012     | 570-445-0071 | lmcguire@emtaerie.com          |
| Fayette County (Fayette Area Coordinated  
Transportation)                                  | Lori Groover-Smith | Director                     | FACT Transit Center  
825 Airport Road  
Lemont Furnace, PA 15456 | 724-628-7433    | 724-628-7468 | lgroover@fs.fayette.org        |
| Fulton County (Fulton County Partnership, Inc.)   | Julie Dovey      | Executive Director             | 22438 Great Cove Road, Suite 102  
P.O. Box 464  
Mucknellsburg, PA 17233 | 717-483-0931    | 717-483-4505 | jdovey@fcpine.net             |
| Indiana County Transit Authority                   | John Kanyan      | Executive Director             | P.O. Box 869  
1657 Saltsburg Avenue  
Indiana, PA 15701 | 724-465-2140    | 724-465-1933 | jkanyan@indigobus.com          |
| County of Lebanon Transit Authority                | Teri Giurintano  | General Manager                | 200 Willow Street  
Lebanon, PA 17046 | 717-274-3664    | 717-274-8860 | tgiurintano.colt@comcast.net    |
| Lycoming County (STEP, Inc.)                      | Janet Alling     | Executive Director             | 2138 Lincoln Street  
P.O. Box 3568  
Williamsport, PA 17701-8568 | 570-326-0857    | 570-322-2197 | jailing@stepcorp.org           |
| Mercer County (Mercer County Community Transit)    | Kim DiCintio     | Executive Director             | 2495 Highland Road  
Hermitage, PA 16148 | 724-981-1561    | 724-981-2639 | kdiml@mccrtc.com            |
| Call-A-Ride Service Inc.                          | Cynthia Sunderland | Director of Transportation | One Buena Vista Circle  
P.O. Box 750  
Lewistown, PA 17044 | 717-242-0677    | 717-242-3346 | csunderland@mjaaa.com          |
| Monroe County Transportation Authority            | Peggy Howarth    | Executive Director             | P.O. Box 339  
Scotrun, PA 18355 | 570-839-8201    | 570-839-8205 | phowarth@gomcta.com          |
| Montour County                                    | Amanda Boyer     | Director                      | Montour County Transit  
112 Woodbine Lane Suite 1  
Danville, PA 17821 | 570-271-0833    | 570-271-0834 | aboyer@montouco.org           |
| Red Rose Transit Authority                        | David Kilmer     | Executive Director             | 45 Erick Road  
Lancaster, PA 17601 | 717-356-9230    | 717-397-4761 | dkilmer@redrosetransit.com    |
<table>
<thead>
<tr>
<th>GRANTEE</th>
<th>CONTACT</th>
<th>TITLE</th>
<th>ADDRESS</th>
<th>PHONE #</th>
<th>FAX #</th>
<th>E-MAIL ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schuylkill County (Schuylkill Transportation System (STS))</td>
<td>Michael Micko</td>
<td>VP of Public Transp. Services</td>
<td>P.O. Box 67 St. Clair, PA 17970-0067</td>
<td>570-429-2805</td>
<td>570-429-1078</td>
<td><a href="mailto:micko@redcogrp.com">micko@redcogrp.com</a></td>
</tr>
<tr>
<td>Somerset County (Tableland Services, Inc.)</td>
<td>Jeffrey Masterson</td>
<td>Executive Director</td>
<td>535 E. Main Street Somerset, PA 15501</td>
<td>814-445-9628</td>
<td>814-443-3690</td>
<td><a href="mailto:jmasterson@capfsc.org">jmasterson@capfsc.org</a></td>
</tr>
<tr>
<td>Union-Snyder Community Action Agency</td>
<td>Harry Adrian</td>
<td>Executive Director</td>
<td>P.O. Box 396 Selinsgrove, PA 17870</td>
<td>570-374-8938</td>
<td>570-374-6144</td>
<td><a href="mailto:Hadrian@usohr.org">Hadrian@usohr.org</a></td>
</tr>
<tr>
<td>Washington County Transportation Authority</td>
<td>Sheila Gombita</td>
<td>Executive Director</td>
<td>382 West Chestnut Street Suite 108 Washington, PA 15301</td>
<td>724-223-8747</td>
<td>724-223-9474</td>
<td><a href="mailto:Sheila@washingtonrides.org">Sheila@washingtonrides.org</a></td>
</tr>
<tr>
<td>York County Transportation Authority</td>
<td>Richard Farr</td>
<td>Executive Director</td>
<td>1230 Roosevelt Avenue York, PA 17404</td>
<td>717-849-0725</td>
<td>717-848-4853</td>
<td><a href="mailto:rfarr@rabbittransit.org">rfarr@rabbittransit.org</a></td>
</tr>
</tbody>
</table>
Attachment #2 - Solicitation Process Guideline

Please provide a detailed summary of your process for soliciting JARC and New Freedom projects which includes:

- Distribution list for applications
- Stakeholder involvement in the solicitation process
- List of evaluating committee members
- Determination of how projects were derived from the local coordinated plan
- Evaluation and ranking criteria
Attachment #3 - JARC and New Freedom Eligible Projects

The purpose of the JARC grant program is to assist states and localities in developing new or expanded transportation services that connect welfare recipients and other low income persons to jobs and other employment related services. Job Access projects are targeted at developing new or expanded transportation services such as shuttles, vanpools, new bus routes, connector services to mass transit, and guaranteed ride home programs for welfare recipients and low income persons. Reverse Commute projects provide transportation services to suburban employment centers from urban, rural and other suburban locations for all population.

There are three categories of eligible subrecipients of JARC funds:

a. Private non-profit organizations;

b. State or local governmental authority; and

c. Operators of public transportation services, including private operators of public transportation services.

Funds from the JARC program are available for capital, planning, and operating expenses that support the development and maintenance of transportation services designed to transport low-income individuals to and from jobs and activities related to their employment and to support reverse commute projects. A full list of eligible projects can be found in Section III-11 of the FTA JARC Circular, found at:


The purpose of the New Freedom grant program is to encourage services and facility improvements to address the transportation needs of persons with disabilities that go beyond those required by the Americans with Disabilities Act (ADA). Funds are available to support the capital and operating costs of new public transportation service targeted toward people with disabilities or public transportation alternatives that go beyond those required by the ADA.

There are three categories of eligible subrecipients of JARC funds:

d. Private non-profit organizations;

e. State or local governmental authority; and

f. Operators of public transportation services, including private operators of public transportation services.
The New Freedom grant program aims to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society. Lack of adequate transportation is a primary barrier to work for individuals with disabilities. New Freedom Program funds support new public transportation alternatives beyond those required by the ADA designed to assist individuals with disabilities with accessing transportation services, including transportation to and from jobs and employment support services. A full list of eligible projects can be found in Section III-11 of the FTA New Freedom Circular, found at:

Appendix C – Bureau of Public Transportation Organizational Chart