

Kern Council of Governments

Program Management Plan

FTA § 5316 Job Access and Reverse Commute and § 5317 New Freedom

FY 2008-2009 Funding



**Kern Council
of Governments**

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May 21, 2009

Program Goals and Objectives

The goals and objectives underlying Kern Council of Governments' (Kern COG) role as the designated recipient for Job Access and Reverse Commute (JARC) and New Freedom (NF) funds is to increase transportation options for people with disabilities, elderly people and low-income recipients through the coordination of the efforts and resources of public transit agencies, human services agencies and private providers of public transportation services.

Kern COG has and will encourage coordination through direct stakeholder involvement, sharing of information and best practices, promoting referrals among agencies and coordinated effort to secure local, state and federal funds to provide these services. Effort will be made to avoid duplication of service and to address gaps in service by encouraging coordination of existing resources. Effort will be made to ensure that projects funded through 5316 and 5317 are sustainable, even if FTA JARC and New Freedom funding becomes unavailable at a future date. All projects will be competitively selected and will be based on the *Coordinated Human Services Transportation Plan for Kern County, 2007*.

Roles and Responsibilities

The Governor of the State of California designated Kern COG to receive and dispense FTA Sections 5316 and 5317 funds. As the designated recipient, Kern COG is responsible for overseeing and administering the JARC/NF Programs in the Bakersfield urbanized area (UZA). Kern COG is responsible for notifying eligible local entities of the available funding, developing and administering a competitive selection process, reviewing applications, verifying application eligibility, developing and forwarding an annual Program of Projects (POP), developing this Program Management Plan, certifying that grant distribution is fair and equitable, and certifying that all projects are derived from the *Coordinated Human Services Transportation Plan for Kern County, 2007*. By taking the lead in the project selection process, Kern COG helps ensure the fair and equitable distribution of funds. In addition, Kern COG is responsible for ensuring the sub-recipients comply with federal reporting and management requirements.

Coordination

The competitive selection process will emphasize coordination at all levels to provide enhanced transportation services. The designated recipient acts as a facilitator for information sharing and creates opportunities for coordination through the establishment of committees, the hosting of informational meetings, and through the distribution of local and federal funds.

Existing coordination activities that predate the availability of current JARC and New Freedom funding is relegated to Kern COG's Social Services Transportation Advisory Committee (SSTAC). This group will also be used to discuss potential projects, encourage coordination and reach target populations. Other less formal coordination efforts are already occurring between and among public transit and human service agencies to better serve the needs of all transportation disadvantaged populations in the Region. The process of developing the coordinated plan has encouraged additional discussions that have already resulted in increased communication and coordination among agencies.

Since the annual Program of Projects will be approved by both Kern COG's SSTAC and its Board of Directors, local elected officials and jurisdictional staff will be involved in the ongoing coordination process. Kern COG will continue to engage county supervisors and other local officials during the implementation process.

Eligible Subrecipients

Entities considered eligible subrecipients under federal guidelines for the JARC and New Freedom Programs are eligible for funding in the Bakersfield UZA. Eligibility Requirements are no

more restrictive than the Federal Eligibility requirements. Subrecipients can include: duly formed private non-profits, governments authorities, operators of public transportation services, including private providers of public transportation.

Local Share and Local Funding Requirements

Kern COG will follow federal guidelines for determining eligible local matching share. The local policy will be no more restrictive than the federal policy. During the application process, applicants will be required to specifically identify the source of match funds. Matching funds may include local tax revenue, private foundation funds, private sector contributions, and non-DOT federal funds including, but not limited to: TANF, Agency on Aging Title III B, Medicaid, Veterans' Care, and Vocational Rehabilitation funds intended to support transportation. Individual project sponsors are responsible for securing the match commitment, which must be documented with a signed letter of commitment when applications are submitted. Kern COG will verify that the proposed match is legitimate under federal policy and is within the scope of the proposed project.

Project Selection Criteria and Method for Distributing Funds

Funds will be fairly and equitably distributed through a competitive selection process. Project selection criteria have been developed based on the guidance provided in SAFETEA-LU circulars on JARC and New Freedom and the priorities indentified in the Coordinated Plan. Special emphasis will be placed on evidence of efforts to coordinate among public transit, human services and private providers of public transportation services. The process will be open and transparent and every effort will be made to reach multiple agencies that provide services to the primary target populations, assuring equity of access to the benefits of the grant programs among eligible groups, as required by Title VI of the Civil Rights Act. Grant opportunities will be advertised using public notices and press releases in major newspapers, Spanish language newspapers and newspapers targeted to minority communities, per Kern COG's public participation policy.

Project applications will be submitted to Kern COG, which will rank the projects according to criteria which are clearly communicated in the project application, with special emphasis on coordination and on consistency with the *Coordinated Human Services Transportation Plan for Kern County, 2007*. A detailed application has been developed. A workshop "How to Complete the Application" will be broadly advertised and offered to all interested applicants. Assistance in developing strong proposals will be offered to all applicants, with special attention to the needs of minority and DBEs. Projects will be ranked on a competitive basis depending on the strength of the proposals. Funds will be distributed to adequately fund the highest ranked project first, and as many other high-ranking projects as possible, in order of their ranking.

Annual Program of Projects Development and Approval Procedure

Kern COG will advertise the availability of JARC and New Freedom funding and issues a call for projects to the Transportation Operators Committee, Social Services Transportation Advisory Committee, the Transportation Technical Advisory Committee, and the Board of Directors.

An open house will be held for all interested parties to explain the application process, types of eligible projects, and goals of the program, selection criteria, timetables, available funding, local match guidelines and performance monitoring requirements. All information will also be available on the Kern COG website to allow for access by agencies unable to attend the open house.

Kern COG will score and rank projects. Individual meetings will be held with each applicant to discuss each project in more depth and to help determine a final ranking. Projects will be ranked by total score and funds distribute to as many high-scoring projects as funding capacity allows. Kern COG's Social Services Transportation Advisory Committee will be asked to review and recommend the Program of Projects to the Kern COG Board for approval.

Administration, Planning and Technical Assistance

Kern COG will use 10 percent of JARC and New Freedom funding that is available to administer the competitive selection process, publish the Program of Projects and provide oversight to the selected projects, per FTA guidelines.

In addition, Kern COG staff members will provide ongoing technical assistance to agencies which provide transportation to the target populations. This assistance includes, but is not limited to: the sharing of best practices, the facilitation of meetings among agencies, assistance in developing recordkeeping and reporting capabilities, and assistance in grant applications to secure additional local, state, federal and private funds. Kern COG will also make its expertise in GIS and mapping available to transit agencies and human services transportation providers on as requested basis. Kern COG's website <http://www.kerncog.org> is a repository for information and documents related to the JARC and NF programs and to the coordinated planning process and will continue to be used to disseminate information about the program and local coordination activities.

Kern COG will also act as a temporary source of information and referral for agencies and individuals seeking transportation alternatives. Kern COG will continue implementation of the *Coordinated Human Service Transportation Plan for Kern County, 2007*.

Transfer of Funds

Kern COG will allow for transfer of funds in accordance with FTA guidelines. Safeguards will be followed to ensure that any transferred funds are used for JARC or New Freedom projects, not to supplement 5307 or 5311 programs. Funds transferred to another FTA program must be tracked, managed and reported separately within the consolidated grant. Any funds transferred must be used in accordance with guidelines of the receiving program. The appropriate scope codes assigned by FTA will be used to identify JARC and New Freedom projects. A letter will be sent to inform the FTA regional administrator of any transfer of funds and the fiscal year of apportionment, the amount of funds to be transferred, and the selected projects for which they will be used.

Private Sector Participation

Private providers of public transportation services were actively invited to participate in the Coordinated Planning Process through public notices that were placed in local newspapers announcing all public involvement meetings and through direct invitation to those meetings. Full access to decisions made based on the plan will be available through Kern COG and on the agency website.

Representatives of several private providers attended public meetings. As part of the development of the plan, private providers were identified and surveyed concerning their capacity, service area, fares, etc. and that information was inventoried in the final planning document.

Private providers will be encouraged to continue their involvement and to develop or participate in project applications if they so desire. Providers who are part of Kern COG's Social Service Transportation Advisory Committee will be notified of all phases of the process. New private transportation providers will be added to Kern COG's outreach process as they are identified.

Civil Rights

Kern COG agrees that it will comply with regulations to the end that no person in the United States shall, on the ground of race, color, sex, age, creed, handicap, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program from employment or activity for which it receives federal

financial assistance either directly or indirectly from the federal departments, and other federal, state and local government sources as well as any and all national, regional, and local private funds; and hereby gives assurance that and all national, regional, and local private funds; and hereby gives assurance that it will in all phases and levels of program and activities, act affirmatively to achieve equal opportunities for participation by actively seeking out qualified people for due consideration for availability and job opportunities and encouraging the involvement of the socially and/or physically disadvantaged population in all phases of the program.

In all cases, this assurance shall obligate this agency, Kern COG, for the period during which the federal, state and local financial assistance are extended to it.

This assurance is given in consideration of and for the purpose of obtaining either directly or indirectly any and all federal grants, loans, contracts, property, or discounts, or other federal financial assistance extended after the date hereof to Kern COG by the United States federal departments and any and all other governmental agencies – including installment payments after such date on account of applications for financial assistance which were approved before such date; and any and all sources of private funding. Kern COG recognizes and agrees that such financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States Government as well as state and local Civil Rights Commissions duly recognized shall have the right to seek judicial enforcement of this assurance. This assurance is binding on Kern COG, its successors, transferees, subrecipients and assignees.

Kern COG will monitor subrecipients first by requiring a signed agreement outlining the expectations for subrecipients regarding Title VI, EEO and DBE. Civil Rights obligations will be addressed in the pre-application workshop. The application itself asks for information about the demographics of the target population, including ethnicity and income. Assistance will be offered to and given to minority applicants or applicants which serve a significantly minority demographic in developing competitive proposals.

Additionally, subrecipients are required to certify compliance to Kern COG concerning a number of assurances, including:

- 1) Equal Employment Opportunity;
- 2) Nondiscrimination on the Basis of Disability;
- 3) Disadvantaged Business Enterprise Program; and
- 4) Compliance with Title VI of the Civil Rights Act of 1964.

Section 504 and ADA Reporting

Kern COG agrees to comply with the requirements of 49 U.S.C. §5301 (d) which states the federal policy that elderly individuals and individuals with disabilities have the same rights as other individuals to use public transportation services and facilities, and that special efforts will be made in planning and designing those services and facilities to implement transportation accessibility rights for elderly individuals and individuals with disabilities.

Kern COG will monitor subrecipients first by requiring a signed agreement outlining the expectations for subrecipients regarding Section 504 and ADA reporting.

Kern COG will require demographic information, including disability status of riders required quarterly project reports. Subrecipients will be asked to report all project measures in a manner to include both a disability and an ethnic breakdown of the population served. A process will be developed to solicit any complaints based on perceived discrimination based in disability status.

Program Measures

The reporting and data collection measures for the JARC and NF Programs will be prescribed in the grant agreements with subrecipients. Subrecipients will be required to collect the following data:

JARC:

- Actual or estimated number of jobs that can be accessed as a result of JARC projects implemented in the current year;
- Number of calls for information about job-related transportation and the actual or estimated successful referrals; and
- Actual or estimated number of rides (as measured by one-way trips) provided as a result of the JARC projects implemented in the current year.

NF:

- Services provided that impact the availability of transportation services for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year. Examples may include geographic coverage, service quality, or service times;
- Number of calls for information about transportation for elderly individuals and individuals with disabilities and the actual or estimated successful referrals of those calls will be requested;
- Additions or changes to the environmental infrastructure (e.g., transportation facilities, sidewalks, etc.) technology. Or vehicles that impact the availability of transportation services as a result of the New Freedom projects implemented in the current reporting year; and
- 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.

Designated Recipient Program Management

This Program Management Plan (PMP) describes Kern COG's policies and procedures for administering the Federal Transit Administration's (FTA) Section 5316 Job Access and Reverse Commute (JARC) and 5317 New Freedom (NF) programs. This PMP is designed to meet federal requirements and facilitate Kern COG's management and administration of the JARC and NF programs. It will also serve as a guide to the general public and prospective applicants and to assist FTA in its oversight responsibilities by documenting Kern COG's policies and procedures for administering these programs.

Kern COG has assigned a staff person as project manager for its Program Management Plan. This staff person, or his designee, will be responsible for reviewing and processing all reports, plans and certifications required to be submitted under these regulations. Kern COG will review information provided by the subrecipients of 5316 and 5317 funds on a quarterly basis, at a minimum. A quarterly progress report will be provided to all subrecipients of JARC and New Freedom funds as enumerated in the Program Measures section of this plan.

The Kern COG project manager will establish and maintain a point of contact with each subrecipient and will monitor compliance through review of required quarterly reports, telephone inquiries and periodic site visits.

Accounting System, Financial Management, and Reporting

Kern COG has an established accounting and reporting system that meets or exceeds FTA requirements for financial management. In addition, all subrecipients must assure Kern COG that each has fiscal control and accounting procedures that will permit preparation of the required

reports as well as a level of expenditures adequate to establish that such funds are used consistent with the rules and requirements of the program. These systems will also allow for the accurate, current, and complete disclosure of all financially assisted activities, the establishment and maintenance of accounting records which are supported by source documents and which adequately identify the source and application of funds provided, the effective control and accountability of cash, real and personal property, and other assets; the comparison of actual expenditures with budgeted amounts, allowing for the development of performance of productivity data and unit cost information, where appropriate; the application of Office of Budget Management (OMB) cost principles, agency program regulations, and the term of subrecipient's grant agreement to determine the reasonableness, allowability, and allocability of costs; and a procedure for minimizing the time elapsing between the receipt of Federal funds and local disbursement.

All subrecipients receiving operating assistance are required to report financial and operating data on a quarterly and annual basis. Milestone reports are also required for all capital and planning grants.

All subrecipients receiving capital assistance are required to keep appropriate property control records on all equipment and real property. Federal OMB and Federal Transit Administration guidelines are used in meeting this reporting requirement.

Procurement, Property Management, vehicle use, maintenance and disposition

Subrecipients are responsible for securing organization-wide or grant specific audits. All audits performed on subrecipient under the JARC program shall be in accordance with Office of Management and Budget, Circular A-133. The closeout of JARC grants will occur after Kern COG has received, reviewed, and accepted any final grant reports, and notified the grantee of such acceptance.

The legally authorized auditing body for all subrecipients (unit of local government – cities, counties, towns, etc.) is the State Auditor. Subrecipients that contract with private companies for transit service must require that these companies provide them with their annual audit. The grantee is responsible for reviewing all sub-contractors' audit reports and appropriately resolving and reporting any findings.

Kern COG will perform a project closeout with subrecipients within 90 days after all funds are expended and all work activities for the project are completed. Kern COG will initiate a program of project (POP) closeout with FTA within 90 days after all work activities for the POP are completed. Kern COG will electronically submit a final Financial Status Report (SF 269A), final budget, and final POP via the TEAM system at the time of closeout.

Subcontractors are required to submit a project activity narrative and status reporting with each invoice. Program status is reviewed frequently and a comprehensive status report is prepared semi-annually. Program status reports FTA grants are provided quarterly.

Other Provisions

While Kern COG is the designated recipient of funds, it does not operate vehicles or provide direct transportation service. In approving grants to subrecipients, Kern COG will require certifications and assurances from subrecipients that they will comply with other Federal requirements such as environmental protection, Buy American provisions, pre-award and post-delivery reviews, restrictions on lobbying, prohibition on exclusive school transportation, and drug and alcohol testing, as appropriate. Depending on the nature of the project, Kern COG will require reporting on the relevant actions taken to comply with the federal requirements listed above as part of quarterly reporting.

Exhibit 1

Metropolitan Bakersfield General Plan West

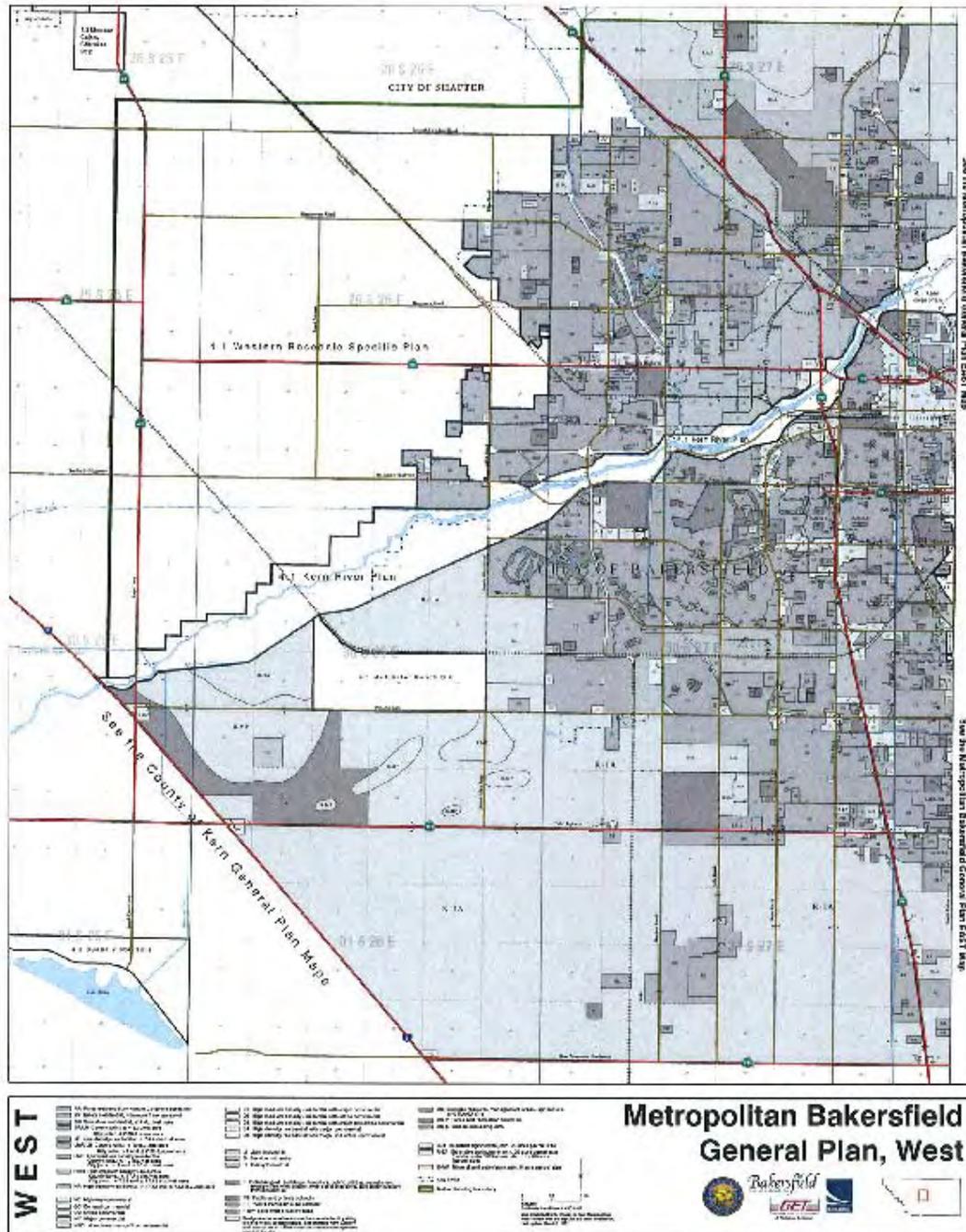


Exhibit 2

Sample Bakersfield Urbanized Area grant application for JARC / New Freedom funding programs.

A. Applicant Information:	
Legal Name:	
Address:	
City/State/Zip:	
Contact Person:	
E-mail:	
Phone:	
Fax:	
Alternate Contact (<i>optional</i>):	
Phone:	
<input type="checkbox"/> Current 5310 Recipient <input type="checkbox"/> Current 5311 Recipient	
B. Program (check one):	
<input type="checkbox"/> Job Access/Reverse Commute Project – Section 5316 <input type="checkbox"/> New Freedom Project – Section 5317	
C. Project Type (check one):	
<input type="checkbox"/> Capital Only (80% of Project Cost) <input type="checkbox"/> Capital & Operating	<input type="checkbox"/> Operating Only (50%) <input type="checkbox"/> Mobility Management / Coordinated Planning (80%)
D. Project information:	
Population of area to be served:	_____ % of population
Number of welfare recipients:	_____ % of population
Number if low-income persons:	_____ % of population
This application is for:	
<input type="checkbox"/> An urbanized area with population greater than 200,000	
Summary of project:	
JARC Urbanized Amount of grant request:	\$ _____
NF Urbanized Amount of grant request:	\$ _____
Total Match Funds: (Non-DOT federal, state, local or private)	\$ _____
Total cost of Project:	\$ _____
Project Beginning and Ending Dates:	_____ to _____

Exhibit 3

Sample Financial Status Report for JARC / New Freedom funding programs.

1. Federal Agency and Organizational Element To Which Report is Submitted Kern Council of Governments	2. Federal Grant or Other Identifying Number Assigned By Federal Agency	OMB Approval No.	Page	of Pages
3. Recipient Organization (Name and complete address including ZIP code)				
4. Employer Identification Number	5. Recipient Account Number or identifying Number	6. Final Report	7. Cash Basis	Accrual
8. Funding Grant Period From (Month, Day, Year)	To: (Month, Day, Year)	9. Period Covered by This Report From:	To:	
10. Transactions		Previously Reported	This Period	Compulsive
a. Total outlays		0	0	0
b. Recipient share of outlays		0	0	0
c. Federal share of outlays		0	0	0
d. Total unliquidated obligations				0
e. Recipient share of unliquidated obligations				0
f. Federal share of unliquidated obligations				0
g. Total Federal share (Sum of lines c and f)				0
h. Total Federal funds authorized for this funding period				0
i. Unliquidated balances of Federal funds for this period (Line h minus line g)				0
11. Indirect a. Type of Rate: Based on Cost Allocation Plan (OMB-87)		Provisional	Predetermined	Final
Fixed				
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.				
Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purpose set forth in the award documents.				
Typed or Printed Name and Title			Telephone	
Signature of Authorized Certifying Official			Date Report Submitted	