



Laredo Transit Management Inc. (LTMI)

Program Management Plan

Federal Transit Administration Section 5310
Enhanced Mobility of Seniors and Individuals with Disabilities

Revised May 2019

Table of Contents

SECTION	PAGE
1.INTRODUCTION.....	3
2.PROGRAM GOALS AND OBJECTIVES	3
3.ROLES AND RESPONSIBILITIES OF EL METRO.....	4
4.ELIGIBLE SUBRECIPIENTS.....	5
5.ELIGIBLE ACTIVITIES	5
6.LOCAL FUNDING (MATCH) REQUIREMENTS	11
7.FUNDING DISTRIBUTION AND PROJECT SELECTION CRITERIA.....	11
8.TITLE VI, SECTION 504, AND ADA COMPLIANCE	15
9.MANAGEMENT OF 5310 PROGRAMS.....	16
10.OVERSIGHT PROCEDURES.....	17
10.PERFORMANCE MEASURES.....	17
11.PROGRAM MANAGEMENT PLAN UPDATES.....	17
12.LTMI OVERSIGHT PROCEDURES.....	17
13. TRANSFER OF FUNDS	17
14. PRIVATE SECTOR PARTICIPATION.....	17
15. VEHICLE USE.....	17
16. VEHICLE DISPOSITION.....	18
17. PROHIBITION OF EXPLAINED SCHOOL TRANSPORTATION.....	19
18. DRUG-FREE WORKPLACE AND DRUG AND ALCOHOL TESTING.....	19
19. SPECIAL PROVISION - DEBARMENT.....	19
20. LTMI OVERSIGHT PROCEDURES.....	19
21. MAINTENANCE OVERSIGHT ON SUBRECIPIENTS.....	33

PROGRAM MANAGEMENT PLAN

1. Introduction

This Program Management Plan (PMP) describes the LTMI policies and procedures for administering the Federal Transit Administration's (FTA's) Section 5310 Transportation for Enhanced Mobility of Seniors and Individuals with Disabilities program in accordance with the requirements in FTA Circular 9070.1G.

The purpose of the program is to provide funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities (ADA) complementary Paratransit services. Under this new Section 5310 program, LTMI (as the transit provider and designated recipient for the large urbanized area) has the opportunity to administer the program directly. In addition, operating assistance is now available under the Section 5310 program giving LTMI the option to decide whether the program will offer operating funds or remain only eligible for capital expenses.

FTA apportions funds for urbanized and rural areas based on the number of seniors and individuals with disabilities. Of the total FTA apportionments, 60 percent is allocated to designated recipients in large urbanized areas; 20 percent to the states for small-urbanized areas; and 20 percent to the states for rural and small urban areas fewer than 50,000 in population. NOTE, LTMI will not retain the 10 percent of each year's apportionment for expenses related to administration, planning, and technical assistance associated with the program but rather use the 10% for additional funding such as for capital and other eligible line items under the 5310 program.

2. Program Goals and Objectives

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

- Identify, contact and inform public agencies, community organizations, non-profit organizations providing service for seniors and persons with disabilities, as to the availability of 5310 program grant funds;
- Establish, promote and outline processes for soliciting and evaluating 5310 program funding proposals;
- Assure that proposals selected for funding are responsive to one or more of the needs identifies in the South Texas Planning Region Public Transportation Coordination Plan;
- Establish the requirements for the selected projects to enter into grant agreements with El Metro; and,

- Summarize the requirements for managing and reporting the progress for implementing the funded projects.

This PMP is a living document. It will be updated as necessary to incorporate any expansions and enhancements of the 5310 program, as well as any revisions to the programs' management, requirements or guidelines.

3. Roles and Responsibilities of El Metro

LTMI (El Metro) is the Designated Recipient for 5310 funds allocated to the Laredo urbanized area. El Metro's role includes administering, managing and programming these funds, and selecting and monitoring the implementation of funded projects. El Metro also has a responsibility to announce a call-for-projects and provide technical assistance in the completion of grant applications. Moreover, it is El Metro's responsibility to ensure that all interested parties have a fair and equitable opportunity to apply; and if selected, receive a fair and equitable distribution of funds. Once funds are distributed, El Metro is to ensure that all selected grant recipients comply with guidelines as defined by the FTA and any state or local authority. Other El Metro responsibility (as the Designated Recipient) of funds from the 5310 program is relevant to the South Texas Planning Region Public Transportation Coordination Plan and is briefly described below.

3.1 South Texas Planning Region Public Transportation Coordination Plan

This plan, developed and maintained by the South Texas Development Council Economic Development Program, lays out various recommended approaches for maximizing the potential benefits that can be derived through the coordination of services. El Metro also emphasized the coordination of services among the region's stakeholders and eligible sub-recipients of funding from the 5310 programs. Accordingly, applicants must describe their project level coordination arrangements prior to being considered for grant funding. El Metro also encourages the efforts of the region's stakeholders to streamline arrangements prior to being considered for grant funding and expand the eligibility of projects and services that could be funded by the 5310 programs.

El Metro will support coordination by:

- Announcing a call-for-projects through local media, local newspapers, the El Metro website and other media, to increase awareness and understanding of the 5310 program;
- Designing and implementing an inclusive selection process;
- Involving a small group of stakeholders or service recipients to review and provide feedback on the applications (if required);
- Providing technical assistance to applicants and subrecipients; and
- Remaining in regular contact with the FTA and providing timely reports as determined by FTA guidance.

Although El Metro is not directly responsible for developing the South Texas Planning Public Transportation Coordination Plan, El Metro's project review and selection process will include a determination that subrecipient projects are consistent with the plan.

4. Eligible Subrecipients

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

- Local governmental agencies
- Public and private transportation providers
- Social service agencies
- Tribal governments
- Non-profit organizations

To be eligible for funding from the 5310 programs, proposed projects must be located or either have an origin or a destination within the Laredo urbanized area.

5. Eligible Activities and Projects

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

In addition to the types of projects eligible under the traditional Section 5310 program and the former New Freedom program, a new eligible activity is public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary Paratransit. FTA requires that not less than 55 percent of a recipient's Section 5310 funds be available for capital projects that are "traditional" Section 5310 projects. A recipient may use more of its Section 5310 funds for these capital projects, but may not use less.

Not less than 55 percent, of the amounts apportioned to LTMI, shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate.

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

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

- a. Exceed the ADA minimum requirements,
- b. Improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary Paratransit service, or

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

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

LTMI will clearly identify the projects that are part of the required 55 percent capital projects as part of the grant activity line item narrative descriptions. Many projects may be eligible under both the required and optional criteria, but a discrete set of projects that meet the required criteria constituting at least 55 percent of the grant amount, exclusive of administrative expenses, will be identified.

Alternatively, the grant application may assign less than the required 55 percent to such projects if other grants in the same fiscal year utilize more than the required 55 percent, so long as at least 55 percent of the total annual apportionment will be used for required projects. In such cases, a list of the other grants and the funding will be included within the new grant application.

Eligible Expenses - Capital Expenses, Traditional 5310 (55% minimum)

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

- a. Rolling stock and related activities for Section 5310-funded vehicles.
 - (1) Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs;
 - (2) Vehicle rehabilitation or overhaul;
 - (3) Preventive maintenance;
 - (4) Radios and communication equipment; and
 - (5) Vehicle wheelchair lifts, ramps, and securement devices.
- b. Passenger facilities related to Section 5310-funded vehicles
 - (1) Purchase and installation of benches, shelters, and other passenger amenities.
- c. Support facilities and equipment for Section 5310-funded vehicles
 - (1) Extended warranties that do not exceed the industry standard;
 - (2) Computer hardware and software;
 - (3) Transit-related intelligent transportation systems (ITS);
 - (4) Dispatch systems; and
 - (5) Fare collection systems.
- d. Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish

criteria for determining cost effectiveness in accordance with FTA regulations, "Capital Leases," 49 CFR part 639 and OMB Circular A-94, which provides the necessary discount factors and formulas for applying the same;

e. Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary Paratransit services when provided by an eligible recipient or subrecipient as defined above. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;

f. Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinate usage of vehicles with other nonprofits, but not the operating costs of service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:

- (1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
- (2) Support for short-term management activities to plan and implement coordinated services;
- (3) The support of state and local coordination policy bodies and councils;
- (4) The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;
- (5) The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;
- (6) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
- (7) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of geographic information systems (GIS) mapping, global positioning system technology, coordinated vehicle

scheduling, dispatching and monitoring technologies, as well as technologies to track costs and billing in a coordinated system, and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense).

g. Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA-complementary Paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient/subrecipient as defined above and is included in the coordinated plan.

Eligible Expenses – Capital and/or Operating (45% maximum)

a. Up to 45 percent of LTMI's annual apportionment may be utilized for:

(1) Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;

(2) Public transportation projects (capital and operating) that exceed the requirements of ADA;

(3) Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary Paratransit service; or

(4) Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

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

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

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

a) Expansion of Paratransit service parameters beyond the three-fourths mile required by the ADA;

b) Expansion of current hours of operation for ADA Paratransit services that are beyond those provided on the fixed-route services;

c) The incremental cost of providing same day service;

d) The incremental cost (if any) of making door-to-door service available to all eligible ADA Paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;

e) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;

f) Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations.,

g) Installation of additional securement locations in public buses beyond what is required by the ADA.

(2) Feeder services. Accessible "feeder" service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary Paratransit service is not required under the ADA.

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

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

a) Building an accessible path to a bus stop that is currently inaccessible, including curb cuts, sidewalks, accessible pedestrian signals, or other accessible features;

b) Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;

c) Improving signage or wayfinding technology; or

d) Implementation of other technology improvements that enhance accessibility for people with disabilities including ITS.

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

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

(1) Purchasing vehicles to support accessible taxi, ride-sharing, and/or vanpooling programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to part 38 to remain in his/her personal mobility device inside the vehicle.

(2) Supporting the administration and expenses related to voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary Paratransit service are not eligible. Vouchers are an operational expense, which requires a 50/50 (federal/local) match.

(3) Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, and coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.

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

6. Local Funding (Match) Requirements

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

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

- State or local appropriations
- Dedicated tax revenues
- Private donations
- Revenue from service contracts
- Transportation Development Credits (TDCs)
- Net income generated from advertising and concessions

Non-cash share:

- Donations
- Volunteered services
- In-kind contributions are accepted with respect to the following:
 - Eligible to be counted toward local match as long as the value of each is documented and supported;
 - represents a capital cost which would otherwise be eligible under the program;
 - and included in the net project cost in the project budget.

The source(s) of local funding must be identified in the initial 5310 grant application. The use and certification of Transportation Development Credits (TDCs) is the sole responsibility of the subrecipient in most cases. TDC Certification documentation must be provided to El Metro and El Metro must include the documentation in the FTA TRAMS grant application. El Metro will assist subrecipients in obtaining the TDC Certification documentation from the Texas Department of Transportation (TxDOT) and act in behalf of the subrecipient when TDCs are requested.

7. Funding Distribution and Project Selection Criteria

7.1 Application Cycle

This PMP requires that projects and programs, implemented with 5310 program funding, to be the outcome of a selection process that is fair and equitable. The FTA provides some flexibility with the process itself. The selection process may be held annually or at intervals up to three years, as determined by El Metro and based on local needs. El Metro will select projects as needed to avoid the lapsing of any funds that are not obligated in a timely manner.

5310 funds need to be obligated within the next two federal fiscal years following the fiscal year in which Congress appropriated the funds. In this regard, the federal fiscal year starts on October 1 and ends on September 30 of the following year. Any 5310 funds remaining

from prior fiscal year in which the selection will take place and those funds expected to be made available within the following fiscal year. Accordingly, 5310 funds from up to three consecutive fiscal years could be made available and El Metro will select projects and programs at intervals not to exceed this time frame. This approach will allow for the development of more viable and longer-term projects, reduce the administrative cost of the programs, and allow for other efficiencies.

LTMI to authorize project expenses annually, contingent upon the levels of federal appropriations expected to be made available by Congress each fiscal year. The awarding and programming of prior 5310 program grant funds will be prioritized for obligation in the most current process to avoid lapsing. Future selections will be contingent on the availability of funds and approval of new legislation by Congress.

7.2 Application, Evaluation and Scoring

The City of Laredo's Third Party Funding Committee will act on behalf of LTMI in the selection of projects through a competitive process. The Third Party Funding Committee will evaluate and score the applications on an impartial, objective, fair, and equitable basis.

7.3 Equity of Distribution

The process for selecting projects will be widely publicized and disseminated directly to the agencies providing or needing specialized transportation services in the Laredo urbanized area.

Information relevant to the selection process and application guidelines and forms, will be made available at LTMI's website at www.elmetrotransit.com part of the application process. LTMI may provide technical assistance to agencies that may not be experienced in the preparation of transportation project proposals, including human service agencies providing or funding client transportation.

7.4 Project Approval and Award

Proposals may be selected based on but not limited to project mobility, effectiveness, and benefit to urbanized area, program reach and population served. Once selection of projects and awarding of funds is finalized, El Metro staff will submit the list of recommended projects to the El Metro Mass Transit Board for approval. The next step will be to submit the grant TRAMS application(s) to the FTA for approval.

7.5 Timeline

Award notification for the 5310 programs selected will be transmitted to those agencies. Agencies that were not recommended for funding will be sent letters to inform them of the results of the evaluation process. Subrecipients recommended for funding will be sent an award notification letter and a Contract Agreement between LTMI and the subrecipient will be prepared for execution. The CONTRACT AGREEMENT will indicate the date of the grant approval by the FTA and the effective date for project implementation.

Overall, it may take up to 12 months from the announcement date of the call-for-projects to the execution of the CONTRACT AGREEMENT. This would depend on funding availability, the number of applications received and the type of selection process. The following is a tentative schedule using a competitive Call for Projects:

- **Call for Projects:** posting information at LTMI website, delivering letters to list of agencies on file and conducting additional outreach through local media. It is the responsibility of eligible applicants to keep track of the information posted on LTMI's website and to provide and/or their contact information with LTMI.
- **Complete Applications Due:** Typically 30 days after release of call for projects.
- **Evaluation of Applications** (1 month after applications are due): LTMI may contact the applicant to inquire about the contents of the proposal and may request additional information or clarification. The applicant may also be required to provide an oral presentation of its proposal to the evaluation TRAMS.
- **Award Notification** (1 month after Evaluation of Applications): a letter will be sent to successful applicants with information on the Contract Agreement and source of the federal award. It will also include a request to confirm the acceptance of the award and the availability and source of the local match in writing.
- **FTA Grant Application and Approval** (3-5 months after Award Notification): LTMI staff will prepare and submit the grant application to the FTA for approval. Due to the certifications needed, including those from the United States Department of Labor, it may take up to two months for FTA's final approval.
- **Contract Agreement** (3 months after FTA grant approval): the time required for execution of the CONTRACT AGREEMENT between the subrecipient of funds from the 5310 program and LTMI will depend on the availability of supporting documentation from the subrecipient (such as clear scope of work, timeline for project implementation, project item line budget and cash flow) and its readiness to accept its terms and conditions.
- **Effective Date of Reimbursable Activities:** the CONTRACT AGREEMENT specifies the effective date if its terms and conditions, including the period of reimbursable activities. In this regard, LTMI will reimburse the subrecipient for any eligible expenditure incurred (after deducting the required local match) since the effective date of the CONTRACT AGREEMENT. Any expenditure incurred by the subrecipient prior to the execution of the CONTRACT AGREEMENT with LTMI is the subrecipient's responsibility.

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

7.6 Subrecipients Monitoring

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

Subrecipients would also need to provide supporting documentation when invoicing LTMI for expenses incurred. Subrecipients will not be paid in advance of costs incurred. Instead, funds from the 5310 programs will be paid to the subrecipient on a reimbursement basis only. LTMI will monitor closely all activities by the subrecipient and take corrective actions to resolve any non-compliance issues, including informing the subrecipients if they are at risk of losing any of the funding that was awarded. The subrecipients need also to comply with the auditing requirements specified in the CONTRACT AGREEMENT.

7.7 Administration of 5310 Programs

The following summarizes the responsibilities of LTMI as the designated recipient.

- Assists subrecipients or potential subrecipients with technical support to:
 - I. Establish project eligibility;
 - II. Manage and administer subrecipients;
 - III. Understand grantee (LTMI) and federal compliance policies
 - a. Procurement guidelines
 - b. Required matching funds
 - IV. Understand the conditions on how federal grant funds can be spent.

One of the primary means of assistance can be sponsoring and hosting pre-proposal seminars prior to call-for-projects. LTMI may host a grantee introduction seminar for all new subrecipients after each selection process. The meeting will allow LTMI the opportunity to discuss with all of the new subrecipients the general and specific performance goals to be achieved, their reporting, the administrative responsibilities and LTMI's standardized invoicing practices.

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

- Ensures that subrecipients adhere to the FTA Master Agreement, LTMI's CONTRACT AGREEMENT, and other federal and state requirements, as applicable, to ensure federal funds are used according to the established contractual requirements. This activity will be accomplished with site visits and review of subrecipients' records.
- Seeks from the subrecipients an annual signed certification that affirms subrecipient's compliance with the standard terms and conditions governing the administration of projects funded with federal dollars awarded by the FTA through LTMI, as described on the CONTRACT AGREEMENT or the FTA Master Agreement. This information is provided to the auditors as part of LTMI's compliance monitoring effort.
- Provides the program of projects funded with the 5310 program to the MPO for inclusion in the Transportation Improvement Program.
- Prepares a summary of the funds available for distribution upon approval of the federal budget for the federal year that starts October 1, 2015 and corresponding federal transportation appropriations sometime thereafter and their publication in the Federal Register.
- Initiates the development of the grant applications for the FTA and upon FTA's award, initiates the funding agreements with the subrecipients.

- Coordinates regular workshops or meetings with subrecipients to ensure agencies have the technical capabilities to assist their customers with transportation needs and to manage their projects.
- Organizes and annual workshop for the region’s stakeholders to review project results, evaluate overall program accomplishments, and discuss opportunities for improvements. Unsuccessful applicants from previous call-for-projects cycles will also be contacted and invited to the workshop to familiarize themselves with the grant programs, the development of a successful application, and the implementation of projects and programs funded by the 5310 programs. Unsuccessful applicants will also have the opportunity to meet with LTMI staff.
- Assures subrecipients development performance measures for each 5310 funded project to monitor and report the benefits of the federal investment.
- LTMI will maintain good working relationship and coordination with the federal, state, regional, and local agencies regarding human services transportation projects and programs funded with the 5310 funds.
- Analyzes federal, state and local legislation and policies relevant to the 5310 program.
- Makes recommendations to the LTMI Mass Transit Board for improvements in managing and administering the 5310 programs.
- Serves as the point of contact for any activities related to the 5310 programs, such as coordinating the reviews and audits performed by the FTA.
- Lobbying Activities – Agencies who apply for an award of \$100,000 or more shall file the certification required by 49 CFR part 20, “New Restrictions on Lobbying”.

8. Title VI, Section 504, and ADA Compliance

LTMI requires subrecipients to document that they distribute FTA funds without regard to race, color, national origin, disability or discrimination against disadvantaged business enterprises among applicable civil rights requirements. Not all applicable civil rights requirements are discussed in the PMP.

LTMI complies with FTA’s Title VI requirements in the following manner:

- i. Provision of an annual Title VI certification and assurance;
- ii. Development of Title VI complaint procedures;
- iii. Record keeping of all Title VI investigations, complaints and lawsuits;
- iv. Provision of meaning access to persons with Limited English Proficiency;
- v. Notification to beneficiaries of protection under Title VI;
- vi. A requirements that each subrecipient develops a Title VI program or becomes part of LTMI’s submittal of its Title VI program to the FTA’s regional civil rights officer once every three years.

Within each of these broad categories are specific requirements for survey and other data collection, analysis and information distribution that cover transportation programs, construction programs, transit service planning, operations and service/fare changes.

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

In order to fulfill Section 504 obligations, LTMI plans on working closely with its subrecipients to ensure the goals of their federal 5310 grants are being met. In order to track this progress, LTMI will review each submitted invoice and insure that all required backup material is attached and correct in order to validate funds spent, work to resolve any potential ineligibility issues with any subrecipient and obtain the return of any funds paid out that have been found to have been ineligible. In addition, LTMI will review all quarterly and annual reports to ensure consistency with the terms of the federal grant and the CONTRACT AGREEMENTs. Finally, LTMI will make annual site visits to each subrecipient to ensure purchased items, service and/or training funded by the federal grant are in full service, being maintained as per manufacturer's recommendations and are being used to meet the performance measures set in the CONTRACT AGREEMENT and in federal guidelines.

LTMI will evaluate all projects receiving grant funds for compliance with all relevant ADA laws, regulations and policies. Moreover, LTMI will work with subrecipients to provide technical assistance.

9. Management of 5310 Programs

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

- Monitor expenses and reimbursements to subrecipients to ensure compliance with the federal grant award and the CONTRACT AGREEMENT.
- Work with LTMI's Finance Department to include project-related information in LTMI's financial system, such as project identification number, grant number, amount and funding sources. This information is needed for accounting and monitoring of project funding and expenses.
- Review sub recipient invoices for accuracy and eligibility, ensure that the required documentation is on file and payments are made as approved.
- Compile and distribute FTA procurement guidelines to all subrecipients. Work with all grantees to analyze, evaluate and answer any particular procurement questions they may have relevant to their project(s).
- Prepare quarterly status progress reports, financial reports and report to FTA's Transit Award Management System (TrAMS) prior to the deadlines.
- Monitor, through yearly (or more often) site visits, project implementation activities and ensure compliance with federal and contractual requirements.
- Analyze project activities and determine if any changes to the budget, scope or schedule are required. Accordingly, initiate and prepare any needed grant and CONTRACT AGREEMENT amendments prior to requesting FTA's approval to grant revisions.
- Analyze monthly or quarterly project expenses and reimbursements from the FTA and reconcile with FTA's TrAMS system for accuracy.
- Prepare and file grant budget revisions.

- Evaluate, prepare and file grant and CONTRACT AGREEMENT closeout documents.
- Work with subrecipients to set performance measures through the life of the project to track its effectiveness and progress as described in Section 7.6 and in the CONTRACT AGREEMENT.

10. Performance Measures

Consistent with federal guidelines subrecipients will be asked to show (as applicable) all increased activity due to the grant funded project, such as:

- Actual or estimated annual number of rides (as measured by one-way trips) as a result of the implementation of 5310 program.
- Annual increases or enhancements related to geographic coverage, service quality and/or service times that affect the availability of transportation services for individuals with disabilities.

The subrecipients will also work jointly with LTMI to establish other performance indicators that are more specific to their projects to measure relevant outputs, service levels and outcomes. Subrecipients will be required to report these performance measures on a quarterly basis and on an annual basis and as required by LTMI and the FTA.

11. Oversight Procedures

Subrecipients must comply with the LTMI's Oversight Procedures which are found in Attachment A. Subrecipients are responsible for maintaining compliance with the LTMI's oversight policies, which are revised periodically.

12. Program Management Plan Updates

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

13. Transfer of Funds

The LTMI and the City of Laredo has made no provision to transfer 5310 funds to other programs.

14. Private Sector Participation

Local transit agencies are encouraged to involve the private sector in providing public transit services and when feasible contact private providers to evaluate possible areas where they could assist with the provision of public transit service. Private providers who provide exclusive-ride service are eligible contractors to subrecipients under the Section 5310 program. Private providers that provide shared-ride taxi service to the public are eligible subrecipients under the Section 5310 program.

15. Vehicle Use

The LTMI and the City of Laredo has made no provision to transfer 5310 funds to other programs. LTMI will ensure through on-site inspections and compliance reviews that all equipment purchased through the FTA Section 5310 grant program is being used for the provision of transportation for seniors and individuals with disabilities. The Section 5310 subrecipient agreement sets forth requirements for use of project equipment. The agreement requires subrecipients to inform LTMI if any project equipment is not used in the manner described in the project description or is withdrawn from transportation service.

16. Disposition

All subrecipients receiving FTA Section 5310 capital assistance will receive periodic on-site inspections of equipment. LTMI will seek to schedule such inspections during the useful life of the equipment, based on staff workload and availability of resources.

The useful life of vehicles are listed on the Asset Useful Life Chart located in LTMI's website. LTMI is the first lien holder on all FTA Section 5310 equipment. After the equipment has reached its useful life standard, the subrecipient can apply for a replacement vehicle in the next grant cycle. The equipment will remain in LTMI control and will remain on the LTMI vehicle inventory. In accordance with LTMI policy, subrecipients are required to report to LTMI when vehicles are in accidents, stolen or sustain other property damage.

Based on data contained within LTMI's TransAM (Transportation Asset Management) system, LTMI will generate title/lien release documents and return titles for those FTA funded vehicles for which 1) LTMI holds title, 2) reported mileage exceeds specified useful life, and 3) vehicle age exceeds specified useful life. Vehicle age will be calculated from the date of acquisition/delivery.

A subrecipient may request the title for a vehicle that is not past its useful life because the subrecipient no longer needs the vehicle for the purposed for which it was acquired. However, in this case, LTMI will seek to have the vehicle transferred to another eligible subrecipient. The original subrecipient will be reimbursed for 20% of the fair market value of the vehicle by the new subrecipient.

Section 5310 subrecipients are required to maintain adequate insurance coverage in an amount and form satisfactory to LTMI and in accordance with the laws of the State of Texas and applicable FTA Circulars. LTMI receives a copy of the insurance policy with each Sections 5310 application and reviews the policies during on-site visits.

17. Prohibition of Exclusive School Transportation

Title 49 U.S.C. 5323(f) prohibits the use of FTA funds for exclusive school bus transportation for school students and school personnel.

18. Drug-Free Workplace and Drug and Alcohol Testing

All recipients of FTA funding are required under 49 CFR part 32 to maintain a drug-free workplace for all employees and to have an anti-drug policy, awareness program and training program. Grantees/subrecipients must notify employees that the use, manufacture, distribution, or possession of a controlled substance is prohibited in the workplace.

FTA grantees that receive only 5310 program assistance are not subject to FTA's Drug and Alcohol testing rules, but must comply with Federal Motor Carrier Safety Administration (FMCSA) rule for employees who hold Commercial Driver's Licenses (CDL)(49 CFR part 382). All drivers of vehicles designed to transport 16 or more passengers (including the driver) must have a CDL. Mechanics that drive the vehicles must also have a CDL.

19. Special Provision - Debarment

Sub-Recipient certifies that it is not suspended or debarred from receiving federal funds and there are no pending proceedings for suspension or debarment. Further, Sub-Recipient represents that it is not named on any list of suspended or debarred entities as shown on any list maintained by the U.S. government (Debarment List) and has not been on any such list for the last three years. Sub-Recipient may not subcontract with any entity that is suspended or debarred from receiving federal fund as listed on any Debarment List or has been on any such list in the last three years. Sub-Recipient must verify that such entity (and its principals as defined in 2 CFR 180.995) is not suspended or debarred from receiving federal funds (nor are there pending proceedings to do so) and that such entity or its principals are not named on any Disbarment List, that such entity (or its principals) has not been on any such list for the last three years, and Sub-Recipient shall maintain documentation of verification of compliance. The verification may be accomplished by (1) checking the System for Award Management (SAM) maintained by the U.S. General Services Administration (GSA) and available at <https://www.sam.gov/portal/public/SAM/>, or (2) collecting a certification from the entity.

Purpose

The purpose of these Contractor and Subrecipient Oversight Procedures is to:

- Ensure that all technical specifications and contract requirements are met by contractors and subrecipients.
- Monitor compliance with FTA requirements for FTA-funded vehicles or facilities that are maintained by subrecipients, leased to service providers, or maintained under contract by other than the Laredo Transit Management Inc. employees.
- Identify performance issues and address them in a timely manner.
- Track information regarding performance quality for the purposes of evaluating contractors for future procurements.
- Ensure that all construction (if applicable) is performed in accordance with the design intent agreed upon in the original contract or through an approved change order or modification.

These procedures explain methods of monitoring, persons responsible, frequency, and expected deliverables associated with managing performance and compliance monitoring systems for rolling stock, construction, ADA paratransit, and fixed route services. Performance and compliance monitoring for third-party contractors is distinguished from compliance monitoring of subrecipients and public entities operating federally funded services, rolling stock, and facilities.

Scope and Applicability

The Procedure applies to monitoring performance and compliance for the following types of projects/programs:

- Rolling Stock
- Construction (if applicable)
- ADA Paratransit, and/or Elderly and Disabled Transportation Services

The frequency and type of monitoring will be based upon the following: a) size of the grant or contract, b) associated risks, c) service complexity, and d) type of grant or contract.

References to Legislative and Regulatory Documents

- FTA Circular 4220.1F, “Third Party Contracting Guidance”
- 49 CFR Part 18
- OMB Super Circular

Definitions

- **Contractor Performance Monitoring:** The process by which the Laredo Transit Management Inc. oversees and tracks contractor performance to ensure that the performance and quality assurance standards set forth in the contract/solicitation are met. Performance requirements are specified in solicitations such as Request for Proposals and are included in contracts. Performance measures typically relate to scheduling/timeliness, customer service, and nonconformance. Performance data is also considered in the evaluation of a particular contractor for participation in future projects.
- **Contractor Compliance (if applicable) Monitoring:** When federally-funded services, rolling stock, and facilities are operated by a contractor other than The Laredo Transit Management Inc., they must be subject to regular reviews by the LTMI to ensure compliance with FTA requirements.
- **Subrecipient Compliance Monitoring:** When federally funded services, rolling stock, and facilities are operated by a subrecipient or public entity other than the Laredo Transit Management Inc., they must be subject to regular reviews by the Laredo Transit Management Inc. to ensure compliance with FTA requirements.

General Oversight Procedures for Services Providers

- Title VI Monitoring Procedures

The subrecipient or third party contractor must ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program, or activity receiving Federal financial assistance. The subrecipient must ensure that federally supported transit services and related benefits are distributed in an equitable manner. Subrecipients and third-party contractors are responsible for ensuring that they comply with Title VI requirements such as; notifying customers of their rights under Title VI; having Title VI complaint procedures; taking reasonable steps to ensure access to Limited English Proficiency (LEP) populations; and seeking out the viewpoints of minority, low-income and LEP populations when conducting public outreach and involvement activities. The Laredo Transit Management Inc. should be informed of any Title VI complaints received by its subrecipients or third-party contractors.

Key Requirements:

- Subrecipients and third-party contractors delivering transportation services with FTA funds must notify the LTMI's Grant Manager immediately (within 48 hours) of any complaints received.
- Revisions to Title VI Plans must be submitted for approval to the LTMI. Revisions by sub-recipients will be required every three years when FTA requires the LTMI to update its Title VI program.

- Equal Employment Opportunity (EEO):

Subrecipients and third-party contractors must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance under the Federal transit laws. (Note: EEOC's regulation only identifies/recognizes religion and not creed as one of the protected groups.) Subrecipients and contractors that receive capital or operating assistance in excess of \$1 million or planning assistance in excess of \$250,000 and employ 50 or more transit related employees must submit to the Laredo Transit Management Inc. an EEO plan. Program updates are due every three years.

- Compliance Record Keeping

The Laredo Transit Management Inc. must fully document all compliance monitoring efforts conducted on subrecipients and third-party contractors. A "Compliance Monitoring File" should be created and maintained for each organization, which includes the following items:

- Pre-award assessment checklist
- Individual grant monitoring plan worksheet
- Periodic reports from subrecipient or third-party contractor
- Desk review monitoring report
- On-site visit report
- Telephone contact report
- Assistance report
- Corrective action plan
- Annual reports checklist

- Copies of e-mail, memos, or other written correspondence, including notification informing subrecipient or third-party contractor of the results of monitoring

In addition, the Laredo Transit Management Inc. maintains evidence that vendors and contractors are being monitored to ensure they perform in accordance with the terms, conditions and specifications contained in their contracts or purchase orders. All records of inspections and approvals, deliverables provided or services performed are kept for evidence that the Laredo Transit Management Inc. is making sure vendors and contractors adhere to contract requirements. The correspondence between the City and its contractors is stored for evidence of ongoing contract administration. Once an issue is discovered, the City follows up with its contractor to ensure that corrective action is taken. Efforts, including the follow-up on findings, are documented.

- Public Comment Procedures

Public Comment management is critical to successful program implementation. The Laredo Transit Management Inc. receives daily comments and elicits public comment during each planning process. Additionally, LTMI must ensure that subrecipients and third-party contractors are meeting the needs of the public as well. The following method will be used to track public comments;

Conduct a bi-annual review of public comment data collected by subrecipients and third-party contractors. The Laredo Transit Management Inc. maintains a formal Procedure for Considering Public Comments; this procedure applies to subrecipients and third-party contractors providing transit services, unless the subrecipient/contractor develop a procedure specific to their operations that is approved by the Laredo Transit Management Inc.

- Final Financial and Program Reports Closeout

The final financial and program reports must be submitted within 90 days of project completion or expiration of funding. All expenditure obligations must be paid prior to filing the final reports. The close out reports should be clearly identified as final. They must show that all activities and expenditures associated with the grant are completed and the grant is ready to close. The final program report should include a detailed description of the project with a focus on program outcomes.

The program report should include quantitative data regarding the effectiveness of the program, if applicable. The program report will detail how the program met the identified needs and the specific intentions of the grant award. If the subrecipient is unable to use all funds in a grant, the Laredo Transit Management Inc. will reconcile and de-obligate remaining funds in the grant and will return the remaining funds to the FTA or other applicable grant making body.

The subrecipient and contractor will be required to maintain all books, documents, payroll documentation, accounting records, and other evidence pertaining to costs incurred under a federal grant awards during the period of the grant and for three years thereafter. These records must be available for inspection by any authorized representatives of the Laredo Transit Management Inc. or the Federal Government.

Rolling Stock Oversight Procedures

To monitor FTA-funded vehicles or facilities (if applicable) that are maintained under contract by other than the Laredo Transit Management Inc. employees, the City requires that contractors or subrecipients address maintenance standards or maintenance performance indicators. Contractors and subrecipients are required to develop their own maintenance plan and submit periodic written reports on maintenance activities. The Laredo Transit Management Inc. must also conduct reviews of maintenance records and inspections of FTA-funded vehicles and facilities.

- Buy America Pre-Award and Post-Delivery Audits

A subrecipient or third-party contractor that purchases rolling stock for transportation of passengers in revenue service must conduct, or cause to be conducted, a pre-award audit before entering into a formal contract for the purchase of rolling stock, and certify that a post-delivery audit is complete before title to the rolling stock is transferred to the subrecipient, or the rolling stock is put into revenue service, whichever occurs first. Pre-award and post-delivery audits verify the accuracy of the Buy America certification, purchaser's requirements certification, and certification of compliance with or inapplicability of Federal motor vehicle safety standards in 49 CFR part 571 (49 CFR part 663)

- Disadvantaged Business Enterprise (DBE) Monitoring

Subrecipients or third-party contractors shall require that, as a condition to bid on a transit vehicle procurement in which FTA funds are involved, each transit vehicle manufacturer certify that it has complied with the requirements of 49 CFR section 26.49. The Laredo Transit Management Inc. may, with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles that a manufacturer must meet (49 CFR section 26.49(d)). All subrecipients and contractors must require that each transit vehicle manufacturer (TVM), as a condition of being authorized to bid on transit vehicle procurements funded by FTA, certify that it has complied with the requirements of 49 CFR 26.49. Subrecipients and contractors are required to include a provision in its bid specifications requiring the certification from TVMs as a condition of permission to bid. DBE reports are generated every 6 months.

Construction Oversight Procedures (if applicable)

Construction oversight is designed to ensure that the project is progressing in accordance with specifications, special provisions and plans, and methods and practices specified in construction manuals.

- Contract Administration and Performance Monitoring (if Program)

The Laredo Transit Management Inc. will implement the following Quality Assurance controls in the contract administration and monitoring of construction contractors:

- Labor Compliance: Spot-checked construction logs/diaries against certified payrolls for Davis-Bacon compliance. (Check 3 months after start of construction and quarterly for QA.)
- Measurement and Payment: Monitor that source documents supporting progress payments made to the contractor are available. (Spot-check after second progress payment to the contractor.)
- EEO/Wage Rate Posters – Observe the construction site, the contractor’s office at the contractor office, or another central gathering point to verify that posters are visible for every worker to see. (Check one month after start of construction.)
- Buy America - Review the construction area and the contractor’s on-site yard, quarterly, and check to make sure foreign iron and steel products are not being incorporated into the project without resident engineer’s approval or a FTA waiver.

Disadvantaged Business Enterprise (DBE) Monitoring

Third-party contractors must comply with 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. Written DBE programs are required of FTA subrecipients of planning, capital, and/or operating assistance that will have contracting opportunities (excluding transit vehicle purchases) exceeding \$250,000 with those funds in a Federal fiscal year.

The Laredo Transit Management Inc. and its subrecipients are required to follow the Laredo Transit Management Inc. approved DBE program. The Laredo Transit Management Inc. every three years or when significant changes occur will update the program.

Subrecipients and prime contractors must following all aspects of the Laredo Transit Management Inc. DBE Program:

1. A contract clause ensuring non-discrimination,
2. A contract clause requiring prompt payment and retainage,
3. Provision for DBE subcontractor termination and
4. Project invoicing must explicitly show progress on DBE goals.

DBE liaison must be invited to all project meetings to make sure DBE requirements and goals are met. Project updates must include an update on payments to DBE’s

and the overall DBE goal. DBE reports are generated every 6 months by the DBELO.

ADA Paratransit, Elderly and Disabled Transportation Services Oversight Procedures

In prohibiting discrimination in the provision of transportation services against persons with disabilities, the Americans with Disabilities Act of 1990 requires that vehicles purchased or leased after August 25, 1990, and new and altered facilities designed and constructed (as marked by the notice to proceed) after January 25, 1992, must comply with the applicable standards of accessibility in 49 CFR parts 37 and 38 (42 USC 12101-12213). The Laredo Transit Management Inc. must ensure that subrecipients and third-party contractors comply with these standards of accessibility, including the provision of equivalent services.

- **ADA Compliance Monitoring Procedures**

Subrecipients and third-party contractors are required to follow titles II and III of the Americans with Disabilities Act (ADA) of 1990. ADA provides that no organization shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for a subrecipient's vehicle and facility accessibility and the provision of service, including complementary paratransit service.

The Laredo Transit Management Inc. utilizes the following monitoring methods to ensure that third-party contractors or subrecipients operating ADA Paratransit services are in compliance:

1. Review the third-party contractor or subrecipient's ADA-related policies and monitor compliance with the policies. Review ADA complaints and the process & procedures for addressing American with Disabilities Act complaints.
2. Inform subrecipients and third-party contractors of the ADA requirements via training. This training is required to ensure that personnel operate vehicles and equipment safely, assist passengers properly, and treat persons with disabilities who use the service in a respectful and courteous way, with appropriate attention to the differences among persons with disabilities. All contracts for the operation of ADA Paratransit service must include mandatory driver training requirements. Training provisions must include requirements regarding curriculum, length of training period, resources, and assurances. Contracts must call for initial driver training and annual refresher trainings. Training programs must also include passenger assistance techniques and disability sensitivity modules.
3. Employ surveys, checklists and interview forms, as well as follow-up correspondence to effectively document compliance. All documentation reflecting monitoring results is maintained as evidence of oversight.
4. Maintain a record keeping system for monitoring on-time performance and

tracking these indicators of capacity constraints. At any given time, the Laredo Transit Management Inc. should be able to demonstrate that the denials it does have, as well as the missed trips, late pickups, etc., are not an operational pattern or practice that significantly limits the availability of ADA paratransit service.

5. Track ADA-eligible trips separately from non-eligible trips. Periodic reservation line calls must be conducted at various times of the day to determine if a caller can reach a reservation agent. If third-party contractors or subrecipients have communication systems that provide data on average call wait time, number of missed calls, call abandonment rates, and other indicators of performance, such data must be collected and reviewed to determine compliance.
 6. Monitor service capacity constraints and review no-show policies.
 7. Ensure that all subrecipient and third party contractor vehicle accessibility features, such as wheelchair lifts, ramps, securement devices, signs, and communication equipment for persons with disabilities, be maintained and operational.
- Subrecipient Maintenance Monitoring

Subrecipients must keep federally funded equipment and facilities in good operating order and maintain ADA accessibility features.

- Subrecipients are required to have a current written maintenance program for FTA-funded rolling stock that documents the maintenance plan. The subrecipient must follow its maintenance program for facilities and equipment.
 - The subrecipient's FTA-funded vehicles and facilities must be maintained regardless of who operates and maintains them. Third-party contractors and lessees "stand in the shoes" of the subrecipient and the Laredo Transit Management Inc. as far as FTA maintenance requirements are concerned.
 - If the subrecipient or contractor has equipment under warranty, FTA requires that the subrecipient or contractor have a system for identifying warranty claims, recording claims, and enforcing claims with the manufacturers.
- Frequency of Performance Reviews and Oversight
 - At a minimum, formal performance reviews should be completed quarterly,

with documented corrective actions, for larger and more complex projects.

- For contractors with multi-year contracts (if applicable), a formal review every 12 months is necessary to assist in determining whether the contract should be extended.

LAREDO TRANSIT MANAGEMENT INC.

Subrecipient / Service Provider Compliance Monitoring Checklist

Evaluation Area	Q1	Q2	Q3	Annual Onsite
Vehicle Maintenance Reviews (including wheelchair lifts and other accessibility features)				
Warranty Recovery Program				
Physical Inventory of FTA Property				
Vehicle Control System (including verification of intended use)				
Safety Policy Changes (Training)				
Driver Training				
Security & Emergency Mgmt. Policy Changes				
Farebox Cash Counting Policy				
ADA Compliance				
Title VI Compliance				
DBE Goal Attainment				
Drug and Alcohol Contractor Monitoring				
Annual MIS Reports for D&A				

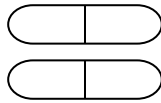
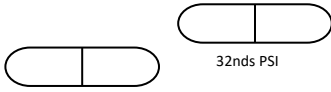
Additional Information:

Signatures:

Laredo Transit Management Inc. Representative/Date

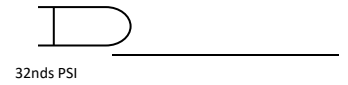
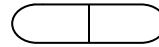
Agency/ Agency Representative/Date

Check paint, decals, and general appearances.		
Check tire pressure and tread depth.		
Check for proper tire matching.		
Check wiper blades and arms.		
Check mirror condition and mounting.		
Check for leaks at wheel seals and axle flanges.		



The above tire prints are to be used to record existing tread depths and air pressure.

A.G.M of Maintenance



21. EL METRO OVERSIGHT ON SUBRECIPIENTS

Philosophy and Purpose

El Metro will assist subrecipient in providing the highest quality of service in keeping vehicles in safe, reliable and operational condition.

The purpose is to provide oversight to subrecipients by developing and implementing consistent maintenance procedures critical to maximizing efficiency while maintaining its assets to the State of Good Repair (SGR).

Goals & Objectives

The goal is to provide oversight procedures to ensure subrecipient is in compliance with federal requirements and performance goals. LTMI will assist subrecipients with checklists/monitoring materials, and training materials.

- Objective #1 - To ensure subrecipient is performing on-time Preventive Maintenance Inspections (PMI's).
- Objective #2 - To ensure that vans are properly maintained and meet the • Original Equipment Manufacturer (OEM) required maintenance schedule.
- Objective #3 - To ensure subrecipients are tracking warranty and recovering warranty claims.

Scope of Work

El Metro's Assistant General Manager of Maintenance will review maintenance records on sub-recipients.

Preventive Maintenance records will be reviewed quarterly and logged on the "*Preventive Maintenance Inspection (PM/) Audit Report*". (Exhibit 5)

AGM will verify that PMI's are performed at 3,000 Intervals

(500+/- miles). AGM will review subrecipients Maintenance

Plan on an annual basis.

AGM will perform an " *Oversight Inspection on Subrecipient- Maintenance Performance Report*" report on each van on quarterly. Thirty-eight (38) items are inspected which includes In-Van Inspection, Circle Inspection, Engine Compartment, and Under-Van Inspection. (See Exhibit 6)

After inspections are completed and documented these reports will be submitted to FTA.

LTMI Maintenance and Facility Plan